

**Testimony of Deputy Commissioner
Robert Avaltroni
New York City Department of Environmental Protection
(DEP)
before the Council of the City of New York
Committee on Environmental Protection
concerning Oversight: Idling
250 Broadway
November 25, 2008**

Good afternoon, Chairman Gennaro and Members of the Committee. I am Robert Avaltroni, Deputy Commissioner of the Bureau of Environmental Compliance at the New York City Department of Environmental Protection. With me are Geraldine Kelpin, Director, Air/Noise Policy and Permitting of the New York City Department of Environmental Protection and Kizzy M. Charles-Guzman, Policy Advisor on Air Quality in the Mayor's Office of Long-Term Planning and Sustainability.

On behalf of Acting Commissioner Steve Lawitts thank you for the opportunity to testify on the status of DEP's and other agencies' and offices' work to reduce motor-vehicle idling in New York City (the City). Mayor Bloomberg's *PlaNYC 2030* outlines initiatives on many fronts to improve air quality, and a number of them focus on reducing unlawful motor vehicle idling.

In my testimony I will describe DEP's and other agencies' enforcement of the anti-idling law, review the idling prohibition in relevant statutes and our data on enforcement efforts, describe initiatives by the Mayor's Office of Long-Term Planning and Sustainability (Office of Sustainability) to reduce idling and, finally, comment on Intro. 631 and Intro. 40.

New York City's prohibition on idling exists in Section 24-163 of Title 24, Chapter One of the Administrative Code and in the Rules of the City of New York. Chapter One is also

known as the Air Pollution Control Code. Section 24-163 provides that with certain exceptions, no vehicle in the City is allowed to idle more than three minutes while parked, stopped or standing. DEP enforcement personnel, NYPD officers and some Traffic Enforcement Agents (TEAs) are authorized to issue notices of violation (NOV) returnable to the Environmental Control Board (ECB). Personnel of the Departments of Parks and Sanitation, which were delegated by DEP to enforce 24-163 in 2003 and 2004 respectively, and they, too, can write NOVs. NOVs written pursuant to 24-163 are adjudicated before ECB, which is now under the auspices of the Office of Administrative Trials and Hearings (OATH). Penalties on a finding of violation range from \$220 to \$1,000.

Enforcement

New York City also receives citizen complaints for idling vehicles through 311: approximately 4,600 complaints in FY 07 and FY 08. Combined enforcement efforts resulted in approximately 1,200 notices of violation in FYs 07 and 08. There are a number of different facts that account for the difference between the number of complaints received and the number of violations issued. For instance, some complaints are one-time events, meaning that the vehicle is there for a short period of time and then moves on before an inspector arrives. Another reason for the difference is that the Air Pollution Control Code creates exemptions from the three-minute idling requirement. The first is for emergency vehicles, which I will discuss later in my testimony; the second is for a vehicle whose engine is used to operate a loading, unloading or processing device, which includes refrigeration units for delivery trucks or food vendors; and the third exemption is for buses, which are allowed to continue to idle when the ambient temperature falls below 40 degrees Fahrenheit. Follow-up on many of the idling complaints will not result in the issuance of a violation due to one of these exceptions. However, once there inspectors will check to see that vehicles are in compliance with other sections of the Air Pollution Control Code.

Given the transient nature of vehicle idling – and the challenge of responding quickly enough to observe individual violations – DEP has found that it is more effective to take a comprehensive, targeted and collaborative approach to enforcement. We focus on working with enforcing agencies such as the NYPD, Parks, Sanitation or others to get at the localized pollution in those “hot-spot” neighborhoods suffering from the extended idling of vehicles, especially trucks and buses. Using the information we receive from 311, community leaders, elected officials, and after discussion with other agencies, we have scheduled several days or weeks of more aggressive enforcement in the targeted areas.

Coordinated efforts in communities such as Chinatown, the Lower Manhattan construction zone surrounding the World Trade Center rebuild, and the Hunt's Point Terminal Market in the South Bronx, have shown success at mitigating the pollution generated at concentrated vehicle traffic hubs. In another example, community groups on the Upper West Side have brought to the attention of DEP a problem with out-of-state tour buses that stop and idle on Central Park West on Saturday mornings to bring tourists to the Strawberry Fields site. Inspectors have visited that location a number of times to issue violations or speak with the drivers.

Further, the Office of Sustainability is working with City and State agencies to increase the enforcement of existing anti-idling laws in hotspots where polluting diesel vehicles concentrate their idling activity, putting vulnerable communities at risk of the health impacts of air pollution. Because New York State law prohibits idling of heavy-duty diesel trucks for more than five minutes, state agencies can assist us in combating idling. For example, last year an enforcement action in East Harlem culminated in a November sweep in which DEP issued 33 tickets for idling trucks and New York State Department of Environmental Conservation (DEC) officers pulled over and inspected 361 diesel trucks and issued 163 tickets for various violations of State air and safety regulations. The officers also issued ten tickets for excessive vehicle idling.

On October 31st of this year, this partnership between DEC, DEP and the Office of Sustainability was officially launched with a second enforcement action in East Harlem. DEP and DEC, working for two to three hours a day, issued 25 idling tickets over four days.

Section 4-08(p) of the City's Traffic Rules also prohibits engine idling in much the same manner as Administrative Code Section 24-163, and can provide an alternative means of enforcement for Traffic Enforcement Agents authorized to enforce that provision. Finance has started the process of promulgating rules that will allow TEAs to write summonses for violation of the idling provision contained within the Traffic Rules. Approximately 100 TEAs would continue to be able to issue notices of violation returnable to the Environmental Control Board for violation of Section 24-163, but this change would make all 2,300 TEAs available to write summonses for violations of this Traffic Rule, returnable to Finance.

PlaNYC

PlaNYC 2030 promises to improve compliance with existing anti-idling laws through a targeted public awareness campaign, which will be launched in 2009. To expand compliance, the Office of Sustainability is partnering with advocacy organizations and the private sector to launch a series of public service announcements, signage, bus and stationary media and other marketing strategies. The Office of Sustainability is also working to increase public access to information about the City and State anti-idling laws via the City's 311 call system.

The Office of Sustainability is also working to increase public access to information about the City and State anti-idling laws via the City's 311 call system. A possible enhancement to 311 might enable reports of extended idling to result in a letter to a properly identified bus or truck company reminding the business that reducing idling is an integral part of good corporate citizenship. We are exploring some changes to 311 procedures and to

DEP's website that might help citizens and DEP persuade the owners of idling trucks and buses to talk to drivers about switching off their engines.

I would now like to address the Introductions that propose amendments to the provisions on idling.

Intro. 631

Intro. 631 of 2008 would require the Police Department to report on a quarterly basis the number of NOVs issued for idling; modify the exemption from the idling prohibition for emergency vehicles; and prohibit idling for more than one minute adjacent to a school. DEP would also be required to submit quarterly reports to the Council on violations of the idling law. Finally, the bill would require that instruction on idling laws be included in the licensing of taxi, van and other drivers.

Because violations of 24-163 are returnable to ECB they already enter, track, adjudicate and record paid and unpaid penalty amounts on all violations. ECB may already have the raw data to generate such reports and we can discuss with them the possibility of generating an idling report.

The Administration is opposed to limiting idling of emergency vehicles, as proposed by bills on today's agenda. More specifically, we are concerned with the addition of the qualifying phrase, "while actually providing emergency services."

FDNY/Emergency Medical Service (EMS) ambulances, as well as any 911 participating ambulances, are assigned to cross-street locations throughout the City. EMS ambulances are then dispatched from these locations. In contrast, the FDNY ladders and engines respond from a stationary firehouse facility. The EMS ambulances therefore are essentially the "offices" of the EMTs and paramedics who must listen to their radios in their trucks for dispatch information. Since EMS ambulances are on duty day and night every season of the year, the trucks must keep running to keep the emergency medical technicians warm or

cool. These members spend their shifts away from FDNY facilities so that they can respond quickly to 911 calls throughout the City. Moreover, the trucks contain a plethora of medications that must be kept at constant temperatures and the ambulances are specifically equipped to store them accordingly. In other words, EMS vehicles that are idling while on duty, awaiting a call, are, in fact, maintaining their readiness to respond to a call. The need to idle is related to the way in which EMS vehicles are deployed and to the extent that Intro. 631 attempts to restrict idling in this situation, the legislation would not serve the City well.

Likewise, NYPD must maintain maximum flexibility in the use of its motor vehicles, which must be in a position at any moment to respond to emergencies. Such readiness might necessitate parking, stopping or standing with an engine running for an indeterminate period of time. Again, to the extent that Intro. 631 seeks to restrict the idling of NYPD vehicles unless they are at that moment providing emergency services, the legislation would be counterproductive and could actively hamper public safety efforts.

Finally, prohibiting more than one minute of idling adjacent to a school is an improvement over existing law, but the term 'adjacent' needs to be carefully defined in rulemaking.

Intro. 40

Intro. 40 of 2006 grants issuing authority to DEP, NYPD, DOT, DPR and DSNY and extends the citizen complaint power to include trucks as well as buses. As I have previously mentioned, in 2003 and 2004 respectively, DEP has delegated that authority to DPR and DSNY; and DEP and NYPD currently have statutory authority to issue NOV's for idling pursuant to 24-163. DEP's experience with improving enforcement by delegation is very positive because it usually occurs in the context of targeted enforcement efforts. As part of the discussions preceding and following delegation the relevant agencies must come to a consensus on the goals, procedures and resources relating to the enforcement. That kind of inter-agency communication inevitably makes the enforcement initiative

more effective and focused. For example, as part of the delegation discussions with Sanitation, they committed to use their authority to enforce against violations at commercial solid-waste transfer stations. Parks enforces against vehicles such as black cars and tour buses that lay over on the periphery of City parks. The Business Integrity Commission enforces against idling trucks at the Hunt's Point Market. All of these various "targets" or goals were defined and committed to in the course of implementing a voluntary delegation agreement. We believe this current system of delegating enforcement authority is effective. Language granting statutory authority to additional agencies should be carefully crafted to ensure continued coordination between agencies.

Finally, particularly since 311 was created, this citizen complaint provision has not been effective. In DEP's opinion, it seems eminently more sensible to emphasize 311 as the best way to allow citizens to communicate with enforcement agencies on idling problems.

Thank you for the opportunity to testify. I will be glad to answer any questions.



Testimony to the New York City Council

Regarding

**Oversight Hearing On Idling Enforcement
And Hearing About Int. 40 and Int. 631**

Drafted principally by Isabelle Silverman,
Attorney at Environmental Defense Fund,
and presented on behalf of the above organizations at a Public Hearing
on November 25th, 2008¹

Introduction

Thank you for the opportunity to testify today. The American Lung Association of New York² and Environmental Defense Fund (EDF)³ jointly submit these comments. We are strongly supportive of efforts to reduce idling in New York City, including Int. 40 and Int. 631 and we have a few suggested edits for these bills.

First off, we also urge the City Council to press the New York Police Department (NYPD) and the New York City Department of Environmental Protection (DEP) for increased enforcement of the idling laws that are already on the books. We are recommending adding a provision to the two bills giving ticket authority to NYPD *traffic* agents as well as general police agents. Right now, only the general police agents have the ability to give idling tickets but they are focused on crime-fighting, not idling. Traffic agents are ideally suited to give idling tickets as they are the ones walking up and down the streets and also suffer most from the emissions.

There are many downsides to unnecessary idling. For example, last week on Long Island, a dog was left in his master's idling car. The dog was able to switch to drive mode and crashed into a coffee shop. Luckily, nothing happened. But in all seriousness, dogs driving off with cars, is probably the smallest problem we have with idling vehicles. While idling can pose serious safety risks, curbside idling is especially troublesome because it spews out significant amounts of pollution and wastes money. This testimony focuses on the amount of pollution created by NYC idlers, the money wasted and possible solutions to reduce unnecessary idling.

EDF Report Result Summary

Over the last seven months, EDF has observed and recorded actual idling behavior in NYC. Our consultants performing in-field idling observations certainly did not have to walk far to find idling vehicles. On average, they were able to find 2-3 idling vehicles on each block. When observing bus idling near Port Authority one consultant even started feeling dizzy.

We recorded idling times for 14 different vehicle types (e.g. car service, personal auto, small truck, large truck, coach bus, etc.) We recorded 486 occurrences of vehicles idling during 120 hours of idling observations. We then entered the observation results into a NYC-specific model, which was based on EPA's MOBILE6.2 emissions model, to determine idling emissions and fuel wasted. The results are summarized in a report that EDF is planning on releasing this spring. Here are a few results from the report.

Our report estimates that every year unnecessary curbside idling wastes \$53 million¹ in fuel which includes gasoline and diesel. We acknowledge that this model was computed when gas prices were high over the last six months. But nevertheless, idling is still comparable to the City's estimated \$60 million² in fuel savings if every yellow cab was a hybrid vehicle. Therefore, unnecessary curbside idling is significant and should be taken seriously. Of course, wasted fuel translates into emissions. Our report estimates that every year, idling cars and diesel vehicles produce \$130,000 in carbon dioxide which contributes to global warming.

Our report further estimates that every year, New York City's idling vehicles waste 7.5 million gallons in gasoline and 5 million gallons of diesel. Gasoline and diesel vehicles both release nitrogen oxides which are a precursor to ozone formation. In addition, diesel vehicles release particulate matter, including fine particulate matter (PM_{2.5}) which is particularly harmful to our health. New York City is not meeting federal health-based standards for ozone and fine particulate matter (PM_{2.5}). Reducing unnecessary idling is a low hanging fruit that will improve air quality right where New Yorkers breathe. Even if idling emissions are not a large percentage of the overall mobile source emissions in New York City, it is the exposure that is worrisome because the emissions occur right where we walk, play and live.

Diesel emissions are harmful to our health and particularly to the health of our children. Studies have shown a wide range of health effects from vehicle pollutants. The most commonly studied illnesses have been asthma and lung disease (especially in children), and heart disease. Traffic emissions, and especially diesel soot, are widely implicated in triggering asthma attacks and impairing lung function. Some studies have found associations between traffic-related exposures and stroke; cancers, including childhood

¹ Estimate from Environmental Defense Fund (EDF) report *Idling Gets You Nowhere* and based on an average fuel price of \$3.94/gallon for gasoline and \$4.56/gallon diesel.

² We got this number from the City but have not received a response as to what fuel price this calculation was based on.

leukemia; lower IQ levels in children;⁴ and adverse reproductive outcomes, such as stunted fetal development, low birth weight and premature birth.⁵

Poor air quality is a significant problem for the millions who live and work in New York City. The American Lung Association ranked New York the eighth-worst city for smog pollution in their *State of the Air 2008* report.⁶ Smog and other pollutants are linked to health problems like asthma—a disease that afflicts New Yorkers twice as often as most Americans.⁷ The cars and trucks that clog city streets are a major source of this harmful pollution. Though regional sources like power plants and major industrial facilities also play a role, recent science has shown that air quality near major roads is often much worse than across the region as a whole. These roadside “hot spots” create an added health risk for the millions of New Yorkers who live and work near busy roadways.⁸ Idling cars and trucks are an unnecessary source of roadside pollution.

Idling Emission Matter: Pollution In Numbers

We are estimating that the annual emissions from unnecessary NYC idling are as follows:

- 130,000 tons of carbon dioxide.
- 940 tons of smog-forming NOx.
- 2,200 tons of smog-forming VOCs.
- 24 tons of soot (PM)
- 6,400 tons of carbon monoxide.

Finally, idling vehicles, and especially diesel vehicles contribute to noise pollution.

To put these pollution numbers into perspective, here are a few comparisons:

- 40,000 cars could drive from Midtown to JFK Airport with the gasoline wasted daily by NYC idlers.³
- To absorb the annual carbon pollution spewed out by New York City curbside idlers, we would need to plant trees on an area the size of Manhattan.⁴
- Every year, unnecessary idling in New York City causes as much diesel pollution as 2 million trucks driving from Grand Central Station to JFK Airport.⁵

³ Environmental Defense Fund’s report *Idling Gets You Nowhere* estimates that over 20,500 gallons of gasoline are wasted daily by unnecessary curbside idling. The distance between JFK airport and Grand Central Station is 17.4 miles.

⁴ Environmental Defense Fund’s report *Idling Gets You Nowhere* estimates that unnecessary curbside idling produces 130,000 tons of carbon dioxide annually.

⁵ From Environmental Defense Fund’s report *Idling Gets You Nowhere*. This calculations estimates that a truck gets about 7 miles/gallon and the distance between Grand Central Station and JFK airport is 17.4 miles.

- Every year, unnecessary idling in New York City causes as much NOx pollution as 9 million large trucks driving from Hunts Point in the Bronx to Staten Island.⁶

Idling Is Expensive: NYC Idlers Waste \$53 Million Annually

Often people still think that turning the engine on and off is bad for the engine. This is no longer true for today's cars and trucks. In fact, studies shows that idling for 10 seconds wastes more fuel than restarting the engine.⁷ Attached to this testimony is a letter from Ford Motor Company advising drivers not to idle or warm up their engines. It states that studies have showed that an automobile could be turned off and restarted every 2 seconds for a minute and still return better fuel economy than when left idling.

Engine idling is not only bad for air quality but also adds up financially. For example, if somebody were to idle a car engine for 10 minutes a day that would waste about \$56 a year.⁸ If a truck idles for one hour a day, that would waste at least \$675 a year, depending on the size of the truck.⁹ But after adding up all the vehicles in New York City we estimate that \$53 million are wasted each year with idling. This money could have been spent in other places to help bolster our economy, but instead it is wasted.

Because some drivers might not particularly care about the money they are wasting with idling, it is important to increase ticketing drastically. Once people are aware that they could receive an idling ticket, they will be much more likely to a) be aware of the 3-minute idling law, and b) turn off their engines because \$220-\$2,000 tickets certainly will add up.

I have personally asked drivers to turn off their engines for over 13 years now. A vast majority is unaware of the 3-minute law. When I inform them about the possibility of getting a ticket, they respond that they have never heard of idling tickets showing that it is hardly a concern to them. Occasionally, responsible drivers turn off their engines because they realize that they are wasting fuel and polluting.

Sometimes, drivers idle their engines for temperature control but this is not always the case. Often I see drivers idle their engines with the window open or when no one is in the vehicle.

Increase Awareness And Create Revenues: Outreach Campaign and Increased Enforcement

EDF is working with the Mayor's office of Sustainability and Longterm Planning on a public outreach campaign to increase awareness of the dangers and costs of idling. We hope to reach as many people as possible. Again, drastically increased enforcement would help spread the word much faster. Every driver knows that double-parking is illegal. It

⁶ From Environmental Defense Fund's report *Idling Gets You Nowhere*. EDF's report estimates that every year, 940 tons of smog-forming NOx is released by unnecessary curbside idling.

⁷ Emissions Research and Measurement Division, Environment Canada, 2000.

⁸ Calculation based on ¼ gallon of gasoline used per hour of idling and \$3.70/gallon.

⁹ Calculation based on ½ gallon of diesel used per hour of idling and \$4/gallon.

must become second nature with idling as well. For example, in Switzerland, where I am from, idling is a socially unacceptable practice and pedestrians will walk up to an idling vehicle to request that the engine is shut off. We hope that the same will happen in New York City eventually.

We are urging the City Council to add to the bills that idling ticket authority be given to NYPD *traffic* agents in particular. Our research shows that traffic agents currently do not have the authority or capability to give idling tickets. Traffic agents are ideally suited to give idling tickets. Because drivers idling their engines are often in the car which can lead to confrontational situations, traffic agents could be paired up. The City Council might even be able to legislate that a certain number of traffic agents are solely in charge of handing out idling tickets and be deployed mainly to idling hot spots as determined by the NYPD and DEP Commissioner.

Our estimates show that because idling behavior is so prevalent in the city, each traffic agent could raise over \$2 million in ticket revenues every year. This is even a conservative estimate because this calculation is based on a ticket fine of \$220. The law provides for tickets between \$220 and \$2,000. Even if a certain number of traffic agents are designated to hand out mostly idling tickets, *all traffic* agents should get the authority to give idling tickets. The bills could further state that the idling tickets must be issued to the drivers personally.

Specific Suggestions For Bills

Int. 40

Add to Section 1(e) that ... the police department and specifically the traffic agents within the police department ... shall have the authority to enforce.... Subdivision a of this section. We further urge the City Council that the bill specifies that idling violations be added as a ticket option on traffic agents' handheld computer devices. Further the bill should specify that the idling tickets and penalties shall be issued according to Administrative Code Section 24-163 and Section 24-178 which contains the idling penalties which go up to \$2,000 for third time offenders. This Council even increased the idling penalties in 2004 so we believe it is important that the Administrative Code penalties are issued and not just a flat rate "parking violation" ticket of \$125 which would most likely be based on the NYC Department of Transportation Traffic Rules, Section 4-08 (p) for Engine Idling.

Int. 631

We applaud the added reporting requirements and the limitation of allowed idling of "legally authorized emergency motor vehicles while actually providing emergency services." We have all seen ambulances idling unnecessarily in front of hospitals or in parks while waiting for the next emergency call. It is particularly ironic to see ambulances idling in front of hospitals exposing the already sick people or newborn babies to harmful diesel pollution.

Similarly, idling ambulances in parks where people go to exercise and enjoy time away from unhealthy traffic is also absolutely counter-productive and unnecessary. Our in-field idling observations showed an average idling time of ambulances of at least 42 minutes per day but there are ambulances that have their engines running 24 hours a day, 7 days a week. Turning the key only increases response time by about 1-2 seconds which is more than outweighed by the dangerous diesel emissions spewed out by unnecessary idling. I have heard the excuse from ambulance drivers that the engine would not turn back on if they turned it off. If that is the case, the ambulance's engine is in desperate need of repair and should no longer be used for emergency services. Attached to this testimony is a policy statement from the New York State Department of Health, Bureau of EMS, stating that excessive periods of idling in non-emergency operations are not permitted.

Of course, a 1-minute idling law applicable for all of New York City would make enforcement easier because agents would only have to observe for 1 minute. The only reason to idle for more than 1 minute would be for temperature control.

Conclusion

In conclusion, we are urging the City Council to pass the two bills with the recommended changes, to ensure that NYPD *Traffic* Officers receive idling ticketing authority to enforce Administrative Code Section 24-163 and to put pressure on the NYPD to enforce the City Council's anti-idling law vigorously. To sum it all up: Just Turn It Off – It's That Easy!!

For questions or further information, please contact Isabelle Silverman, at 212-616-1337 or isilverman@edf.org.

References:

- ¹ These comments were jointly prepared by the above organizations.
- ² Since 1904, the American Lung Association of New York (ALANY) has worked tirelessly to promote lung health and prevent lung disease across New York State. The premier lung health resource in New York State, the Lung Association helps to protect and educate almost twenty million New Yorkers across the state.
- ³ Environmental Defense is a national non-profit environmental organization headquartered in New York City, with 400,000 members around the country and 40,000 members and activists in New York. The Living Cities program at Environmental Defense is dedicated to practical solutions that secure clean air, water and lands in urban areas like New York.
- ⁴ S. Franco Suglia, et al., "Association of Black Carbon with Cognition among Children in a Prospective Birth Cohort Study" *American Journal of Epidemiology*, 2007, Vol. 167(3), 280-286.
- ⁵ Craig A. Hansen, Adrian G. Barnett, and Gary Pritchard, "The Effect of Ambient Air Pollution during Early Pregnancy on Fetal Ultrasonic Measurements during Mid-Pregnancy," *Environmental Health Perspectives*, 2008, Vol. 116(3), 362-369.
- ⁶ American Lung Association, *State of the Air*, 2008.
- ⁷ New York State Department of Health. Data from 2004. <http://www.health.state.ny.us/statistics/sparcs/>, last viewed March 25, 2007.
- ⁸ Environmental Defense Fund, *All Choked Up: Heavy Traffic, Dirty Air and the Risk to New Yorkers*, 2008.

Attention Northerners



Ford Motor Company of Canada, Limited
Ford du Canada Limitées

Cold weather idling is largely a waste of fuel. It is also a source of unwanted pollution. Except in the most extreme conditions, once an engine has been started and the warning lights or indicator gauges show "normal", a vehicle can be driven away – gently. There are other considerations besides engine function in extreme cold weather – axle, transmission, steering and brake fluids are also very viscous.

Extended idling is of very little benefit. Modern engines do not produce significant heat at idle and do not need significant internal heat to operate properly. Diesel engines in particular are prone to cooling off to the point where the injectors no longer contain the fuel properly and "slobbering" takes place. This puts excessive amounts of raw fuel in the combustion chamber and can lead to damage. We urge people to use thermostatically controlled block heaters overnight or when a vehicle is parked for lengthy periods. Timed block heaters are also an option. Remote or automatic starting is not a route we recommend.

Many people are concerned about starter wear. Tests have shown that this is not an issue. Starter life will not be seriously jeopardized by the few extra turns needed or the small increase in the number of times it will be put to use. Tests done by a European automaker (albeit at room temperature) showed that an automobile could be turned off and restarted 30 times per minute and still return better fuel economy than when left idling for the whole minute.

Technically speaking, extended idling is not necessary. Interior comfort is another issue, (as) "relative warmth" is certainly a consideration for the passengers.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Pattee".

Wayne Pattee,
Mgr. Vehicle Emissions and Fuels

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Idling of Emergency Vehicles

Bureau of EMS Policy Statement	
Policy Statement #	05-01
Date	02/14/05
Subject	Re: Idling of Emergency Vehicles
Supersedes/Updates	New

In an effort to improve response times, provide the correct resources to patients, Emergency Medical Services agencies are more frequently posting their vehicles in designated locations within their response areas. As a result many emergency vehicles engines sit idling for extended periods of time to facilitate proper climate controls. Because of the associated health and environmental risks, excessive idling of trucks and buses is a violation of Federal, New York State and New York City environmental laws.

Based on these laws, it is expected that EMS agencies will examine their general operating procedures regarding posting EMS vehicles and system status management and develop policies that will insure proper compliance. While ambulances are considered emergency vehicles under the Vehicle and Traffic Law, allowing these vehicles to idle for excessive periods of time in non-emergency operation is not permitted.

The Department of Health, Bureau of EMS considers on-scene operations, or the positioning of an ambulance/EMS response vehicle in designated locations within a community, as a component of a planned emergency response system, to be emergency operation. However, when EMS agencies position vehicles, consideration must be given to the impact on the community. The EMS agency must be flexible in re-positioning vehicles to limit the environmental impact on the community.

The New York State and New York City laws limit the amount of time a truck or bus may idle. Vehicle owners and operators, and in some cases people who control buildings or land, are subject to fines and legal actions for violations. All truck and bus drivers should insure that vehicle idling is minimized, and that engine idling times are within the legal limits prescribed by law.

The following are sections of both the State law as well as the New York City law.

Unless in emergency operation, ambulances and first response vehicles ARE NOT exempt from the provisions of these environment conservation laws. The penalties for violation of these laws may include fines ranging from \$250 to \$15,000.

For more information:

- New York State's idling regulation is found at 6 NYCRR § 217-3.2.
- New York City's idling regulation is found at NYC Administrative Code Section 24-163.
- The American Lung Association
- The US Environmental Protection Agency
- The NYS Attorney General
- The NYS Department of Environmental Conservation

Issued and Authorized by:
Edward Wronski, Director

Revised: March 2005

TRI-STATE TRANSPORTATION CAMPAIGN



Mobilizing the Region

Environmental Protection Committee

NYC Council

Oversight Hearing on The Effectiveness of NYC's Idling Law

November 25, 2008

Thank you for the opportunity to speak before the Committee on Environmental Protection. My name is Veronica Vanterpool and I am associate director of Tri-State Transportation Campaign, a policy watchdog organization working to improve our region's environment by advocating for more sustainable, environmental, and equitable transportation policies. I am here today to show our support for Intro 40 and 631, legislation that would improve enforcement of NYC's three minute idling rule and curb some of the deleterious health and environmental impacts of increased truck traffic in NYC.

The three minute idling rule has been in NYC's rule books since 1972 yet remains a poorly enforced measure despite the much needed health protection it provides to community residents and its benefits for the environment. Nearly two decades ago, former NYC mayor, David Dinkins, announced increased enforcement of this relatively unknown statute in an effort to comply with federal clean air mandates. Yet, over three decades later, NYC is still battling lax enforcement despite the proven health and environmental advantages of idling restrictions. More strict enforcement, for instance, can be a useful tool in mitigating the impacts of increased truck traffic throughout the city.

Truck traffic is increasing in NYC according to NYMTC's 2008 Truck Toll Volume Trends. Annual truck traffic on major tolled East River crossings **grew 2.7 percent** from 2006 to 2007. Over the same period, total truck traffic on the George Washington Bridge **grew by 0.5 percent**, and by **4.1 percent** in the Lincoln Tunnel. By comparison, in the same period, average daily vehicular weekday traffic on tolled East River crossings **grew by only 0.6 percent**, while car traffic on the GW Bridge and Lincoln Tunnel actually **fell by 0.8 percent** and **0.6 percent** respectively. With truck traffic trending upwards, our communities will increasingly rely on better enforcement of rules like this to help mitigate the health and environmental impacts resulting from more trucks on our roads.

This rise is unwelcome news for NYC residents battling truck violations in their neighborhoods. Throughout the boroughs, community groups are fighting **incessant idling in violation of NYC's poorly enforced 3-minute idling rule**, off-route violations, oversized and overweight trucks and illegal parking and resting. We know that idling vehicles emit known carcinogens into the air that exacerbate asthma and other ailments. And, we know idling trucks exacerbate air pollution, but pose a larger threat in communities with vulnerable populations including children, the elderly, low-income residents, and people-of-color. In light of this well documented information, there is no reason why this rule should not be more greatly enforced.

We are encouraged with the potential for improvement suggested by both bills. **Intro 40** expands enforcement authority beyond the NYC Department of Environmental Protection--the sole agency charged with enforcing the three-minute idling rule--to include the police department, the department of transportation, the department of parks and recreations, and the department of sanitation. It is a monumental task for just one agency to monitor this citywide, though a recent collaboration between DEP and the NYS Department of Environmental Conservation, recently announced a long term strategy to improve anti-idling compliance. By expanding authority to these other departments, more violations can be curbed with greater reductions in damaging air pollutants.

Examining and monitoring the efficacy of this increased enforcement, as proposed by **Intro 631**, will be a useful tool. Reports on the number of violations issued by the NYPD for engine idling are integral to monitoring improvement and progress. This kind of reporting works. Think TrafficStat, where traffic infractions and violations are reported by each precinct of the New York Police Department during regular meetings. Precincts with low numbers of issued violations for DWI tickets or off-route trucks, for example, are encouraged to improve their performance which has a positive impact on traffic safety. Given the harmful impacts of idling vehicles, the same expectations should be expected of those trusted to enforce this law.

We look forward to the passage of both Intro 40 and 631. Thank you.



NATURAL RESOURCES DEFENSE COUNCIL

**Statement of the Natural Resources Defense Council
By Richard Kassel,
Senior Attorney and Director,
NRDC Clean Fuels and Vehicles Project**

November 24, 2008

**In Support of
NYC Council Int. 40 and Int. 631**

My name is Richard Kassel, and I am pleased to offer the Natural Resources Defense Council's (NRDC's) strong support for Intros. 40 and 631 today. For more than 15 years, I have directed NRDC's work to reduce diesel emissions, including local projects in New York City, federal regulatory work in Washington, and projects in some of the world's most polluted megacities. In addition, I advise the U.S. Environmental Protection Agency as a member of its Clean Air Act Advisory Committee and its Mobile Sources Technical Review Subcommittee. I also advise the United Nations Environment Program as a member of its advisory committee for its Partnership for Clean Fuels and Vehicles, which works with cities and nations around the world on strategies to reduce urban vehicle pollution.

Viewing all of these experiences through the lens of New York City, the most important lessons that I have learned are that diesel pollution poses a serious health threat to all New Yorkers, and that diesel pollution is a solvable, fixable problem.

First, diesel pollution is a serious health threat in New York City because we all live at the intersection of pollution and congestion.

Diesel exhaust is comprised principally of fine particulate matter ("PM" or "soot") and nitrogen oxides ("NOx"). Dozens of studies have linked fine PM to increased asthma attacks and emergencies, bronchitis, cancer, emphysema, and tens of thousands of premature deaths in the U.S. every year. A 1996 NRDC study, in fact, found that particulate soot can be linked to more than 4,000 premature deaths in the New York metropolitan region every year. Much of this soot comes from diesel engines -- in fact, on Madison Avenue, more than half of the soot particles breathed by pedestrians comes from nearby diesel engines. NOx emissions are a principal ingredient of ground-level ozone (or "smog"). New York fails to meet the U.S. Environmental Protection Agency's ("EPA's") health-based ambient air quality standards for both soot and smog, and must reduce these emissions over the coming decade or risk serious federal penalties.

One reason why diesel pollution is such a serious problem in New York City is because the exhaust pipes are right at our breathing level. Plus, thanks to our worst-in-the-nation congestion, trucks and buses sit idling longer than probably anywhere else. And, due to our urban streetscape, New Yorkers walk, bike and spend more time adjacent to the street than probably anywhere else.

Ironically, when a truck idles, the truck owner gains nothing, but we all lose. The truck owner loses because the truck is wasting fuel. People walking by lose because the truck's exhaust goes right into their lungs. The City loses because all of that idling adds to pollution levels that have never met the federal health standard for fine particulate matter.

So, how do we solve the diesel pollution problem?

There are three steps. The first two steps are technical and are happening, thanks to new federal requirements: ultra-low sulfur diesel fuel must be used, along with engines that are equipped with pollution-cutting filters. As of 2007, all new trucks and buses are equipped with these filters, and the ultra-low sulfur diesel fuel has been standard since October 2006. The third step is behavioral: better maintenance and less idling to reduce the amount of diesel pollution in daily driving.

Increasing the enforcement of anti-idling regulations already on the books is, consequently, a critical first step towards solving the diesel pollution problem in New York City. To do so, passing Intro. 40 is necessary, because it will expand the number of City agents who can write tickets for violating the existing anti-idling law. In particular, NRDC urges the Council to amend this Intro to give express ticket-writing authority to NYPD traffic agents, as well as police officers. (Current law authorizes only the police officers to write these tickets.) Given that traffic agents are in the streets all day, they are ideally suited to be a key part of the City's future anti-idling enforcement efforts.

We also encourage the Council to clarify the process for citizens who wish to become certified as a "smoke watcher, and to ensure that sufficient resources are available to provide smoke observation courses throughout the City. Doing so will give real meaning to the Citizen's complaint provisions of paragraph 24-182.,

Expanding the current law, as anticipated by Intro. 631, is also necessary. In particular, NRDC supports the stronger, one-minute idling limit in school zones. As the Council knows, children bear the brunt of air pollution's harmful health impacts. They are smaller, their lungs and hearts are still developing, and they breathe more rapidly. All of this adds up to a rightful concern for their health and for reducing their diesel exposure.

The proposed amendment to the existing exemption for the City's emergency vehicles is also a good idea. With today's vehicles that turn on and off in a moment, there is no reason to leave an ambulance running for hours, just in case it is needed in an emergency. Idling the engine wastes fuel, wastes money, and increases pollution that contributes to many asthma and other emergencies. Directing the emergency services to cut their idling and save money is good policy that should be adopted.

NRDC also supports the various reporting requirements in these resolutions. As we learned in the City's crime reduction efforts, good data is the key to understanding where a community-based problem lies, and whether effective efforts have been undertaken to solve those problems.

To sum it all up, New York City fails to meet EPA's health-based air pollution standards for soot and smog. Dirty diesel engines play a major role in this failure to provide cleaner air. As a result, thousands of New Yorkers experience avoidable asthma emergencies, cancers, heart attacks, and even premature deaths every year. The good news is that diesel engines are getting cleaner every day, thanks to new federal rules that are gradually cleaning up these engines.

But to really solve New York City's diesel pollution problem, the City has to increase the enforcement of its anti-idling laws and strengthen the existing programs. NRDC supports today's measures, and looks forward to working with the Council and the affected City agencies and private stakeholders to ensure a strong program that works for all New Yorkers.

Thank you for the opportunity to testify today.

George Pakenham
161 West 74th Street
NY NY 10023
917 972 0060

November 23th, 2008

My testimony on the engine idling issue
before the NYC City Council

Thank you very much for the opportunity to testify before your committee. My involvement in the anti idling movement is, I believe, unique and I trust it will give you some insight into the problem and will come to reinforce your decisions to modify and strengthen the current laws.

I'm a graduate of the University of Arizona and did graduate work at NYU. I'm a 28 year resident of Manhattan and currently work for a major European bank, in their Latin American lending division. I have been with this bank for 7 years.

My role as an activist in the environmental movement is quite focused on idling. Focused and personal. It began more than 4 years ago when we went to war for a second time in the Middle East over oil. And it became ever more aggravating for me to watch fellow NYers, mindless at the wheel, idling their engines and wasting gas....or oil as I saw it. Besides, I felt it was disgraceful on many fronts. Bad Air, health issues, wasted money.

One evening, I became particularly fed up with a stretch limo parked in front of my apartment house, idling, as his customers were inside a nearby restaurant. It was spring, at night and around 50 degrees outside. I knocked on the window. The limo driver and I had a 10 minute discussion. Ultimately, I convinced him to shut off his engine.

This first success gave me courage. For the next six months I would follow the same procedure on my way to and from work and on the weekends. I found myself becoming more and more successful.

One evening, I asked someone who appeared to be a limo driver to shut off his engine. It was an undercover policeman. I backed off but the officer said...

"Did you know there is a law against it...? Fines too? But I'm not sure how much the fines are??"

That was a true catalyst for me. I had actually been enforcing a law, as a vigilante, so to speak, not even knowing it. I did extensive research and worked with the State EPA to learn more about the law and fines.

Once I had a clear handle on the law and fines, I had cards printed up, as you see here.
Show Card. This describes the law on one side and penalties on the other.

This gave me more confidence...but with this tool in hand, I wanted to keep tabs on how successful, statistically, I would become. So I created an excel spread sheet as seen here.
Show charts

In my first year of keeping records, I had

823 encounters

11% were female and 88% male

I was unsuccessful 23% of the time but I was successful 78% percent of the time ...and by success I mean I would watch the violator shut off his engine.

Other interesting stats are

55% were white

25% knew of the law but idled anyway

53% were between the ages of 35 and 50

And 12% were limos

The statistics were basically the same in **year two** but I had only 615 encounters. Less production, but I was more successful, at least with limos....because I was only successful 70% of the time in year one and I was 90% successful in year two.

I have written a letter to Mr. Daus, Commissioner of the Taxi and Limousine Commission, explaining the seriousness of the problem. I hope to meet with him soon.

I will add that in the corporate world, Con Ed is by far the biggest offender. I am in touch with the Director of Environment, Health and Safety at Con Ed and have discussed this issue with him

In my encounters, I always start of my conversation by saying,

"Excuse me for bothering you...but are you aware that it's against the law to idle your car engine in NYC for more then 3 minutes?"

No matter what happens in-between, in the end I always give them a mild command.

"Then it would be great if you could shut off your engine. Better environment, you save money and you're a good citizen obeying the law."

So, in two years I have had **1438 total encounters**, or roughly 24 a month. I'm on track in year three for the same. But key here is that 77 % will shut off their engines...with only **ME** asking them to do so.

Imagine how agreeable NYC citizens would be if more knew about the law (*when only roughly 25% know of it*) and how much quicker they would know about it...if police enforced it and fines were issued. The word would spread very quickly.

And a huge sum of money would have been raised. If I had been a police officer issuing idling tickets during this time, I could have raised \$316,360 for the city, and this just while walking to and from work and weekend strolls. This calculation is based on the lowest ticket amount which is \$220 but tickets for third time offenders can reach \$2,000.

You should know that I'm making a documentary film on the topic and have interviewed many key people in the field on it. It's in an 11 minute demo version now. Two key officers within Chief Scagnelli's Police Traffic Division saw this video in the spring of 2007 and were impressed. It was presented to the PR division in City Hall in the summer of 2007, but it got me nowhere. I'm hoping to have the EDF approve a 3 minute version of it suitable for Utube as part of an attention and awareness campaign.

I was fortunate indeed to have gotten into the offices of EDF in the summer of 2007 to discuss my ideas and research and statistics....all to encourage them to support this effort to, on a very micro level, help enforce existing laws on the books for years in NYC. Now look where we are. We are almost home.

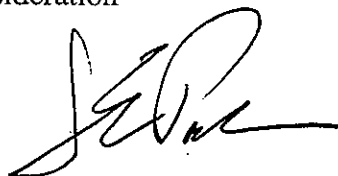
I'm sure you have read the EDF white paper on the idling topic which points out all the health issues and revenue earning possibilities for the City of NY in this time of economic crisis.

I see the enforcement of the 3 minute or perhaps 1 minute no idling law as a complete **win win win** situation: A win for the environment, a win for the citizens of NYC to live in a cleaner and healthier city and a win for the city coffers.

And to the point, a key way to ensure its enforcement of the law is to demand that Chief Scagnelli's traffic police force enforce it....because right now traffic agents don't have the idling codes in either their hand held computer system nor is it listed on their printed 'ticket' sheets as an enforceable violation. I find this appalling and incomprehensible.

In closing, I hope NYC can become, once again, the model for the rest of the country. If the City Council votes to enforce these laws, this goal can be realized. I thank you for your time and consideration

George Pakenham



IDLING CHART YEAR TWO STARTING 09/28/2007

Day	Vehicle Type	Comp-State	M or F	s/f	Comments	Age	Race	Location	Knew Law
28-Sep	small truck	NY	M	s	read card and shut it off	25-35	his	wall st	n
28-Sep	small truck	NY	M	s	carefully read card and shut off	35-50	his	wall st	n
29-Sep	Bus	NY	m	s	his boss came over and shut it off	35-50	b	uptown	n
29-Sep	Bus	NY	m	f	He knew the law and didn't care, basically	50+	w	uptown	y
29-Sep	Suv	NJ	f	s	interested in the issue	50+	w	uptown	n
DR business trip									
16-Oct	large Truck	NY	m	f	put cards on officais cars who make us double park	25-35	w	wall st.	y
16-Oct	limo	NY	m	s	ok, I believe you	50+	w	wall st.	n
16-Oct	commrcial van	NY	m	s	ok, I get it.	35-50	w	wall st.	n
17-Oct	large Truck	NY	m	s	I had the light on because I needed the rear light	25-35	his	wall st.	n
17-Oct	Limmo	NJ	M	s	gladly shut it off	35-50	his	village	y
17-Oct	sedan	NY	f	s	a little reluctant.	35-50	w	village	ns
18-Oct	Sedan	NY	m	s	no issues	35-50	w	UE side	ns
18-Oct	limo	NY	m	s	just shut it off	25-35	his	UE side	ns
18-Oct	large Truck	NY	m	-	I'm moving now	25-35	his	UE side	ns
18-Oct	Sedan	NY	m	s	no comments	35-50	w	UE side	ns
18-Oct	limo	NY	m	s	read the card	50+	w	UE side	n
18-Oct	Limmo	NJ	m	s	I'm on a streak.	50+	w	UE side	y
18-Oct	Sedan	NY	f	s	timid	35-50	w	UE side	n
18-Oct	large Truck	MTA	m	f	eating a hot dog. I went back twice	50+	w	west side	y
19-Oct	commercial van	NY	m	f	I have not been here 3 min. Not true	25-35	b	west side	y
19-Oct	SUV	NY	m	s	he was outside the car, walked over and shut it off	50+	w	wall st.	ns
19-Oct	Sedan	NY	m	s	opened the door a sliver and listened	50+	w	uptown	n
20-Oct	commercial van	NY	m	s	little said	35-50	his	uptown	n
20-Oct	Taxi	NY	m	s	I'm going to be leaving soon. No, you are eating breakfast	35-50	asian	uptown	y
20-Oct	sedan	NY	m	s	NOTE: Manny, who is a manager of a Photoshop say the intervention. He praised me and offered free printing	25-35	w	uptown	n
20-Oct	sedan	NY	m	s	Ok	25-35	w	uptown	ns
21-Oct	Tourist Bus	NY	m	f	Are you a cop. Are you telling me what to do	25-35	b	midtown	y
21-Oct	commercial van	Animal Care	m	s	I worked for the city so I'm except. No you are not	25-35	w	uptown	n
21-Oct	Small Truck	NYPD	m	f	I need the engine on to run lights on the roof	25-35	Asian	uptown	y
21-Oct	SUV	NJ	m	ns	He said yes, but such an attitude	35-50	w	uptown	n
22-Oct	limo	NY	m	s	ok, thanks.	35-50	his	wall st.	n
22-Oct	Small Truck	NY	m	s	got off the back and shut it off happily	25-35	his	wall st.	ns
22-Oct	sedan	NY	m	f	Oh, sorry I didn't know	25-35	his	wall st.	n
23-Oct	Sedan	Maass	f	s	never said a word	35-50	w	wall st.	n
23-Oct	commercial van	NY	m	ns	Undercover cop He said ok...but I don't think so =tattoos	25-35	w	wall st.	y
23-Oct	SUV	NY	f	s	there were some language issues but she got it	35-50	w	uptown	ns
24-Oct	commercial van	Time Warner	m	f	he gave an excuse and said he was about to move on	35-50	b	uptown	y
24-Oct	large truck	NY	m	f	he said he knew the law...but was too busy outside the truck	35-50	w	uptown	y
24-Oct	commercial van	NYC vehicle	m	s	didn't have a clue as to the law	35-50	his	city hall	n
24-Oct	SUV	NY	m	s	I didn't know	25-35	w	city hall	n

24-Oct Limo	NY	m	s	shrugged his shoulders	50+	b	city hall	ns
24-Oct Commercial Van	NJ	m	s	didn't say a word	50+	w	wall st.	n
24-Oct large Truck	NY	m	s	got off the back and shut it off happily	25-35	his	city hall	ns
25-Oct Access a ride	NY	m	s	asleep at the wheel. Shut it off without a peep	35-50	b	city hall	y
25-Oct sedan	NY	2f	s	eating a meal. Shut it right off	50+	b	city hall	ns
25-Oct EMS truck	EMS	m	f	I don't need it.	35-50	w	wall st.	y
25-Oct Sedan	NY	m	s	just read the car and shut off engine	25-35	w	uptown	ns
25-Oct Limo	NY	m	s	I instructed him to shut off engine	50+	w	uptown	n
26-Oct sedan	Pa	m	s	oh, ok	25-35	b	wall st.	n
26-Oct limo	NY	m	s	I'm aware of the law. Thanks for the encouragement	25-35	w	wall st.	y
26-Oct Limo	NY	m	s	don't drive off...just shut off the engine	35-50	w	wall st.	y
26-Oct Commercial Van	NJ	m	ns	he said ok...but also said he was about to move	25-35	w	wall st.	n
29-Oct Commercial VAN	NJ	M	S	OK, I didn't know	25-35	w	wall st.	n
29-Oct sedan	NY	m	s	just shut it off	35-50	w	wall st.	ns
29-Oct Sedan	NY	m	s	ok, thanks.	25-35	w	wall st.	n
29-Oct Sedan	NY	m	s	read the card	25-35	w	wall st.	n
30-Oct small truck	Cent Park	m	f	Southern chat in green jacket. I did not know. Sure!	25-35	w	wall st.	n
30-Oct Small Truck	Cent Park	m	f	again, a park vehicle. Not great communication	25-35	w	uptown	y
30-Oct sedan	NY	m	s	I didn't know	35-50	b	uptown	n
30-Oct sedan	NY	m	S	I didn't know	35-50	w	uptown	n
30-Oct Limo	NY	m	s	just read the card	35-50	his	midtown	n
31-Oct commercial van	NY	m	s	ok	25-35	w	wall st.	n
31-Oct commercial van	NY	m	s	long conversation	35-50	w	wall st.	n
31-Oct commercial van	Con Ed	m	s	yes sir.	25-35	w	wall st.	n
31-Oct commercial van	NY	m	s	said nothing	25-35	w	wall st.	y
31-Oct Limo	NY	m	s	nodded his head	35-50	w	wall st.	n
31-Oct Sedan	NY	m	s	read the card	25-35	w	upper ES	ns
							upper ES	n
1-Nov sedan	Dept Mot Veh	m	s	very rude and ignorant drivers. Argued. He lost	35-50	w	wall st.	y
1-Nov Limo	NY	m	s	read the card	50+	w	wall st.	n
1-Nov Limo	NY	m	s	didn't say much	50+	Asian	wall st.	n
2-Nov commercial	Verizon	m	s	only here 1 min. He shut it off after I walked away	35-50	w	wall st.	ns
2-Nov Commercial Van	NY	m	f	I'm leaving. But language issues	35-50	w	wall st.	ns
2-Nov Commercial Van	NY	m	s	oh really	36-50	b	wall st.	n
2-Nov large Truck	Fed Ex	m	s	I watched him turn it off.. after some guff initially	35-50	b	wall st.	n
2-Nov sedan	NY/State	f	ns	she said she was moving soon	35-50	his	wall st.	y
2-Nov Commercial Van	NY	m	s	language issues	25-35	w	wall st.	n
2-Nov sedan	ny	m	s	no comments	35-35	w	uptown	n
2-Nov sedan	NY	f	f	there is a difference between starting and idling	50+	w	uptown	n
3-Nov sedan	NY	m	s	ok	25-35	w	uptown	y
3-Nov suv	NY	m	f	a dumb argument happened with a very arrogant driver	35-50	w	downtown	n
3-Nov EMS truck	NY	m	f					y
3 weeks in the DR								
26-Nov Commercial Van	NJ	m	s	read the card	35-50	Asian	wall st.	ns
26-Nov suv	NY	m	s	he quibbled a little	35-50	Asian	wall st.	y
27-Nov Small Truck	NY	m	s	read the card	35-50	b	wall st.	n
27-Nov Commercial Van	NY	m	s	no argument	35-50	w	wall st.	n

27-Nov Limo	NY	m	s	shut it right off	50+	Asian	wall st.	y
28-Nov Small Truck	NJ	m	s	he walked around from the back and shut it off. Diesel	35-50	his	wall st.	y
28-Nov sedan	NY	m	s	ok	25-35	b	wall st.	n
28-Nov commercial van	NY	f	s	I didn't know	35-50	b	wall st.	n
28-Nov Commercial Van	NY	m	s	ok, thanks.	35-50	w	wall st.	n
28-Nov sedan	NY	m	f	I don't care	35-50	b	uptown	y
29-Nov Small Truck	Sanitation NYC	m	f	it only applies to Diesel	35-50	b	uptown	n
29-Nov commercial van	electrician	m	s	Oh, I did not know	35-50	w	wall st.	n
29-Nov Commercial Van	NY	m	s	surprised. Thank you	25-35	w	wall st.	n
30-Nov Commercial Van	Time Warner	m	s	very thank full. Eyes bulged when he saw the fines	25-35	his	wall st.	n
30-Nov sedan	Limo	m	s	I'm going soon	35-50	b	uptown	ns
30-Nov small truck	Nature Constr.	m	f	he was peeing into a bottle and I disturbed him	50+	b	uptown	ns
				didn't care. Talking to his boss	25-35	b	uptown	y
				Then talked to boss who backed him up				
1-Dec commercial Van	NY	m	s	very civilized conversation. He was from Ireland	35-50	w	wall st.	n
2-Dec sedan	Florida	m	s	oh really	35-50	w	uptown	n
2-Dec bus	access a ride	m	s	just shut it off	50+	b	uptown	y
3-Dec limo	NY	m	s	conversation outside the limo	50+	w	uptown	ns
3-Dec Commercial Van	NY	m	s	carefully read the card	50+	w	uptown	n
3-Dec limo	NY	m	s	cheerfully shut it off	50+	w	uptown	y
3-Dec limo	NY	F	s	first female limo drivers. Friendly	35-50	b	uptown	y
3-Dec limo	NY	m	s	I don't need the card	50+	w	wall st.	y
3-Dec sedan	US Army	m	s	it took a while for him to catch on	25-35	b	wall st.	y
3-Dec Small Truck	NY	m	f	I just got here	25-35	w	wall st.	n
4-Dec commercial van	ny	m	s	just read the card	35-50	w	wall st.	y
4-Dec large truck	Con Ed	m	s	not much of a fight	35-50	w	uptown	n
4-Dec large Truck	Con ed	m	f	I have only been her two min.	25-35	w	uptown	y
4-Dec commercial van	ny	f	f	huge language issues	25-35	Asian	wall st.	n
4-Dec Small Truck	NJ	m	f	understood	25-35	w	wall st.	ns
5-Dec sedan	NY	m	s					
				Met TOMMY. See Aug 27th 2007. He works for Lieber				
				who is deputy with Bloomberg. He now drives a hybrid				
				having abandoned the Yukon. Says Mayor bought 4.				
				He called me over to brag.				
6-Dec large truck	Fresh Direct	m	ns	he recognized me. Said he was moving on	25-35	w	uptown	y
6-Dec Commercial Van	NJ	m	s	Ok, I'll do it	35-50	w	uptown	n
6-Dec large truck	W. Mason	m	f	he said yes but didn't do a thing	35-50	b	midtown	y
6-Dec limo	NY	m	f	it took some persuasion	50+	Asian	midtown	n
6-Dec commercial van	version	m	s	he said yes..but didn't do a thing..came back in 5 min	35-50	b	wall st.	y
6-Dec Sedan	NY	m	s	I didn't know	35-50	w	wall st.	n
6-Dec sedan	NY	m	s	no comments	35-50	w	wall st.	ns
6-Dec sedan	NY	m	s	carefully read the card	50+	w	uptown	n
6-Dec sedan	NY	m	s	grumbled	35-50	w	uptown	ns
6-Dec limo	NY	m	s	huge language issues	25-35	Asian	uptown	n
6-Dec sedan	NY	f	s	stop annoying people	25-35	w	uptown	y
7-Dec limo	NY	m	s	few comments	35-50	w	uptown	ns
7-Dec limo	NY	m	f	10 minutes arguing with this guy	50+	w	uptown	y

7-Dec Sedan	NY	m	ns	language issues	50+	w	uptown	ns
8-Dec Sedan	NY	m	s	ok	50+	w	uptown	y
8-Dec Sedan	NY	m	s	spoke a little Spanish	35-50	his	uptown	n
8-Dec sedan	NJ	m	s	thank you	35-50	w	uptown	n
8-Dec Sedan	NJ	f	f	I'm picking up a friend. Defensive	50+	w	uptown	n
9-Dec sedan	NY	m	s	ok	35-50	w	uptown	n
9-Dec sedan	NY	m	s	I apologize	25-35	w	uptown	n
9-Dec Sedan	NY	m	f	shrugged his shoulders	25-35	w	uptown	n
9-Dec sedan	Virginia	m	s	few comments	35-50	w	uptown	n
9-Dec Sedan	NY	m	s	he agreed	25-35	b	uptown	n
9-Dec small truck	NY	m	f	I'm just finishing up	35-50	b	uptown	n
9-Dec Sedan	NJ	m	f	babbling	25-35	w	uptown	y
9-Dec sedan	NJ	m	NS	babbling	25-35	his	uptown	ns
9-Dec sedan	NY	m	s	said nothing	35-50	Asian	uptown	y
2-Jan large truck	NY	m	s	ok, I didn't know	35-50	w	wall street	n
2-Jan commercial van	NY	m	s	can I keep the card?	50+	b	wall street	n
3-Jan commercial van	NY	m	s	let me read the card please	35-50	b	wall street	n
3-Jan commercial van	NY	m	s	communication issues	25-35	his	wall street	ns
4-Jan Commercial Van	NY	m	f	he was about to move	25-35	his	uptown	y
4-Jan commercial van	NY	m	f	he couldn't care less	35-50	his	uptown	y
4-Jan large truck	NY	m	f	they just yessed me... but did nothing	25-35	w	wall street	n
4-Jan large truck	moving co.	m	s	yes it would be important	35-50	w	wall street	n
4-Jan large truck	same compar	m	s	just shut it off	35-50	b	wall street	n
4-Jan commercial van	NY	m	s	little argument	35-50	w	wall street	n
4-Jan commercial van	NY	m	s	read the card	25-35	w	wall street	ns
5-Jan commercial van	NY	m	s	I did not know	35-50	w	wall street	n
5-Jan sedan	NY	m	s	May I keep the card, please	35-50	w	uptown	n
5-Jan Sedan	NY	m	s	you are correct	35-50	w	uptown	y
5-Jan limo	NY	m	s	I understand	50+	w	cent park	y
6-Jan Sedan	NY	m	s	language issues	35-50	w	mid town	n
6-Jan Sedan	NY	m	s	ok, I didn't know	35=50	Asian	mid town	n
6-Jan large Truck	Michigan	m	s	Around MSG, I found 3 large trucks idling two without drivers				
6-Jan Large Truck	Michigan	m	s	I found a cop willing to walking inside the Garden and demand				
6-Jan Large Truck	Michigan	m	s	drive shut off. Cop has 12 tickets In 3 years on force				
6-Jan limo	ny	m	s	ok, I didn't know	35-50	black	uptown	n
6-Jan sedan	NJ	m	s	didn't know	25-35	w	uptown	n
6-Jan sedan	NJ	m	s	ok, I didn't know	35-50	w	uptown	n
6-Jan commercial van	NY	m	s	a little attitude	35-50	w	uptown	n
6-Jan sedan	NY	m	s	shut it right off - I kept the card running low	50+	w	uptown	n
6-Jan limo	NY	m	s	May I keep the card, please	50+	w	uptown	n
6-Jan sedan	NJ	m	s	no comments	35-50	w	uptown	n
6-Jan sedan	NJ	m	s	didn't know	35-50	w	wall street	n
7-Jan commercial van	NY	m	s	not not show card	50+	w	uptown	n
7-Jan limo	NY	m	s	spoke Spanish	25-35	his	uptown	ns
7-Jan commercial van	NY	m	s	did not show card	50+	w	uptown	ns
7-Jan sedan	NY	m	s	no I did not know	35-50	Asian	uptown	n
8-Jan limo	NY	m	s					

9-Jan commercial van	NY	m	S	no comments	25-50	Asian	wall street	ns
9-Jan commercial van	ny	m	f	just ignored me	35-50	w	wall street	ns
9-Jan sedan	NJ	f	s	oh, thank you	35-50	his	wall street	n
9-Jan commercial van	NY	m	s	showed card	35-50	w	wall street	n
10-Jan commercial van	NY	m	s	Two time loser AT LEAST. Shut if right off	50+	w	wall street	y
10-Jan commercial van	NY	m	s	language issues	35-50	Asian	wall street	ns
10-Jan sedan	City Vehicle	f	s	but I'm just about to leave	25-35	his	wall street	ns
10-Jan large truck	NY	m	f	I can't find the driver but BE CAREFUL.	35-50	w	wall street	ns
10-Jan limo	NY	m	s	talking to a woman outside. Be a good citizen	50+	b	wall street	n
10-Jan sedan	NY	m	s	oh, my god thank you very much	25-35	his	wall street	n
10-Jan sedan	NY	m	s	nothing to say	25-35	his	wall street	n
10-Jan sedan	NY	m	s	he saw me coming. Two time loser	25-35	w	wall street	y
11-Jan commercial van	NY	m	s	my wife is coming. So what	35-50	w	wall street	n
11-Jan sedan	ny	m	f	just warming it up	35-50	w	wall street	ns
11-Jan sedan	ny	m	s	ok thank you	25-35	b	wall street	n
11-Jan sedan	ny	m	s	thanks	50+	w	wall street	n
12-Jan limo	ny	m	s	no comments	35-50	w	wall street	ns
12-Jan sedan	ny	m	ns	my son is asleep in the car. Can you see	35-50	w	wall street	n
12-Jan sedan	ny	f	s	oh, my god thank you very much	35-50	w	wall street	n
13-Jan large truck	Con Ed	m	s	I did not know	50+	b	wall street	n
13-Jan sedan	ny	f	ns	we are moving..but so nice	50+	b	wall street	n
13-Jan sedan	ny	m	s	just shut it off	35-50	his	wall street	n
13-Jan sedan	ny	m	s	ok	35-50	w	wall street	n
13-Jan sedan	ny	m	s	ok	35-50	b	wall street	n
29-Jan Limo	NY	m	s	ok	35-50	w	wall street	n
29-Jan large truck	Con Ed	m	s	passenger shut it off	35-50	w	wall street	y
29-Jan sedan	NY	m	ns	he said he would but I doubt it	35-50	Asian	wall street	ns
29-Jan sedan	NY	m	s	two time loser	50+	w	wall street	y
30-Jan small truck	NY	m	s	little argument	50+	w	wall street	y
1-Feb sedan	NY	M	f	exchange of words	50+	w	wall street	n
1-Feb commercial van	NY	m	s	the boss yelled at the driver	50+	w	wall street	n
1-Feb sedan	NY	m	s	big smile	50+	w	wall street	n
3-Feb large truck	NJ	m	ns	he said ok but didn't do much	35-50	w	wall street	n
3-Feb mini bus	access a ride	m	f	I watcher her turn it off. She was first asleep. 11PM	50+	b	wall street	y
4-Feb commercial van	NY	m	s	Ok, sure	35-50	w	wall street	n
4-Feb sedan	ny	m	s	ok, ok	35-50	b	wall street	n
4-Feb small truck	NJ	m	ns	he said ok but didn't do much	35-50	his	wall street	n
4-Feb sedan	NJ	m	s	how long has that been a law	50+	w	wall street	n
4-Feb sedan	NY	m	f	I'm just pulling away	35-50	b	wall street	ns
4-Feb sedan	NY	m	s	insisted it was just for buses/diesel. I turned him around	35-50	w	wall street	n
5-Feb commercial van	NY	m	s	agreed quickly	35-50	w	wall street	n
6-Feb commercial van	NY	m	f	full explanation. "Starting the engine is the hardest part"	35-50	w	wall street	y
6-Feb sedan	US Gov	m	f	I'm a Gov. employee, aware. No thanks	25-35	b	wall street	n
6-Feb small truck	NY	m	s	ok	25-36	w	wall street	ns
6-Feb sedan	NY	m	s	no comments	36-50	w	wall street	n
6-Feb commercial van	NY	m	s	thanks a lot	36-50	w	wall street	n

7-Feb commercial van	NY	m	s	ok, I'll shut it down	36-50	w	wall street	n
8-Feb sedan	NY	m	s	never said a word	36-50	w	uptown	ns
8-Feb large truck	Con Ed	m	s	you guys know the law, don't you	36-50	w	uptown	y
8-Feb sedan	NY	m	s	in this day and age...we must all work together	50+	w	wall street	n
8-Feb small truck	NY	m	s	got off back of truck and shut it off	25-35	Asian	wall street	n
8-Feb sedan	NY	m	s	ok	35-50	w	wall street	n
9-Feb limo	NY	m	s	long talk	50+	Asian	uptown	n
9-Feb Commercial Van	NY	m	s	talked at length on the complex issue	35-50	Asian	uptown	n
9-Feb sedan	Florida	m	s	language issues	25-35	his	uptown	n
9-Feb commercial van	NY	m	f	thanks for telling me. Can I keep the card	35-50	w	uptown	n
9-Feb Taxi	NY	m	f	owner of this fleet is worth 50MM. I don't care	25-35	b	uptown	n
9-Feb sedan	NJ	m	f	I have the meter running. If off, I lose money	35-50	Asian	uptown	y
9-Feb sedan	NJ	m	s	ok	35-50	w	uptown	n
9-Feb Limo	NJ	f	s	ok, thanks	50+	Asian	uptown	n
9-Feb sedan	NY	m	s	but this guy had a bad attitude	50+	w	uptown	n
9-Feb sedan	Florida	m	s	ok, I didn't know	50+	w	uptown	n
9-Feb sedan	NY	m	s/f	he shut it off, then he turned it back on.	50+	Asian	uptown	n
9-Feb sedan	NY	m	s	he was happy to do it	35-50	w	uptown	n
9-Feb commercial van	NY	m	s	language issues	25-35	his	uptown	n
9-Feb sedan	NY	m	s	again, language issues	25-35	his	uptown	n
9-Feb sedan	NY	m	s	just shut it off, please, I said	25-35	w	uptown	n
11-Feb commercial van	NY	m	s	ok	25-35	w	wall street	n
11-Feb small truck	NY	m	s	window wide open, smoking	35-50	w	wall street	n
11-Feb sedan	NY	m	s	I didn't know	25-50	w	wall street	n
11-Feb commercial van	NY	m	s	thank you	25-50	his	wall street	n
12-Feb small truck	NY	m	s	I didn't know	50+	w	wall street	n
12-Feb commercial van	Con Ed	m	s	made him shut down. "why don't you make a movie"	50+	b	wall street	y
12-Feb large truck	NY	m	s	major language issues	35-50	his	wall street	ns
12-Feb large truck	Yellow/Freight	m	f	I wont freeze for you	50+	w	mid town	y
14-Feb mini bus	NY	m	s	he fought me...but shut it off after I walked away	35-50	b	wall street	y
14-Feb sedan	NY	m	s	read card carefully	35-50	w	wall street	n
14-Feb commercial van	NY	m	s	he was in back and walked to front and shut off	35-50	b/w	uptown	ns
14-Feb large truck	Con Ed	m	s	passenger saw me, and motioned to the driver to shut off	35-50	b	wall street	y
14-Feb commercial van	Air Bourne	m	s	I was just walking inside to get coffee"	23-35	b	wall street	ns
14-Feb sedan	Pitney bowes	m	f	said nothing	25-35	b/h	wall street	y
14-Feb commercial van	EPA	m	f	they could not care less. 2 time offender	25-35	his	wall street	ns
14-Feb sedan	NY	m	s	just shut it off 25 degrees outside	25-35	his	wall street	ns
14-Feb small truck	NY	m	f	Had cop assist me. He said it was a marginal issue	50+	w	wall street	ns
18-Feb bus	EMS	m	f	we have permission from the state	35-50	w	cent park	y
18-Feb sedan	NY	m	ns	he said ok but didn't do much	35-50	w	cent park	y
18-Feb limo	CT	m	f	my kids are watching TV...but I know the law	35-50	w	uptown	y
19-Feb commercial van	NY	m	s	passenger in back. He shut it off. I did not know	50+	w	wall street	n
19-Feb commercial van	NY	m	s	I did not know	50+	w	wall street	n
20-Feb van	DOT	m	f	read card carefully	35-50	his	wall street	n
20-Feb commercial van	NY	m	s	just got a huge rebuttal.	25-35	his	wall street	y
	NY	m	s	it took him about 1 min. to shut down	50+	b	uptown	n

20-Mar Commercial Van	NY	m	s	just shut if off	50+	w	wall street	n
20-Mar Commercial Van	NY	m	s	read card carefully	25-35	w	mid town	n
24-Mar large truck	Con Ed	m	f	have to keep running because my battery	35-50	b	uptown	y
24-Mar sedan	NY	m	s	Sherriff. "Create advocacy group to stop murder:	25-35	w	wall street	y
24-Mar Large Truck	NJ	m	s	no issues	35-50	w	wall street	n
8-Apr sedan	Illinois	m	s	ok, I did not know	25-35	w	wall street	n
8-Apr commercial Van	NY	m	s	read card carefully	25-35	w	wall street	n
8-Apr large Truck	USPA	f	f	two time loser. Cop told her last time to shut off	35-50	b	wall street	y
8-Apr sedan	NYC	m	s	took long time to convince	25-35	w	east side	n
8-Apr sedan	NY	m	s	told me it was a hybrid	35-50	Aslan	uptown	n
9-Apr large Truck	NY	m	f	I'm moving soon	35-50	b	uptown	y
9-Apr commercial Van	NY	m	s	ok, I did not know	35-50	w	midtown	n
9-Apr large Truck	NY	m	f	I'm moving soon	35-50	b	midtown	n
10-Apr large Truck	NY	m	s	ok, I did not know	35-50	w	wall street	y
10-Apr sedan	telephone com	m	s	ok, I did not know	25-35	w	wall street	n
10-Apr commercial Van	NY	m	f	just smiled	35-50	w	wall street	n
15-Apr sedan	Mass	m	s	talked congs. Pricing, aliens, GPS system/battery	35-50	w	uptown	y
16-Apr limo	NY	m	s	long conversation about conservation/law	35-50	w	uptown	N
16-Apr sedan	NY	m	s	forced him to shut down	35-50	w	wall street	ns
16-Apr limo	NY	m	s	I'll go and shut it off now	50+	w	wall street	n
16-Apr limo	NY	m	s	gave him the card	50+	w	midtown	ns
16-Apr limo	NY	m	s	gave him the card	50+	w	midtown	y
16-Apr limo	NY	m	s	gave him the card	50+	w	midtown	y
16-Apr Limo	NY	m	s	gave him the card	50+	w	midtown	y
16-Apr Limo	NY	m	s	gave him the card	50+	w	midtown	y
16-Apr small truck	NY	m	ns	he moved on immediately	35-50	his	midtown	ns
17-Apr sedan	NYC	m	f	it was like a Hollywood movie. So dumb	50+	w	wall street	y
17-Apr small truck	NY	m	f	I'm moving soon	50+	w	wall street	ns
17-Apr limo	NJ	m	s	ok, I did not know	50+	b	wall street	n
18-Apr small truck	NY	m	s	not much said	35-50	w	wall street	n
18-Apr sedan	NY	m	s	oh really	25-35	w	wall street	n
19-Apr sedan	NY	m	f	you are wasting my time. He revved engine as I left	25-35	w	uptown	n
19-Apr limo	NY	m	s	ok, I did not know	50+	w	uptown	n
19-Apr sedan	NY	m	s	tough guy	25-35	w	uptown	n
20-Apr sedan	mass	m	s	I didn't know	35+50	w	uptown	n
20-Apr small bus	access a ride	m	s	ok, I did not know	25-35	Asian	wall street	n
1-May small truck	NY	m	s	he walked back to the truck	25-35	his	uptown	n
1-May small bus	access a ride	m	s	nodded	25-35	b	wall	n
1-May limo	NY	m	s	I know the law	50+	b	uptown	n
3-May bus	NY	m	f	warming the engine	50+	w	midtown	n
5-May limo	NY	m	s	ok, I did not know	50+	w	wall street	n
6-May limo	NY	m	s	this was on Mayors office day on NO IDLE day presentation	50+	w	wall street	n
6-May limo	NY	m	s	put up major resistance	35-50	b	uptown	n
6-May Sedan	NY	m	s	just nodded	35-50	w	wall street	n
6-May limo	NY	m	s	much resistance	50+	w	wall street	n
6-May large truck	con end	m	s	grumpy	50+	w	uptown	n

6-May small truck	con ed	m	s	they were lined up and got em both	35-50	w	uptown	n
7-May limo	NY	m	s	didn't say a word	50+	w	wall street	n
9-May large truck	NY	m	s	gumbled a bit	50+	w	wall street	n
13-May bus	access a ride	m	s	ok, I did not know	35-50	b	wall street	n
14-May commercial van	ny	m	ns	he said FINE...but stayed then pulled out	50+	w	uptown	n
15-May commercial van	NY	m	s	ok, I did not know	50+	w	wall street	n
19-May commercial van	ny	f	s	passenger, she leaned over and shut it off	25-35	w	wall street	n
19-May commercial van	Con Ed	m	s	I only take \$20s	35-50	b	wall street	y
22-May commercial van	Con Ed	m	s	ok, I did not know	25-35	b	wall street	n
22-May commercial van	Con Ed	m	f	ok ok...but he did nothing	25-35	w	wall street	y
22-May commercial van	Con Ed	m	s	SAME guy 2 hours later. Why. I don't pay for it	23-35	w	wall street	y
22-May sedan	Con Ed	m	s	ok	35-50	w	wall street	y
22-May large truck	NY	m	s	ok ok	35-50	w	wall street	n
22-May commercial van	NY	m	s	I did not know	25-35	w	wall street	n
22-May sedan	NY	m	f	two time looser. He revved his engine in contempt	35-50	w	uptown	y
23-May large truck	NY	m	F	Dumb guy. I'm going soon	35-50	w	wall street	ns
23-May commercial van	NY	m	s	he was asleep. OK	35-50	w	wall street	y
24-May sedan	Mass	m	s	I did not know	35-50	w	wall street	n
26-May commercial van	NY	m	s	no issues	35-50	b	uptown	n
26-May sedan	NY	m	f	ignored me	25-35	w	uptown	n
28-May large truck	con ed	m	s	had to go to the passenger	35-50	his	wall street	y
28-May sedan	NY	m	f	he nodded yes...but I knew it was no	35-50	w	wall street	ns
28-May large truck	NY	m	s	Oh, I left it on?	35=50	his	wall street	ns
29-May commercial van	NY	m	s	ok	35-50	w	wall street	n
29-May sedan	NY	m	s	two time looser. He saw me and shut it off	25-35	his	wall street	y
30-May small truck	EMS	m	f	I'm exempt	35-50	w	wall street	y
30-May sedan	NY	m	s	no comments	35-50	w	wall street	n
31-May sedan	NY	f	f	contemptible look	50+	w	wall street	n
31-May sedan	NY	f	f	could not care less	35-50	w	uptown	ns
31-May sedan	NY	m	s	ok, thanks	35-50	w	uptown	ns
2-Jun large truck	NY	m	s	got off back of truck and shut it off. "thank you"	50+	Asian	wall street	n
3-Jun commercial van	cent. Park Cor	m	s	Horrible example - then mocked by CON ED	35-50	b	uptown	y
3-Jun sedan	central par cor	m	s	he was shamed	25-35	w	uptown	y
5-Jun commercial van	NY	m	s	had to speak very slowly	25-35	w	uptown	n
6-Jun commercial van	ny	m	s	it was easy	25-35	w	wall street	n
6-Jun large truck	ny	m	ns	his load fell off truck and I ducked away	35-50	b	wall street	ns
6-Jun sedan	NY	m	s	no comments	25-35	w	wall street	n
7-Jun sedan	NY	m	s	had little to say	25-35	w	wall street	ns
7-Jun sedan	NY	m	f	ignored me	25-35	w	uptown	ns
7-Jun limo	ny	m	s	heard me out	50+	w	uptown	ns
8-Jun commercial van	Con Ed	m	s	just shut it right off	35-50	w	uptown	n
9-Jun sedan	ny	m	s	ok	25-35	w	wall street	n
9-Jun sedan	Ct	M	ns	he said ok...but did no action	35-50	w	wall street	ns
11-Jun large Truck	Fed Ex	m	s	gave me a little grief	35-50	b	wall street	ns
11-Jun sedan	ny	m	s	you are correct	35-50	w	wall street	y

11-Jun sedan	NY	m	s	it's a hybrid but it was on.. I'll shut it off	25-35	his	wall street	y
11-Jun sedan	NY	m	ns	he nodded he would	50+	Asian	wall street	n
12-Jun large truck	Con Ed	m	s	bitter argument	35-50	b	uptown	y
12-Jun sedan	NY	m	s	thank you	25-35	his	wall street	n
13-Jun commercial van	NY	m	f	ignored me. Put card on windshield. Tossed it out. Again	25-35	b	uptown	y
13-Jun commercial van	NY	m	s	put card on windshield. Crumpled it up.	25-35	w	wall street	ns
13-Jun limo	NY	m	s	carefully read card	35-50	Asian	wall street	n
13-Jun sedan	NY	m	s	was confused	35-50	w	wall street	ns
13-Jun commercial van	Time Warner	m	s	shut it right off	25-35	w	wall street	ny
14-Jun limo	NY	m	s	reluctant	25-35	his	uptown	y
14-Jun limo	NY	m	s	both for a wedding	25-35	his	uptown	y
15-Jun commercial van	NY	m	f	he shook my hand...but could not speak English	25-35	his	uptown	y
17-Jun commercial van	ConEd	m	f	got lip. I'm moving soon.	50+	his	uptown	n
17-Jun limo	NY	m	ns	he said yes but I know he would not do it	25-35	w	uptown	y
18-Jun limo	NY	m	f	I can't. The Air Con goes off and my boss will yell	35-50	w	wall street	ns
19-Jun sedan	NY	m	f	it was my neighbor brusco.	35-50	Asian	wall street	y
19-Jun Sedan	NJ	m	s	she never opened the window	50+	w	uptown	ns
21-Jun sedan	NYPD	f	f	First time I had a cop shut off engine	50+	w	uptown	ns
21-Jun bus	Canada	m	f	he told me " F. U" twice	35-50	w	uptown	y
21-Jun limo	NY	m	s	asleep at the wheel	50+	w	uptown	y
21-Jun truck	NY	m	s	he said thank you	50+	w	uptown	ns
21-Jun EMS	EMS	m	f	ignored me and said call his boss	25-35	w	uptown	ns
21-Jun sedan	NJ	m	s	no comments	35-50	his	uptown	y
22-Jun sedan	NY	m	s	also asleep at wheel	35-50	w	uptown	ns
22-Jun commercial van	whole foods	f	s	thank you	50+	w	uptown	ns
23-Jun sedan	ny	m	s	you have a good point. Took 2 min to shut off	25-35	b	uptown	ns
23-Jun limo	NY	m	s	I'm not an amigo. I'm a comrade	50+	w	uptown	n
24-Jun limo	NY	m	s	ok	50+	w	uptown	n
24-Jun sedan	NY	m	s	little to say	50+	w	wall street	nss
24-Jun sedan	NY Police	m	f	arrogant	35-50	w	wall street	n
24-Jun limo	NJ	m	s	oh, I didn't know	50+	w	wallstreet	ns
25-Jun commercial van	ny	m	f	preoccupied	50+	w	uptown	n
25-Jun commercial van	NY	m	s	I will certainly shut it off.	35-50	his	uptown	ns
25-Jun sedan	NY	m	s	ok	35-50	b	wall street	n
26-Jun limo	NY	m	s	good point	35-50	w	uptown	N
26-Jun sedan	NY	m	s	no comments	50+	w	uptown	ns
26-Jun large truck	USPS	m	s	very obnoxious. 'is there anything else?	35-50	w	wall street	ns
27-Jun large truck	NY	m	s	twice I tried. I got a traffic cop and he lied to her/generator	35-50	b	wall street	y
27-Jun sedan	NY	m	s	just shut it right off	25-35	w	wall street	y
27-Jun sedan	Virginia	m	s	no comments	25-35	Asian	wall street	n
27-Jun large truck	NY	m	f	complete contempt	35-50	w	wall street	n
28-Jun sedan	NY	m	s	no comments	25-35	w	Wall-Streater	ns
1-Jul sedan	NY	f	s	ok	50+	b	uptown	n
1-Jul limo	NY	m	ns	communication issues	50+	asian	Wall-Streater midtown	ns

1-Jul sedan	NY	m	s	long conversation	50+	b	uptown	n
1-Jul limo	NY	m	s	back to back limos	50+	w	uptown	n
1-Jul limo	NY	m	s	thanks	35-50	w	uptown	n
1-Jul limo	NY	m	s	thanks	35-50	b	uptown	n
1-Jul sedan	NJ	m	s	thanks	50+	w	uptown	n
1-Jul sedan	NY	m	s	ok	35-50	his	uptown	n
2-Jul commercial van	NY	m	f	bitter argument	35-50	his	uptown	y
2-Jul large truck	NY	m	s	see June 27th. I had cop go back and was successful	25-35	w	wall street	y
2-Jul sedan	Mass	m	s	just shut if off	35-50	w	wall street	n
2-Jul large truck	NJ	m	s	ok didn't know	35-50	w	wall street	n
2-Jul sedan	NY	m	f	contempt for me	50+	b	uptown	ns
2-Jul sedan	Taxi	m	f	major communication issues	25-35	Asian	uptown	n
2-Jul sedan	taxi	m	f	just arrogant	25-35	Asian	uptown	y
2-Jul sedan	City of NY	m	s	he apologized	25-35	w	uptown	y
2-Jul sedan	NJ	m	s	I'm green too	25-35	w	uptown	N
2-Jul sedan	NJ	m	f	major communication issues	25-35	his	uptown	n
2-Jul van	nj	m	f	I'm waiting for my wife	50+	w	uptown	n
3-Jul commercial van	NY	m	f/s	language issues, got Spanish card and read it for success	25-35	his	uptown	n
7-Jul commercial van	NY	m	s	thanks	50+	b	uptown	n
7-Jul commercial Van	CON ED	m	ns	he moved on. Had sticker on dash board	35-50	w	uptown	y
7-Jul limo	NY	m	s	just shut if off but grumbled a bit to himself	35-50	w	wall street	ns
7-Jul commercial van	NY	m	s	ok	50+	b	wall street	y
7-Jul sedan	NY	m	s	silent	50+	w	uptown	n
8-Jul sedan	NJ	m	s	ok, thanks	35-50	w	uptown	n
10-Jul sedan	DOT	m	s	blank look	35-50	w	uptown	n
10-Jul sedan	NY	m	s	few comments	25-35	b	wall street	y
10-Jul sedan	NY	m	f	the EMS vehicle was right in front. He was an EMS driver with girlfriend. Said "we are leaving" I waited 5 min. NOGO then don't breathe"	50+	his	uptown	n
11-Jul bus	access a ride	m	f		25-35	b	wall street	y
11-Jul commercial van	NY	m	s	no comments	25-35	b	wall street	n
11-Jul sedan	NY	m	s	ok	50+	w	uptown	n
11-Jul EMS	NY	m	f	guff	25-35	his	uptown	y
12-Jul taxi	NY	m	s	ok	35-50	Asian	uptown	y
12-Jul sedan	NY	m	f	I'm waiting for my wife	35-50	w	uptown	y
12-Jul limo	NY	m	s	mumbled something	50+	his	uptown	y
12-Jul sedan	NY	m	s	no comments	50+	w	uptown	ns
22-Jul sedan	NY	m	s	ok	25-35	his	uptown	ns
22-Jul commercial van	NY	m	s	read the card carefully	25-35	his	wall street	n
22-Jul commercial van	U-Haul	m	s	ok, I did not know	25-35	w	uptown	n
23-Jul small truck	NY	m	s	did not know	35-50	his	wall street	n
23-Jul small truck	CON ED	m	s	no sticker in car	35-50	w	wall street	n
23-Jul large truck	CON ED	m	s	NO STICKER IN CAR	35-50	b	wall street	n
23-Jul limo	NY	m	s	ok	50+	Asian	uptown	y
24-Jul large truck	Con Ed	m	s	The passenger saw me coming and shut off engine	35-50	b	uptown	y
25-Jul large truck	con ed	m	s	Sal, took me inside the truck. He shut if off but feared	35-50	w	wall street	y

29-Jul small truck	NY	m	s	he would have to call a repair truck to restart him	50+	b	wall street	n
29-Jul bus	access a ride	m	s	watched him shut it off	50+	w	wall street	n
29-Jul sedan	NY	m	s	looked me in the eye. Thought, then turned the key off	50+	w	wall street	ns
31-Jul small truck	NY	m	s	Ok I did not know	50+	his	wall street	n
4-Aug small truck	NY	m	s	said nothing and shut it off	25-35	w	wall street	n
4-Aug limo	NY	m	s	confrontation: Finally got driver to shut off. Passenger	50+	Asian	uptown	n
4-Aug large truck	NY	m	s	told me to chill. Passerby laughed.	25-35	his	uptown	ns
5-Aug large truck	Con ED	m	s	language issues. Moving van.	25-35	w	wall street	y
5-Aug commercial van	NY	m	s	but I've only been here two min.	25-35	b	wall street	y
5-Aug sedan	NY	m	f	I know about the law	25-35	w	wall street	y
6-Aug sedan	NY	m	s	undercover cop. Told me F. U. I got cop involved and ZIP	50+	Asian	uptown	n
7-Aug large truck	FED EX	m	f	two time looser	35-50	b	wall street	y
7-Aug limo	NY	m	f	again, two time looser...	35-50	Asian	uptown	y
8-Aug commercial van	Con ED	m	f	no one in truck. They came 5 min. conversation about it	35-50	w	uptown	y
8-Aug commercial van	NY	m	s	standing outside and no shut off	35-50	w	uptown	ns
8-Aug sedan	NY	m	s	few comments	36-50	w	uptown	ns
9-Aug sedan	NJ	m	s	guy was rolling a joint	35-50	w	uptown	ns
9-Aug limo	NY	m	s	ok	50+	w	uptown	ns
11-Aug commercial van	NY	m	s	"Call my boss" I did and later came back.	25-35	w	wall street	n
11-Aug commercial Van	NY	m	s	I'm waiting for my pal	25-35	Asian	wall street	n
13-Aug EMS	ems	m	s	no comments	25-35	w	cent. Park	y
14-Aug large truck	Con Ed	m	s	I won't shut it off when you are here. But he did later I checked	35-50	b	uptown	y
14-Aug large truck	NJ	m	s	sign on the dash. Little argument	35-50	his	wall street	ns
14-Aug sedan	MID	f	ns	no comments	25-50	w	wall street	ns
14-Aug commercial van	NY	m	s	babbled to me	50+	w	wall street	n
14-Aug commercial van	NY	m	s	agreed with me	50+	w	wall street	ns
14-Aug commercial van	NY	m	s	shut if right off	35-50	w	wall street	n
15-Aug commercial van	NY	m	s	smiled and shut it off	50+	w	uptown	y
15-Aug large truck	Schleppers	m	s	passenger read card. Driver shut off	35-50	his	wall street	y
18-Aug large truck	NY	m	s	walked around and shut it off	25-35	b	wall street	n
18-Aug commercial van	Con Ed	m	s	shut if right off	25-35	w	uptown	y
18-Aug limo	NY	m	s	no comments	35-50	Asian	uptown	y
18-Aug commercial van	NY	m	f	just pulled up (BS)	50+	Asian	uptown	y
19-Aug Bus	ABC TV	m	s	reading a book. I know the law	35-50	w	uptown	y
20-Aug small truck	Access a ride	m	s	looked me in the eye and shut it off	35-50	w	wall street	y
21-Aug commercial van	NJ	m	s	started making an excuse...then turned it off	25-35	b	wall street	ns
21-Aug commercial van	NY	M	s	feeble excuse	25-35	his	wall street	n
21-Aug commercial van	NY	m	s	asleep at the wheel. Exhaust drip gave him away.	35-50	Asian	wall street	ns
21-Aug large truck	Con ED	m	s	Exhaust drip pipe. Only two minutes. Called him that	25-35	w	wall street	y
21-Aug large truck	shredder co.	m	f	huge language problems	35-50	his	wall street	n
21-Aug bus	Access a ride	m	f	his shredding now.	35-50	w	wall street	y
23-Aug limo	NY	m	ns	I'm moving now	50+	b	wall street	y
	NY	m	s	didn't say much	50+_	his	wall street	ns

23-Aug sedan	NY	f	s	I did not know	50+	w	uptown	n
23-Aug sedan	NY	m	s	dumbfounded look on face	50+	w	uptown	n
25-Aug bus	NY	m	s	ok	35-50	w	uptown	n
26-Aug sedan	NY	m	s	agreed with me	50+	b	wall street	y
27-Aug sedan	NJ	m	ns	very old man. But he comprehended it	50+	w	uptown	n
28-Aug small truck	NJ	m	s	he smirked and nodded ok.	50+	w	wall street	n
28-Aug commercial van	Zetuna	m	f	I'm moving now	50+	Asian	uptown	y
28-Aug commercial van	Con Ed	m	s	who are you.	25-35	his	wall street	y
28-Aug limo	NY	m	s	ok, I did not know	25-35	w	wall street	n
28-Aug limo	NJ	m	s	three limo drivers in Central Park. All idling. All talking outside	50+	w	cent. Park	n
28-Aug limo	NJ	m	s	there limos on a beautiful evening. I got all three	50+	w	cent. Park	n
28-Aug limo	NJ	m	s	ditto	50+	w	cent. Park	n
1-Sep sedan	NJ	f	f	I'm waiting for my husband. Confused	35-50	his	uptown	n
2-Sep sedan	NY	m	s/f	He shut it off. Came back later: My dog is sick. Need cool air	25-35	his	wall street	n
3-Sep limo	NY	m	s	shut it right off	25-35	w	wall street	n
3-Sep sedan	NY	m	f	two time loser: Get away from me. Go move to China	35-50	w	uptown	yes
3-Sep sedan	NY	m	f	I'm moving	50+	w	uptown	ns
4-Sep commercial van	NY	m	s	but I'm moving soon... shut it off anyway	50+	w	uptown	ns
5-Sep commercial van	Verizon	m	s	shut it right off	25-35	w	wall street	yes
5-Sep limo	NY	m	s	shut it right off	25-35	his	wall street	yes
5-Sep sedan	NY	f	s	shut it right off	35-50	b	wall street	n
8-Sep large Truck	NJ	m	s	im waiting for my boss. He shut it off	35-50	w	wall street	N
8-Sep limo	NY	m	s	said nothing. Anthony with me	35-50	w	wall street	ns
8-Sep commercial van	ADP	m	s	Smiled. Anthony with me	35-50	w	wall street	ns
8-Sep sedan	NY	m	s	didn't say much	25-35	his	wall street	n
8-Sep limo	NY	m	s	ok	35-50	Asian	uptown	n
8-Sep limo	NY	m	s	Smiled. Anthony with me	35-50	his	uptown	n
8-Sep limo	NY	m	s	I did not know. He was standing outside by the stoop	25-35	b	uptown	n
9-Sep mini bus	NY	m	s	The law is for diesel only. I educated him	35-50	b	wall street	n
9-Sep small truck	NY	m	s	I've been here 2 min. I waited for the extra min.	35-50	w	cent. Park	n
9-Sep small truck	NY	m	s	but I'm waiting for a pal. Please shut it off	25-35	his	wall street	n
9-Sep small truck	NY	m	s	But I'm moving. Please shut it off	25-35	w	wall street	n
10-Sep sedan	NY	m	s	I didn't know	50+	w	uptown	n
10-Sep Sedan	NY	m	s	nodded, OK	50+	w	uptown	n
11-Sep small truck	NY	m	f	I'm going soon	25-35	w	MIDTOWN	ns
11-Sep large Truck	NY	m	s	no comments	50+	w	MIDTOWN	ns
11-Sep small truck	NY	m	s	OK	35-50	w	midtown	n
11-Sep commercial van	NY	m	s	I didn't know	25-35	w	MIDTOWN	n
11-Sep bus	NY	m	s	major language issues	35-50	Asian	MIDTOWN	ns
11-Sep commercial van	NY	m	s	I didn't know	35-50	HIS	wall street	N
11-Sep taxi	NY	m	s	it took some persuasion	35-50	his	uptown	n
11-Sep limo.	NY	m	f	he gave me the finger. We shared F.U.s	50+	w	uptown	yes
12-Sep commercial van	NJ	m	s	I just got a ticket for double parking.	25-35	w	wall street	n
13-Sep sedan	NY	m	s	I did not know.	25-35	B	uptown	N

13-Sep sedan	NJ	f	f	gave me guff	35-50	w	uptown	ns
13-Sep sedan	NY	m	s	I apologize	35-50	w	uptown	n
13-Sep limo	NY	m	s	I did not know	35-50	Asian	uptown	n
14-Sep small truck	NY	m	f	He said he would but he did not	25-35	w	uptown	n
15-Sep commercial van	NY	m	f	If I turn it off, I can't restart it.	25-35	his	uptown	ns
15-Sep commercial van	NY	m	s	two time loser. He said ok	25-35	his	wall street	yes
15-Sep limo	NY	m	f	could not care less	35-50	b	wall street	ns
16-Sep commercial van	florist	m	s	noddled and said OK	25-35	his	uptown	yes
16-Sep limo	NY	m	s	two time loser. His buddy said "You are not human"	25-35	his	uptown	yes
16-Sep sedan	NY/PA ASPCA	m	s	smiled and said I know	35-50	his	uptown	yes
16-Sep taxi	NY	m	s	off duty, eating dinner.	35-50	Asian	cent. Park	yes
16-Sep small truck	NY	m	s	if it makes you happy. He revved the engine when his pal came	50+	w	uptown	yes
17-Sep commercial van	NY	m	s	noddled	25-35	w	uptown	yes
17-Sep commercial van	NY	m	s	mov never understood. Language issues	25-35	w	wall street	ns
17-Sep sedan	NY	m	s	two time loser. shut it off when he saw me	25-35	b	wall street	ns
18-Sep small truck	Florist	m	s	same company as Sept. 16, but new driver	25-35	w	uptown	yes
18-Sep commercial van	NY	m	ns	he said he would but he had major attitude	25-35	asian	uptown	ns
19-Sep sedan	NY	f	s	she just shut it right off	35-50	b	uptown	ns
19-Sep commercial van	NY	m	s	his passenger chimed in and said 'only 1 minute' driver shut off	35-50	b	wall street	n
19-Sep limo	NJ	m	s	he was asleep in the rear seat.	25-35	his	wall street	n
19-Sep limo	NY	m	s	two time loser. He recognized me	50+	w	uptown	n
20-Sep sedan	NY	f	s	no comments	50+	w	uptown	yes
20-Sep commercial van	NY	m	s	my boss is inside. Doesn't matter shut it off	25-35	asian	uptown	yes
20-Sep sedan	NY	m	s	no comments	25-35	w	uptown	ns
20-Sep limo	NJ	m	s	OK	50+	b	uptown	yes
20-Sep sedan	CHASE	m	s	I watched until he shut off "I did not know"	25-35	b	uptown	n
20-Sep sedan	NY	m	s	I did not know	35-50	w	uptown	n
20-Sep small truck	Time Warner	m	f	he refused...saying he was looking for a parking spot	25-35	b	uptown	n
22-Sep commercial Van	NY	m	s	ok, I'll shut it right off	35-50	w	uptown	yes
22-Sep large Truck	NJ	m	f	I'm waiting for my boss. I can't do it	25-35	w	uptown	n
23-Sep limo	NY	m	s	oh, ok.	35-50	asian	uptown	yes
24-Sep sedan	DOT	m	f	what are you, a crusader. God Bless you. Very annoyed	35-50	w	wall street	ns
24-Sep taxi	NY	m	s	language issues. Used the card	35-50	Asian	wall street	ns
24-Sep taxi	NY	m	s	ok	25-35	w	uptown	yes
24-Sep limo	NY	m	s	did not know	25-35	B	uptown	N
25-Sep commercial Van	Con Ed	m	s	said he didn't now the law. I ripped him	50+	w	uptown	yes
26-Sep bus	Access a ride	m	s	ok	50+	b	wall street	yes
26-Sep sedan	NY	m	s	no comments	25-35	w	uptown	n
26-Sep large Truck	NY	m	f/s	two time loser. "I can't stand you" but he walked to shut it off	25-35	w	uptown	yes
26-Sep limo	NY	m	f	I confronted him. He did not know the law	25-35	his	uptown	n
27-Sep small truck	NY	m	s	He turned the corner and opened his window. "thank you"	50+	w	uptown	n
27-Sep Sedan	NY	m	s	ok	35-50	w	uptown	ns
27-Sep Sedan	Ohio	m	f	Huge confrontation. Wife works for riverkeeper. I know the law	35-50	b	uptown	yes
27-Sep large Truck	Con Ed	m	f	I won't be intimidated.	35-50	b	uptown	yes
27-Sep sedan	NY	m	s	I'll be moving	35-50	b	uptown	yes
				Why do you ask? I'll be happy to	35-50	w	uptown	n

27-Sep commercial Van NY

m s OK

TOTALS

50+ b uptown Ns

615 total encounters
 13% female 87% male
 22% failure or not sure 78% successful
 57% white 21% black 14% hispanic 8% asian
 28% knew the law.. the rest were no or not sure
 42% age 35-50 33% age 25-35 25% age 50+

Limo drivers were 12 % of the populous. I was 70%
 successful in year one with limo drivers and 91% successful
 in year two. Only 27% of limo drivers knew the law.
 41% were commercial vehicles (trucks and vans) but buses
 were not included.
 The balance are sedans or non commercial

George Pakenham
161 West 74th Street
4-b
New York, NY 10023

September 27, 2008

Mr. Mathew W. Daus
Commissioner
NY Taxi and Limousine Commission
40 Rector Street
New York, NY 10006

*Re: NYC Traffic Law
Section 4-08 Parking, Stopping, and Standing
Page 43 (p) idling*

Dear Commissioner Daus

For more than two years I have been involved enforcing this above mentioned law throughout Manhattan. My method is to watch drivers idling, approach them, show them the attached business card and ask that they turn off their engine.

Since September 26, 2006, I have kept an excel spread sheet of my activity. I have attached two pages of that spreadsheet as a sample for your review. In two years, I have had 1404 such encounters. Statistically, I was 77 % successful in year one and 78% successful in year two. Success means, I watched the driver **shut off his engine**.

I bring all this to your attention because limousines constitute a significant portion of my data. In year one, limousines represented 11% of the total population. (*823 encounters and 97 limos encountered*) In year two, it was *581 total encounters with 70 limo encounters* or 12%. More plainly put, of 1404 encounters, limos constituted 167 violations.

I was successful in having limo drivers **turn off** their engines 70% of the time in year one. It jumped to 91% successful in year two. This translates into a high degree of willingness for drivers to abide by the law when violations are brought to their attention.

I always start off my encounters by asking "*Are you aware of the law in NYC which states you can not idle your engine for more than 3 minutes?*"

Limo drivers indicated they **were aware** of the law 27% of the time in year one and 28% in year two. The balance of the data shows they either **did not** know of the law...or else I could not determine if they did or did not. Therefore, in summary, my findings indicate professionals who **make their living** driving clients in Manhattan have **limited knowledge** of the idling law but are quite willing to abide by it, once alerted to it.

May I ask you several questions?

- a. Is your office aware of the law and is it a serious matter to you?*
- b. If so, what steps is your office taking to combat this problem?*
- c. Do individual limo drivers pay for their own tickets...or do fleet owners?*

Please be aware that I'm working closely on this issue with the Public Health and Legal sides of the Environmental Defense Fund (EDF), located on Park Ave South. The EDF has completed a comprehensive white paper on this topic. Soon, it will be submitted to City Hall and Commissioner Kelly's office. I would like to share this with you. It dissects the gravity of this matter in health and economic terms.

It is my goal to meet with you personally and discuss this topic with you in depth. I would like to call your office in the next few days to set an appointment. I look forward to working with you and your team on this important issue.

Regards

GEORGE PAKENHAM
917 972 0060

George Pakenham
161 West 74th Street
New York, NY 10023
917 972 0060

July 2, 2008

Mr. Paul Manning
Director of Environment, Health and Safety
Con Edison
4 Irving Place
New York, NY 10003

Re: Con Ed Trucks idling

Dear Paul

I appreciate the two conversations we have had in recent weeks. It's good to have a free exchange of ideas.

As mentioned in our first conversation, I have spent several years alerting drivers in NYC as to the NYC traffic law, section 4-08 which pertains to the 3 minutes engine idling limit. *Note: The administrative code of NYC has also legislates a 3 minute rule and has penalties as well.* For the last 20 months I have kept a excel spread sheet log on such activity. You will find both reports attached and I have highlighted Con Ed activity in yellow.

I'm sad to report that Con Ed leads the list of corporate offenders.

You'll see that I had 24 encounters the first year with 4 outright failures and many 'moved on'

With **8 months** into my Excel spreadsheet in year 2, I have 25 encounters already along with 5 failures.

So, in this progression, I'm seeing more infractions and less success. I must point out that none of the 49 encounters had anything to do with Con Ed trucks in an emergency mode or in repair mode. Each was an encounter while drivers were apparently at break.

If I had been a NYPD cop issuing tickets, these infractions would have cost Con Ed 49 x \$200 **minimum** or \$9,800. Note on my records there was one second offender.

You indicate that Con Ed has installed a 'dash board' sticker which explains the law. May I have a copy of that sticker? You indicated that you were not sure how many vehicles had such stickers. I think it's time that an inventory is made. In any case, I will begin to survey each Con Ed driver to see if they have 3 minute stickers and I will add this to my Con Ed excel spread sheet. I hope to have some statistics for you in a short while.

As mentioned, I work closely with the Environmental Defense Fund: Mel Peffers on the public health side and Isabelle Silverman on the legal side. I have alerted both of them as to the nature of our conversation. I believe they are ready willing and able to have in depth conversations with your office as to the creation of a redesigned 'dash board' stickers and their installation of them.

I have enclosed the handy business card device I use when approaching Con Ed vehicles. As mentioned, I'm going to begin charting license plates numbers on a special Con Ed chart.

Also, enclosed is an 11 minutes DEMO of a documentary film I'm producing on the abuse of the idling law in NYC. I would be happy to interview you as a proactive executive seeking ways to ensure NYC air is of the highest quality.

I suspect that the Environmental Defense Fund will reach out to you shortly.

Regards

George Pakenham

CC: Mel Peffers; Isabelle Silverman

George Pakenham
161 West 74th Street
NY NY 10023
917 972 0060

November 18, 2008

Mr. Paul Manning
Director of Environment, Health and Safety
Con Edison
4 Irving Place
New York, NY 10003

Re: Con Ed Trucks idling/sticker

Dear Paul

I trust you recall my letter of July 2, 2008 in which I discussed Con Ed trucks and their poor record in complying with NYC 3 minute engine idling law. I have attached a copy of that letter for your review.

In July, we discussed the fact that you believe most Con Ed trucks have a dash board sticker reminding drivers about the 3 minute law.

I conducted my own research from June 18th to September 11th. You'll see the results on a print out page attached, but in summary, of the 31 trucks I examined 13 had no such stickers. Statistically, 41% of the trucks had no stickers. The chart provided gives you the license plate number in each of the encounters if you want to cross reference, or perhaps put stickers in place where there are (*or were*) none. Also, you might want to read some comments in the 'comment' section to gain insight into your staff.

I am relentless in my engaging idling vehicles in NYC and I can report that I see no great improvement in my record keeping on Con Ed trucks since last summer. Con Ed still leads the pack in terms of commercial vehicles which I find idling.

I'm copying Isabelle Silverman from the Environmental Defense Fund this letter. I know you two have spoken in the past. Attorney Silverman is putting forth great effort toward having policeman enforce the law and I'm confident you'll hear more about it in the press in the coming weeks and months. I will follow up with you shortly.

Regards


George Pakenham

Cc: Isabelle Silverman, EDF

8-Aug	19099 iv	UWS	very friendly discussed EDF report	yes	large truck
8-Aug	42008 ix	UWS	again, friendly	yes	large truck
8-Aug	55364 JT	UWS	5 min. conversation	no	comm van
14-Aug	19099 Ju	UWS	sign in truck. Passenger shut it off	yes	large truck
15-Aug	52049 jj	UWS	I peaked in the window	NO	truck
20-Aug	42008 JX	UWS	no sign. "It's a new truck"	no	large truck
25-Aug	75873 JW	UWS	yes, it has it	yes	comm van
27-Aug	55368 JT	UWS	gibberish	no	comm van
28-Aug	55478JT	UWS	I can do it. Who are you	no	comm van
8-Sep	56807-JT	UWS	no comments	yes	large truck
11-Sep	62581 SL	UWS	long conversation with RON	yes	large truck
			but he said there was not a sticker		
			but there was. Mentioned training		
11-Sep	75873 JW	UWS	no comments	yes	comm van



New York Lawyers
For The Public Interest, Inc.
151 West 30th Street, 11th Floor
New York, NY 10001-4017
Tel 212-244-4664 Fax 212-244-4570
TTD 212-244-3692 www.nylpi.org

Testimony of
DAWN PHILIP
on behalf of
NEW YORK LAWYERS FOR THE PUBLIC INTEREST
before the
NEW YORK CITY COUNCIL ENVIRONMENTAL PROTECTION
COMMITTEE
HEARING ON NEW YORK CITY'S IDLING LAW

November 25, 2008

Good afternoon and thank you for the opportunity to provide testimony today. My name is Dawn Philip and I am a staff attorney with New York Lawyers for the Public Interest (NYLPI). NYLPI is a nonprofit civil rights law firm formed in 1976 to address the unmet legal needs of New Yorkers. In 1991, NYLPI formed its Environmental Justice & Community Development Project to represent communities facing disproportionate environmental burdens.

New York Lawyers for the Public Interest supports enhancing the City's ability to enforce idling violations because idling is a major issue for the communities with which we work. In low-income communities of color, where many truck-intensive industrial and manufacturing facilities are located, emissions from idling trucks exacerbate already poor air quality. Diesel emissions also adversely affect the health of the residents of these communities who are already more likely to suffer from respiratory problems and other illnesses. The health effects of poor air quality are most acutely felt by children, especially those suffering from asthma and other respiratory problems. Studies have shown a wide range of health effects from vehicle pollutants. One study, for example, found that one out of every four children in central Harlem has asthma -- a rate that is far greater than experts had previously expected and one that is one of the highest rates in the country.¹ Other studies have found relationships between traffic-related exposures and cancer and adverse reproductive outcomes such as low birth weight and premature birth.

Community efforts to get anti-idling laws enforced in these communities have had limited success. Enforcement resources are limited. Moreover, calls to 311 are ineffective because idling trucks are usually gone by the time the City responds.

Given these challenges, we support expanded enforcement of New York City's idling laws and stricter no-idling requirements in areas close to sensitive populations such as

¹ New York City Department of Health, "Asthma Facts", 1999, p. 2.

schools. To the extent feasible, we also support efforts to expand enforcement capability within the police department to include parking and traffic enforcement officers, who we understand do not currently have such authority.

To the extent that enforcement resources remain insufficient to address the issue comprehensively, NYLPI recommends focusing enforcement efforts on “hot spots” such as areas with truck intensive land uses and high volume truck routes; and areas with poor air quality issues and high incidences of health conditions known to be created or compounded by diesel emissions.

Finally, we support increased reporting around efforts to address anti-idling laws. To ensure that such reporting can enhance the effectiveness of anti-idling measures, we recommend that a participatory mechanism, such as an advisory panel, be created through which the community and enforcement can work together to identify and help address problems related to idling in New York City. Addressing engine idling through expanded enforcement and increased reporting of idling violations will help alleviate its harmful health effects, especially in communities suffering from inequitable environmental burdens.

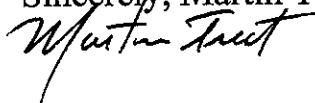
Thank you for the opportunity to testify.

Bus Idling Testimony
Martin Treat
400 W 43rd Street
Apt. 33N
NY, NY 10036
November 25, 2008

In my neighborhood of Clinton/Hell's Kitchen adjacent to the Port Authority Bus Terminal and the Lincoln Tunnel bus idling is a way of life. Every kind of bus, from private charter to medium and small shuttle busses to aging airport shuttles, is constantly idling near my residence. By contrast, MTA and N.J. Port Authority busses do not idle but keep moving (except in heavy traffic). In addition, MTA busses are entirely equipped with clean engine technology and there is a planned PA bus garage in the future. However, the huge private charters, old airport shuttles and the growing number of small shuttle buses of all sizes makes my community air quality one of the poorest in the city. Community Board 4 is third highest in Manhattan's 12 boards in reported respiratory illness and our school age children are ravaged by asthma. My son has had asthma all his life; must we look forward to our grandson acquiring the disease?

I fully support the new changes proposed in the Effectiveness of New York City's Idling Law (Int 40) and they will lead to increase enforcement on all street bus idling. Allow citizens more ways to report idling in their communities. Encourage Port Authority to garage more buses of the private sector and consider a garage for charter busses to be built in the future.

Thank you for receiving our testimony today and we look forward to any measures that will improve this life-threatening situation.

Sincerely, Martin Treat


**Dahlia Duperroir
790 11th Ave
Apt.22F
NYC, NY 10019
E-Mail prdahl@verizon.net
November 25. 2008**

Chairman, and council members;

My name is Dahlia Duperroir I'm a member of the Westside Neighborhood Alliance, and a resident of Hells Kitchen (Clinton Chelsea). I'm here as a resident that has COPD.

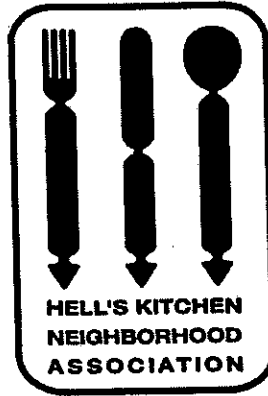
I was waiting for a bus on Eight Ave at 50th, and 49th Streets there were two double decker sightseeing buses idling their engines these buses do not believe in shutting off their engines, By the way I was waiting for 10 minutes for my bus. When I arrived home I had to get on my nebulizer, and arbutrol I was going through , and asthma attack. Asthma can be life threatening.

We need much stronger laws , and enforcement of these laws , stiffer fines, and changing the three minutes too one minute idling. Something should be done to prevent limo, Taxis, and Charter buses from parking in, and around school zones, and our residential streets in Hells Kitchen, and Chelsea I am also sure this is the case else where in the city. Police officers should be trained to be aware of these laws, and should issue summons . Local precinct should be held accountable for the issuance of these summons in conjunction with traffic enforcement.

A garage should be built to house these charter vehicles It would help keep these vehicles off our streets, Reduce emissions, some of the congestion we face on a day to basics in our daily lives.

Cordially,

Dahlia Duperroir



New York City Council
New York City Environmental Protection Agency

November 25, 2008

RE: Bus Idling

Hell's Kitchen, which encompasses 34th Street to 57th Street, is completely, thoroughly dominated by the Port Authority and the endless line of buses that goes to and from the Lincoln Tunnel 24/7. This dire situation is not getting better. In the summer bus engines idle to keep the drivers cool in a/c. In the winter bus engines idle to keep the drivers warm. Without the personnel to ticket violations we are all at the mercy of toxic pollutants...the cloud hanging perpetually over our island.

A bus garage with adequate spaces is the simple answer. Please get us this garage. We cannot breathe.

Sincerely,

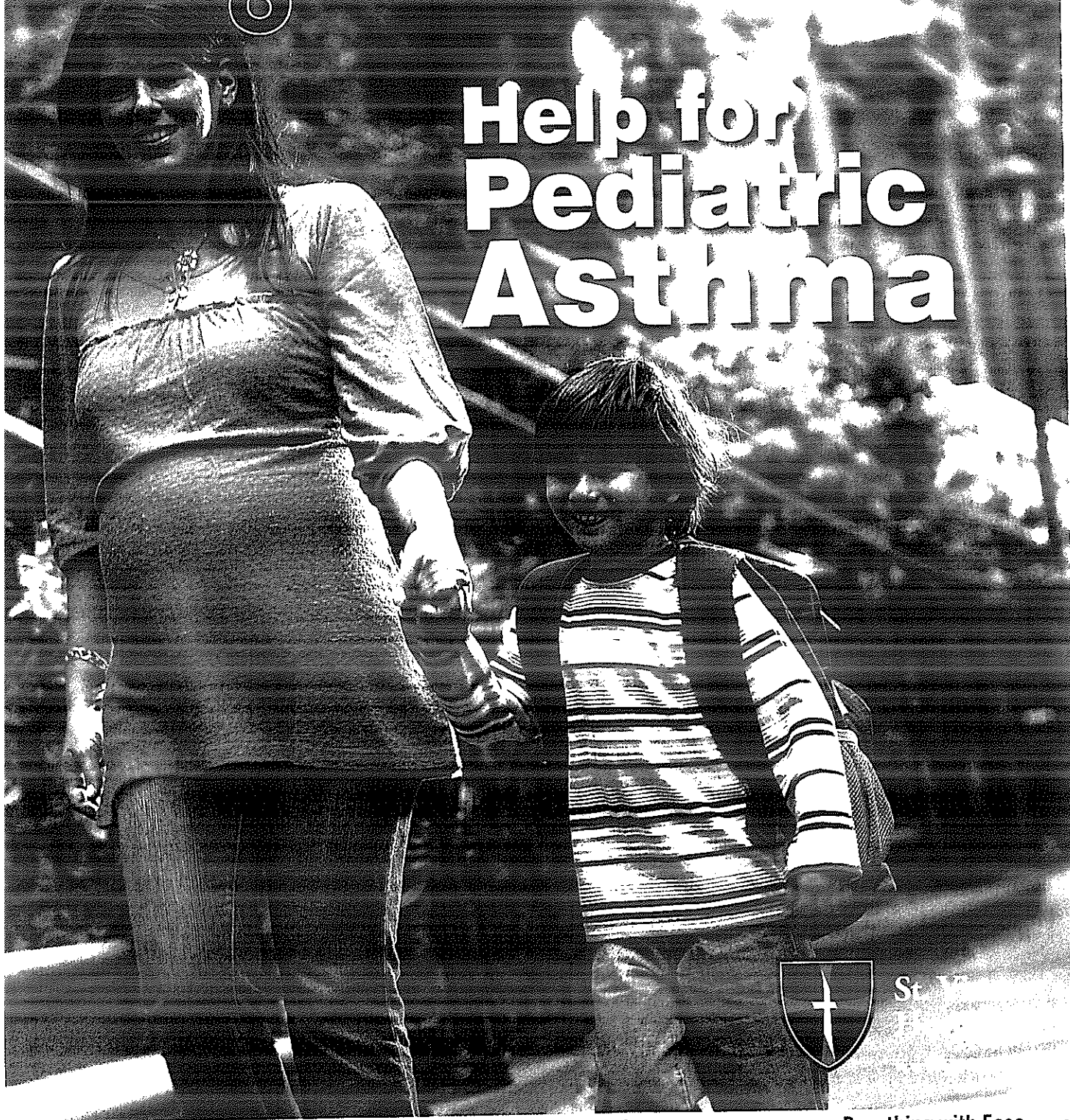
A handwritten signature in cursive script that reads "Kathleen Treat".

Kathleen McGee Treat, Chair

Hell's Kitchen Neighborhood Association – 454 West 35th Street, NYC 10001
www.hknanyc.org - (212) 714-0186

Village Health News

Help for Pediatric Asthma



St. Vincent's

» Prevent Preterm Labor Page 3

» Controlling Chest Pain Page 4

» Breathing with Ease Page 6

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: PAUL SCHUBERT (PLEASE PRINT)

Address: 147 Beach 175 St

I represent: Rockaway Residents

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 40/631 Res. No. _____

in favor in opposition

Date: 11/25/08

Name: RICHARD KASSEL (PLEASE PRINT)

Address: 40 W. 20 St. NY, NY 10011

I represent: NRDC

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 631+40 Res. No. _____

in favor in opposition

Date: _____

Name: George FAKENHAM (PLEASE PRINT)

Address: 161 W 74 St NY NY 10023

I represent: MYSELF / ENV. DEF FUND

Address: Park Ave South

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 631 Res. No. _____

in favor in opposition

Date: 11/25/08

(PLEASE PRINT)

Name: REBECCA KALIN

Address: _____

I represent: DIRECTOR, ASTHMA-FREE SCHOOL ZONE

Address: 131 AVENUE B, NYC 10009

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dahlia De Perroir

Address: 790 11 AVE

Resident

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/25/08

(PLEASE PRINT)

Name: Down Philip

Address: 151 Prospect Park West

I represent: NYC PI

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 11/25/08

Name: Kathleen TREAT (PLEASE PRINT)

Address: _____

I represent: Hell's Kitchen Neighborhood

Address: Association

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 11/25/08

Name: MARTIN TREAT (PLEASE PRINT)

Address: 400 W 43 ST 33N NYC 10036

I represent: CHEK PEDS

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 11/25/08

Name: Logan Welde (PLEASE PRINT)

Address: 514 E. 11 ST NY NY

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 11/25/08

(PLEASE PRINT)
Name: Deputy Comm. Robert Avaltioni

Address: NYC DEP

I represent: _____
Address: 59-17 Junction Blvd, Flushing 11378

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 040/031 Res. No. _____
 in favor in opposition

Date: 11/25/08

(PLEASE PRINT)
Name: Veronica Vanterpool

Address: 350 W. 31st

I represent: Tri-State Transportation Campaign

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 631 Res. No. _____
 in favor in opposition

Date: 11-25-08

(PLEASE PRINT)
Name: REBECCA KALIN

Address: 131 AVE. B NYC, NY 10009

I represent: ASTHMA FREE SCHOOL ZONE

Address: 131 AVE. B NYC NY 10009

Please complete this card and return to the Sergeant-at-Arms