

Copied From DEP Citizens Complaint Page on 12/28/2022

Citizens Air Complaint Program FAQs

Citizens may only submit idling complaints about trucks and buses as defined in paragraph 1 and 2 below. There are additional exceptions which are explained below in subdivisions a and/ or b.

1. Trucks are defined to include any vehicle that is designed, used or maintained primarily for the transportation of property as defined in the NYS Vehicle and Traffic Law and 34 RCNY 4-01. This would include a van that primarily transports property.

The DEP is currently rejecting complaints of motor vehicles (truck in VTL definition) that meet the current definition in the law, and are rejecting complaints that also meet the DEP expanded definition that DEP is currently using that is NOT part of the law and further restricts the citizen.

Should I note in my comments if there is a second or third offense and provide the previous summons numbers?

Yes, it is beneficial to DEP to see that notation as well as the summons numbers for DEP to conduct further review. **If the information is not provided, DEP will be unable at this time to submit the summons as a second or third offense.**

The DEP has made changes it is now seeking to change by rule by doing so on its own. DEP has already chosen to not enforce the law as enacted by the legislature.

