

CAPA REGULATORY AGENDA FY 2021
BUSINESS INTEGRITY COMMISSION

Pursuant to section 1042 of the Charter, the City of New York Business Integrity Commission sets forth below its regulatory agenda for the City's fiscal year of 2021:

1. **SUBJECT**: Side guards

- A. Reason: Many vehicles belonging to BIC licensed and registered companies will soon be required to comply with Local Law 56 of 2015, which requires the installation of side guards, a life-saving safety measure. Local Law 56 currently takes effect on January 1, 2024; however, the Council is currently considering Intro. 1789, which would move forward that deadline. BIC, in coordination with the Department of Citywide Administrative Services, will need to promulgate rules further defining and clarifying specific policies and exemptions regarding side guards.
- B. Anticipated Contents: Amendments to Subchapters E and G of Chapter 1 of Title 17 of the Rules of the City of New York.
- C. Objectives: To put the side guard bill into effect.
- D. Legal basis: Sections 1043(a) and 2101(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Trade waste industry.
- F. Other relevant laws: None.
- G. Approximate schedule: To be determined.

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2. **SUBJECT**: Safety in the Trade Waste Industry

- A. Reason: On November 20, 2019, Mayor de Blasio signed Local Law 198, expanding BIC's jurisdiction to include traffic safety in the trade waste industry. It specifically enables BIC to deny a license or registration for safety issues that demonstrate a company lacks good character, honesty, and integrity. BIC will likely need to promulgate several rounds of rules relating to safety in the trade waste industry in order to put this law into effect.
- B. Anticipated Contents: Amend Subchapters A, E, and G of Chapter 1 of Title 17 of the Rules of the City of New York.
- C. Objectives: To put the safety bill into effect.

- D. Legal basis: Sections 1043(a) and 2101(b) of the New York City Charter.
- E. Types of Individuals and entities likely to be affected: Trade waste industry.
- F. Other relevant laws: 49 CFR parts 300-399; 17 NYCRR part 820; Article 9 of Title III of NY VTL; and Title VII of VTL.
- G. Approximate schedule: First and second quarter of FY 2021.

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3. **SUBJECT**: Overweight vehicles on the BQE

- A. Reason: On January 31, 2020, Mayor de Blasio issued Executive Order No. 51, which seeks to promote safety and protect the structural integrity of the Brooklyn-Queens Expressway (“BQE”). The BQE Expert Panel Report indicated that many trucks are operating in violation of existing weight restrictions on the BQE, which may cause sections of the road to become unsafe and incapable of carrying current traffic within five years. The Commission has the authority and duty to enforce safety standards in the trade waste industry, including traffic safety requirements for vehicles used in the collection and disposal of trade waste. The proposed rule would authorize the Commission to revoke or deny licenses and registrations for the worst offenders found to be operating overweight trade waste vehicles on the BQE and other designated public roadways.
- B. Anticipated Contents: Amendment to 17 RCNY Sections 5-04 and 7-02.
- C. Objectives: To assist with efforts to minimize violations of weight restrictions on the BQE committed by heavy duty trade waste vehicles.
- D. Legal basis: Sections 1043(a) and 2101(b) of the New York City Charter.
- E. Types of Individuals and entities likely to be affected: Trade waste industry.
- F. Other relevant laws: Chapter 1 of Title 16-A of the Administrative Code (the “Administrative Code”), Sections 16-509, 16-513, 16-514, 16-515, 16-520, 16-520.1.
- G. Approximate schedule: To be determined.

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4. **SUBJECT**: Require Licensees/Registrants to disclose detailed vehicle information.
- A. **Reason**: Certain vehicles belonging to BIC licensed and registered companies are currently required to comply with the requirements set forth in Local Law 145 of 2013 (regarding vehicle emissions), which went into effect on January 1, 2020. Additionally, certain vehicles will soon be required to comply with the requirements of Local Law 56 of 2015 (regarding side guards). Local Law 56 currently goes into effect on January 1, 2024; however, the City Council is considering Intro. 1789, which would move forward that effective date. In order to assess a company's compliance with each law, BIC-licensed and registered companies provide the Commission with detailed information for each vehicle in their fleet, including but not limited to, gross weight, gross weight rating, engine information, and side guard information.
 - B. **Anticipated Contents**: Amendment to 17 RCNY Section 5-03.
 - C. **Objectives**: To assist BIC with determining a company's progress toward compliance with local laws.
 - D. **Legal basis**: Section 2101(b) of the New York City Charter.
 - E. **Types of Individuals and entities likely to be affected**: Trade waste industry.
 - F. **Other relevant laws**: None.
 - G. **Approximate schedule**: To be determined.

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5. **SUBJECT**: Commercial Waste Zones (CWZ)
- A. **Reason**: On November 20, 2019, Mayor de Blasio signed Local Law 199, giving the Department of Sanitation ("DSNY") authority to develop a system of 20 geographic zones for the collection of putrescible waste, organic material, and recyclables from commercial establishments. Private trade waste carters that are awarded zones by DSNY must still be licensed by BIC. Additionally, BIC will have co-enforcement authority with DSNY in the zones.
 - B. **Anticipated Contents**: Amendments to Subchapters A, B, C, E, F, and G of Chapter 1 of the Rules of the City of New York.
 - C. **Objectives**: To enable BIC to assist DSNY with the implementation and enforcement of the CWZ system.
 - D. **Legal basis**: Sections 1043(a) and 2101(b) of the New York City Charter.
 - E. **Types of Individuals and entities likely to be affected**: Trade waste licensees and their customers.

F. Other relevant laws: None.

G. Approximate schedule: First and second quarter of FY 2021.

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