

PROPOSED LOCAL LAW N OF 2019

A LOCAL LAW

Amending Chapter 282 Vehicles and Traffic, Article IX Parking, Standing and Stopping to add new Section 282-27.2 regulating idling of motor vehicles

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

SECTION 1. Chapter 282, Article IX of the Code of the Village of Hastings-on-Hudson is amended to add new Section 282-27.2 as follows:

Section 282-27.2. Restrictions on idling of motor vehicles.

- A. No person shall allow or permit the engine of a motor vehicle to idle for more than one minute when the motor vehicle is not in motion, except that this provision shall not apply when:
 - (1) A motor vehicle is forced to remain motionless because of traffic conditions over which the operator thereof has no control;
 - (2) regulations adopted by a federal, state or local agency having jurisdiction require the maintenance of a specific temperature for passenger comfort, in which case the idling time may be increased to the extent necessary to comply with such regulations;
 - (3) An engine is being used to directly provide power for an essential auxiliary purpose, such as loading, discharging, mixing or processing of cargo; controlling cargo temperature; lumbering; oil or gas well servicing; farming operations; or when operation of the engine is required for the purpose of maintenance; or
 - (4) the motor vehicle is not powered by a diesel engine and the ambient air temperature is 32 degrees Fahrenheit (0 degrees Celsius) or less; and
 - (5) The motor vehicle is an electric vehicle.
- B. No person shall operate, allow or permit the operation of a diesel engine or vehicle propelled by a diesel engine in such a manner as to emit exhaust emissions equal to or greater than 20 percent opacity for a continuous period of more than five seconds as determined by a trained certified observer.
- C. This section shall apply to any person who owns, operates, leases, supervises or who otherwise has charge, supervision or control of such vehicle and to any person who owns leases or occupies land and has actual or apparent domain or control over such vehicle or engine which is present on such land.
- D. This section shall not apply to fire trucks, police, emergency medical services and other emergency vehicles and equipment while performing in the scope of their duties.
- E. Any person who violates this section 282-27.2 shall be subject to a fine or not less than \$35 per violation

SECTION 2. SEVERABILITY

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.