Anti-Idling Law/Air Enforcement: New York Attorney General Files Judicial Complaint Against Three New York City Bus Companies

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The New York Attorney General ("AG") filed a Complaint in the Supreme Court of the State of New York – County of Kings against three New York City, New York, bus companies for alleged violations of certain New York City and New York State laws addressing idling limits. See Index No. 513822-2022.

The three companies named in the Complaint include:

- Jofaz Transportation, Inc.
- 3rd Avenue Tansit, Inc.
- Y & M Transit Corp.

The AG's Complaint is brought under New York Executive Law § 63(12) and alleges violations of:

- Title 6 of the New York Code of Rules and Regulations § 217-3.2 (New York State anti-idling regulation)
- Title 24 of the New York City Administrative Code § 24-163(a) (New York City anti-idling regulation)

The New York State regulation is stated to prohibit idling over five minutes. The New York City regulation is stated to prohibit idling over three minutes generally and one minute when adjacent to a school.

The defendant bus companies are stated to be under contract to transport New York City public school students.

The Complaint states that fleet management devices are present on the companies' school buses and apparently tracks, among other things, idling.

Anti-idling statutes and regulations are found in various states and are intended to attempt to reduce emissions of mobile source air pollutants.

The AG's Complaint seeks statutory penalties and injunctive relief to reduce emissions of both criteria pollutants and greenhouse gases.

A copy of the Complaint can be downloaded here.