

January 23, 2020

Mr. Burt Lazarin  
Chair, Manhattan Community Board 4  
330 West 42 Street  
26 Floor  
New York, NY 10036

Re: Increases to Idling Fines and Enforcement

Dear Mr. Lazarin:

I am writing in response to your letter to Commissioner Sapienza concerning the ability to increase idling fines and enforcement.

DEP conducts inspections of locations that are either reported through 311, the citizen complaint process if the vehicle is a truck or bus as defined in the law, as well as outreach efforts, including to school bus drivers. DEP enforces the idling law, of no more than 3 minutes, or 1 minute if the vehicle is adjacent to a school. There are exceptions for the secondary engine to be used for processing devices, as well as loading and unloading.

While there is the ability to increase fines by rule, the Air Pollution Control Code (APC) sets a maximum amount of \$2000. Any changes to the existing law, to limit the exceptions as set forth in Section 24-163 of the APC, would require a change in law. Any change in this law would have to occur by the City Council introducing legislation to amend the APC.

DEP looks forward to continuing to work with the City Council and Community Boards to improve air quality.

Thank you for bringing this matter to my attention.

Sincerely,

Gerry Kelpin  
Director, Air & Noise Policies & Enforcement

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