THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
SIDE GUARDS ON HEAVY-DUTY TRADE WASTE VEHICLES

100 Church Street
New York, New York
August 10, 2022
11:08 a.m.

HEARING in the above-referenced matter,
held via videoconference, before Sabrina Brown Stewart, a Notary Public of the State of New York.

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A P P E A R A N C E S:

SHORMINA AHMED, Executive Agency Counsel, BIC
NICOLE MATHIAS, Director of Policy, BIC
MS. AHMED: Good morning, and welcome
to today's public hearing. The time is 11:08
on Wednesday, August 10, 2022. We are in the
20th floor conference room of 100 Church
Street.

My name is Shormina Ahmed, I am
Executive Agency Counsel at the New York City
Business Integrity Commission, and thank you
for attending today's hearing.

The Commission is conducting this
hearing pursuant to the requirements set
forth by the City Administrative Procedure
Act, commonly referred to as "CAPA." The
purpose of this hearing is to receive
comments from the public on the Commission's
proposed rules relating to side guard
requirements for trade waste hauling
vehicles.

The Commission published the proposed
rules in the City Record on July 6, 2022. We
also disseminated a copy of the rules via
e-mail to all New York City local elected
officials, the managers of all 59 community
boards, several media organizations in the
City, and other interested parties.
Lastly, we posted the proposed rules on both the Commission's and the New York City Rules' websites. New York City Administrative Code Section 16-526, Local Law 56 of 2015 and Local Law 108 of 2021 gives the Commission the authority to promulgate rules requiring the installation of side guards on trade waste hauling vehicles.

A trade waste hauling vehicle is defined as a motor vehicle with a manufacturer's gross weight exceeding 10,000 pounds, that is owned or operated by an entity that is required to get licensed or registered by the Commission, pursuant to 16-505 of the Administrative Code, and that it's operated in New York City for the collection, removal, transportation or disposal of trade waste.

The Commission is proposing to amend Title 17 of the rules of the City of New York to require trade waste hauling vehicles to be equipped with side guards. The proposed rule amendment establish situation where trade waste hauling vehicles will be considered equipped with side guards. The proposed rule
amendment will require licensees and registrants a simple proof that all trade waste hauling vehicles disclosed to the Commission are equipped with side guards no later than January 1, 2023.

The new proposed rules will also require licensees and registrants to disclose trade waste hauling vehicles to the Commission after January 1, 2023, to submit proof that a trade waste hauling vehicle is equipped with side guards.

The proposed rule will also specify that beginning on January 1, 2023, the Commission will not issue license plates for any vehicle that does not comply with the requirement set forth in Section 16-526 of the Administrative Code.

Lastly, the rule establishes a process in which the licensee or registrant may apply to the Commission for a waiver of the side guard installation requirement if the licensee or registrant can establish that installation of side guards on a particular trade waste vehicle is impractical.

That concludes the summary of the
proposed rule changes at issue at this hearing. You may present any oral statements for the record or submit written comments concerning the proposed rule changes. Additionally, the Commission has been accepting written comments on the proposed rules since the publication of the City Record and will continue to do so through the close of business today.

The Commission will make available any written comments that are received in connection with today's hearing on its website. The Commission will carefully review and consider all comments and submissions and make changes if the Commission deems them necessary. The rules will go into effect 30 days after they are published in City Record.

We will begin calling those of you who wish to speak this morning in the order in which you have signed in. When you speak, please state your name -- full name, affiliation and speak slowly and carefully, so that the court reporter can understand and accurately transcribe your statement. We ask
that you limit your statement to 
five minutes.

Now, the Commission's Director of 
Policy Nicole Mathias will start -- will 
begin calling on the members of the public 
who wish to testify.

MS. MATHIAS: Good morning. I'm Nicole 
Mathias, Director of Policy at BIC. 
Is anyone here who would like to 
testify at today's public hearing? 
(No response).

MS. MATHIAS: Hearing no one, we're 
going to close the record. All right. The 
hearing is now closed. The time is 11:13. 
Thank you.

(TIME NOTED: 11:13 a.m.)
CERTIFICATE

STATE OF NEW YORK

COUNTY OF QUEENS

I, Sabrina Brown Stewart, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on August 10, 2022.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of August 2022.

Sabrina Brown-Stewart
Sabrina Brown Stewart