

Stated Meeting: Shutting Engines At Schools

by Courtney Gross

Thursday, January 29, 2009 12:00 AM

Idlers be forewarned: Sputtering engines will not be tolerated near schools by the City Council.

That's the message the City Council sent Wednesday when it passed two bills bolstering the city's ability to issue tickets for engine idling anywhere in the city and reducing the allotted time a driver can idle near school grounds.

The council also passed legislation that enables the city to track construction contractors' safety records and requires safety managers at sites with problem contractors.

Idling Engines

If drivers are idling next to a private or public school, they will have 60 seconds to turn off the engine or face a fine, under legislation approved yesterday.

Idling has been restricted in New York City since the 1970s. Currently, vehicles can idle for three minutes, but anything above is subject to a \$100 fine, said city officials. The ([Intro 631-A](#)) legislation, which was approved by a vote of 43 to 3 Wednesday, does not change the city's fine structure and reduces the idling time only in areas adjacent to schools.

The council also approved a bill ([Intro 40-A](#)) by a vote of 40 to 6, which gives Department of Parks and Recreation and Department of Sanitation employees the power to issue these idling tickets.

Citing climate change and carbon emissions from vehicles, city officials said it [saves gasoline and energy](#) (as well as the lungs of the city's adolescents) if drivers shut off vehicle engines after 10 seconds and restart rather than idle. Idling, they add, adds to the wear and tear of a vehicle engine, while emitting noxious fumes.

The bill, said supporters, is aimed not at parents, but at delivery and diesel-consuming trucks.

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"We don't want the city to be seeing dollar signs on the face of parents as they pick up and drop off their kids," said Councilmember John Liu, the bill's sponsor.

Emergency vehicles are exempt from the legislation, and, according to the bill, school buses can idle to "maintain an appropriate temperature for passenger comfort," for maintenance or in emergency evacuations.

Opponents of the bills said the city already issues too many tickets and empowering it to issue more on the backs of parents would be malicious. Others worry that parents dropping off and picking up their children would be subject to the fines if their children were running slightly late.

"The message isn't 'Don't Idle,'" said Councilmember Simcha Felder, an opponent of the bill. "The message is, 'We're out to get you.'"

Some council members wondered whether an educational campaign would curb engine idling better.

In response, the council is considering an amendment to the bill that would exempt both the drop off and pick up times for facilities serving kindergarten through middle school.

Other members took issue with expanding ticketing powers to agencies other than the police department. Idling, they said, should not be used as a source of revenue, especially after the [s](#) [pike in summonses](#) that has occurred under the Bloomberg administration.

"What agency will be next?" asked Councilmember Jimmy Vacca of the Bronx. "Maybe the Landmarks Commission will come and give tickets in my district."

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City officials said both parks and sanitation officials already issue these tickets, but the bill would make that power permanent.

A mayoral spokesman said the mayor would sign the legislation.

Construction Site Safety Reprise

The council has approved 10 [bills](#) in 2008 [in response](#) to two fatal crane accidents in Manhattan. The legislation approved yesterday adds two more bills to this arsenal and is supposed to be the last legislative word in response to the deaths.

The first bill ([Intro 878](#)) would assign every city construction contractor a number, which will allow city officials to track their safety records across projects and years. If a contractor has an atrocious record, it could be banned from doing business in the city, according to the bill. This will be the first time the city can track performance and violations for a single contractor, said City Council Speaker Christine Quinn.

For those with poor records, the city will require contractors to draft and abide by a safety plan. Contractors with the worst records could see their numbers revoked or suspended.

Every general, demolition or concrete contractor will have to have a number to receive a city permit for construction.

Mayor Michael Bloomberg released the following statement in response to the bill's passage: "This tool will give the department an unprecedented ability to track contractors across construction sites and get a true picture of who has the best safety records, and who must be held accountable for unsafe jobs that endanger workers and the public."

In addition, the council approved legislation ([Intro 760](#)), introduced by Councilmember Jessica Lappin, requiring contractors with poor safety records or a number of immediately hazardous violations to hire independent safety monitors who will work with the Department of Buildings to ensure the site is run smoothly.

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Both bills were approved by the council unanimously.

Lappin said the monitors would serve as the "eyes and ears of the department."

The city will not have to pay for the monitors, though they will report to the Department of Buildings as independent contractors.