Legislation Details (With Text)

File #:	Int 0566-2022 **Version:** A	**Name:**	Requiring all children with an individualized education program to be transported in buses with air-conditioning.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Education
On agenda:	7/14/2022		
Enactment date:	6/25/2023	**Enactment #:**	2023/079

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning

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Date	Ver.	Action By	Action	Result
7/14/2022	*	City Council	Introduced by Council	
7/14/2022	*	City Council	Referred to Comm by Council	
3/29/2023	*	Committee on Education	Hearing Held by Committee	
3/29/2023	*	Committee on Education	Laid Over by Committee	
5/25/2023	*	Committee on Education	Hearing Held by Committee	
5/25/2023	*	Committee on Education	Amendment Proposed by Comm	
5/25/2023	*	Committee on Education	Amended by Committee	
5/25/2023	A	Committee on Education	Approved by Committee	Pass
5/25/2023	A	City Council	Approved by Council	Pass
5/25/2023	A	City Council	Sent to Mayor by Council	
6/25/2023	A	Administration	City Charter Rule Adopted	
6/29/2023	A	City Council	Returned Unsigned by Mayor	

Int. No. 566-A

By Council Members Feliz, Hanif, Marte, Brewer, Yeger, Avilés, Nurse, Gutiérrez, Brannan, Sanchez, Holden, Brooks-Powers, Narcisse, Louis, De La Rosa, Stevens, Lee, Krishnan, Farías, Hudson, Menin, Schulman and Dinowitz

A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning

Be it enacted by the Council as follows:

Section 1. Section 19-605 of the administrative code of the city of New York, as added by local law number 63 for the year 2003, is amended to read as follows:

§ 19-605[.] Air-conditioning. a. Definitions. For purposes of this section, the term "child with a disability" has the same meaning as set forth in subdivision 1 of section 4401 of the education law.

b. Any bus or other motor vehicle transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be air-conditioned when the ambient outside temperature exceeds [seventy] 70 degrees Fahrenheit. Drivers of all such vehicles shall utilize such air conditioning systems [in order] to make the internal climate of such vehicles comfortable to passengers [in order] to protect or enhance the health of children with disabilities. Any failure, mechanical or otherwise, of an air-conditioning system required by this section shall be repaired and restored to operable condition as soon as is practicable, but in no event more than [three] 3 business days subsequent to the failure. [For purposes of this section, "child with a disability" shall mean a child with a disability as defined in section 4401(1) of the education law who requires an air-conditioned environment for health reasons.]

[b.] c. The penalty provisions set forth in section 19-607 [of this chapter] shall not apply to any violation of the provisions of this section. Any owner, operator or contractor responsible for transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be liable for a civil penalty of [four hundred dollars] $400 for each violation of this section.

§ 2. This local law takes effect September 1, 2035.

Session 12
MHL/NJF
LS #8563
05/17/23 3:50pm

Session 11
AES/MAJ
LS #563
Int. 575-2018