



# City of New York Business Integrity Commission

## Local Law 145 of 2013

A Local Law to amend the Administrative Code of the City of New York. The law is meant to address pollutant reduction of heavy duty trade waste vehicles.

This summary of Local Law 145 of 2013 is for information purposes only.  
Consult Local Law 145 of 2013 directly.



# What Local Law 145 Requires

By **January 1, 2020**, all heavy duty trade waste vehicles shall either:

1. Utilize “Best Available Retrofit Technology” (BART), **or**
2. Be equipped with an EPA certified 2007 (or later) engine.



# What is a Heavy Duty Trade Waste Hauling Vehicle?

## **"Heavy Duty Trade Waste Hauling Vehicle"**

means any diesel-fuel powered vehicle with a gross weight of over 16,000 lbs. that is owned or operated by an entity that is required to be licensed or registered by the BIC and that is operated in New York City for collection and/or removal of trade waste.



# What is BART?

**"Best Available Retrofit Technology" (BART)** means technology verified by the US EPA or the California air resources board for reducing the emission of pollutants that achieves reductions in particulate matter emissions at the highest classification level for diesel emission control strategies that is applicable to a particular engine and application that has been approved for use by the [DEP] Commissioner.



# Who Sets the Rules for BART?

- On or before June 30, 2018, **the City of New York's DEP Commissioner** shall review all verified technology and promulgate rules setting forth the BART that would achieve compliance with Local Law 145.



# Enforcement

- DEP and BIC will have the authority to issue violations to companies whose trucks are not in compliance with the requirements of this law.
- A violation of this law carries a civil penalty of **\$10,000 per vehicle.**



# Enforcement

- An **“order to correct”** will be issued with each violation.
  - These orders allow the violations to be corrected **without penalty** within 60 days from the date of the order.
- Where such violation is **not corrected** within 60 days, a separate additional penalty may be imposed of not more than **\$500 for each day** that the violation is not corrected.



# Grounds for Denial

- Starting January 1, 2019, the Commission will be **authorized to refuse to issue a license or registration** to an applicant that has failed to demonstrate, to the satisfaction of the Commission, that it will meet the requirements of this law.





# Grounds for Revocation or Suspension

- The Commission will also have the **authority to revoke or suspend a license or registration** if the licensee or registrant has been found to be in violation of this law.



# Financial Hardship Waivers

- The BIC may issue waivers to licensees and registrants who demonstrate that compliance with this law would cause a **financial hardship**.



# Financial Hardship Waivers

- All licensees and registrants who apply for a waiver must file a waiver application on or before January 1, 2019.
  - Companies applying to the Commission for the first time after January 1, 2019 must submit a waiver at the time they apply.
- Waivers can be valid for up to two years after they are issued and must be renewed no later than 180 days prior to their expiration.
- **All waivers will expire by January 1, 2025.**



# Important Dates

- **June 30, 2018-** DEP will set forth the rules for BART.
- **January 1, 2019-** Financial hardship waiver applications are due on (or before) this date.
- **January 1, 2019-** BIC may begin denying applications for licenses and registrations of applicants who have failed to show how they will comply with this law.
- **January 1, 2020-** All heavy duty trade waste vehicles shall either utilize BART or be equipped with an EPA certified '07 (or later) engine.
- **January 1, 2025-** All financial hardship waivers expire.

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