STATE OF NEW YORK

2348

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

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Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when
    printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
    prohibiting idling by heavy-duty vehicles

   *The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:*

1   Section 1. The environmental conservation law is amended by adding a
2   new section 19-0326 to read as follows:
3   *§ 19-0326. Prohibition on idling by heavy-duty vehicles.*
4   *1. No person shall allow or permit the idling of a heavy-duty vehicle*
5   *for more than three minutes except as otherwise provided by the depart-*
6   *ment in regulation.*
7   *2. The department may adopt and update, from time to time, regulations*
8   *necessary to implement the provisions of this section. The regulations*
9   *shall include any exemptions deemed by the department to be necessary or*
10 *appropriate.*
11   *3. As used in this section "heavy-duty vehicle" means a vehicle that*
12 *has a gross vehicle weight rating exceeding eight thousand five hundred*
13 *pounds designed primarily for transporting persons or properties.*
14   *4. The department, in cooperation with the department of motor vehi-*
15 *cles, shall conduct outreach and provide educational materials on the*
16 *provisions of this section to law enforcement officers throughout the*
17 *state.*
18   *5. No local law or ordinance governing the idling of heavy-duty vehi-*
19 *cles shall be preempted by this section. This section shall not apply to*
20 *authorized emergency vehicles as defined in section one hundred one of*
21 *the vehicle and traffic law that are exempt from the idling restrictions*
22 *set forth in section 24-163 of the administrative code of the city of*
23 *New York.*
24   § 2. This act shall take effect on the ninetieth day after it shall
25 have become a law.

EXPLANATION--Matter in **_italics_** (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD02353-01-9