

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 74

Introduced by Council Members Gennaro, Levin, Fidler, Lander, Mendez, Palma, Richards, Gentile, Vallone, Brewer and Eugene.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to renewal of waivers issued for certain diesel-powered vehicles unable to adopt best available retrofit technology.

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 24-163.5 of title 24 of the administrative code of the city of New York is amended to read as follows:

h. The commissioner may issue a waiver for the use of the best available retrofit technology by a diesel fuel-powered motor vehicle or diesel fuel-powered nonroad vehicle where the city agency that has entered into the applicable solid waste contract or recyclable materials contract makes a written finding, which is approved, in writing, by the commissioner, that such technology is unavailable for purchase for such vehicle, in which case the contractor shall be required to use the technology for reducing the emission of pollutants that would be the next best best available retrofit technology and that is available for purchase for such vehicle. Any waiver issued pursuant to this subdivision shall expire after three years. *The commissioner shall not renew any waiver issued pursuant to this subdivision after January 1, 2014.*

§ 2. Subdivision e of section 24-163.6 of title 24 of the administrative code of the city of New York is amended to read as follows:

e. The commissioner may issue a waiver for the use of the best available retrofit technology by a diesel fuel-powered sight-seeing bus where the department of consumer affairs makes a written finding, which is approved, in writing, by the commissioner, that such technology is unavailable for purchase for such bus, in which case the owner or operator of such bus shall be required to use the technology for reducing the emission of pollutants that would be the next best best available retrofit technology and that is available for purchase for such bus. Any waiver issued pursuant to this subdivision shall expire after three years. *The commissioner shall not renew any waiver issued pursuant to this subdivision after January 1, 2014.*

§ 3. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 22, 2013 and approved by the Mayor on September 4, 2013.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 74 of 2013, Council Int. No. 1062-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.