

**SUBJECT:** Side Guard Law – The Department of Citywide Administrative Services (“DCAS”) will initiate a rule-making process pursuant to the City Administrative Procedure Act (“CAPA”) to promulgate rules which notify the public concerning which City-owned vehicles will require side guards and the exemption process for City-owned vehicles by type and/or specific make or model, in the case of specialized fleet vehicles. The Business Integrity Commission (“BIC”) may also elect to adopt the technical decisions of DCAS for purposes of their enforcement of side-guard regulations under the same Local Law for commercial waste fleets. Local Law 56 of 2015 requires regulated fleets to be in compliance by 2024 and authorizes DCAS and BIC to make exemptions.

- A. Reason: To allow the affected fleet management, side guard and trucking industries, and the public to understand how the exemption process in the local law will be administered.
- B. Anticipated contents: Further clarification of the approval process and enforcement of Local Law 56 of 2015. Input from various sources.
- C. Objectives: Produce a detailed explanation and process for implementing exemptions under Local Law 56 of 2015. Address questions and issues regarding truck side guards.
- D. Legal basis: Local Law 56 of 2015
- E. Types of individuals and entities likely to be affected:
  - a. All NYC fleet agencies which operate “large vehicles,” defined as a motor vehicle with a manufacturer’s gross vehicle weight in excess of 10,000 pounds
  - b. Manufacturers of large vehicles for City fleets
  - c. General public interested in safety issues
  - d. Possibly: commercial fleets regulated by BIC
- F. Other relevant laws: A number of Cities including Boston and San Francisco have established side-guard mandates and federal DOT NTSB has recommended this be looked at nationally. Side-guards are required internationally in many locations including the UK.
- G. Approximate schedule: Late 2017/early 2018.
- H. Agency Contact: Keith T. Kerman  
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