



Legislation Text

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Int. No. 1140

By Council Members Cabrera, Cohen, Levine, Koslowitz and Palma

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting smoking and using electronic cigarettes in vehicles when a child under the age of eight is present, and to repeal subdivision f of section 17-505

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 17-505 of the administrative code of the city of New York is REPEALED.

§ 2. Section 17-502 of the administrative code of the city of New York is amended by adding new subdivision ss to read as follows:

ss. "Vehicle" shall mean any device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

§ 3. Section 17-503 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. It shall be unlawful for the operator or any passenger in a vehicle to be smoking or using electronic cigarettes when a child under the age of eight is present within such vehicle.

§ 4. Subdivision d of section 17-508 of the administrative code of the city of New York is amended to read as follows:

d. It shall be unlawful for any person to smoke, or use an electronic cigarette, in any area or vehicle where smoking, and using electronic cigarettes, are prohibited under section 17-503 and section 17-504.

§ 5. This local law takes effect 90 days after its enactment into law, provided that the commissioner of health and mental hygiene, in consultation with the police commissioner, shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to its effective date.

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