



Testimony to the New York City Council Committee on Environmental Protection and Waterfronts Related to the Citizens Air Complaint Program

October 20, 2026

Good afternoon Chair Gennaro and members of the Council Committee on Environmental Protection and Waterfronts. My name is Alex Camarda, and I am a Senior Policy Advisor for Reinvent Albany. Reinvent Albany is a watchdog organization that advocates for open and accountable government in New York.

Reinvent Albany is taking positions on the bills before this committee today as part of its Encouraging Government Innovation project. We support innovative programs and policies across the State that we believe other parts of government can learn from and emulate. One of those programs is the New York City Citizens Air Complaint Program. We believe it is a tremendously successful program that should be maintained as it currently exists.

The Citizens Air Complaint Program is Very Successful At Reducing Air Pollution

The New York City Citizens Air Complaint Program enables everyday New Yorkers to submit videos from their cell phones of idling trucks and buses to the Department of Environmental Protection (DEP). In New York City, it's illegal for any motor vehicle to idle its engine for more than 3 minutes, or for more than one minute adjacent to a school or park. Civilians typically receive 25% of idling fines paid for accurately filing a complaint that shows a violation of the law. The Program has worked extremely well, with over 160,000 complaints in 2025 and \$130 million in environmental fines collected by the City—[including \\$9 million from Amazon alone in May 2026](#). Thanks to idling enforcement by New Yorkers, many companies' trucks and buses now comply with the law. There is still non-compliance, but idling has dropped dramatically since civilians were empowered to clean up the air.

Engine emissions contribute to the air pollution that prematurely kills 3,200 New Yorkers and [10 million people globally each year](#); [is associated with respiratory disease, impaired lung development, cancer, asthma, heart disease, lower IQ levels, dementia, and prenatal complications](#); and [is a contributing cause to asthma suffered by 909,000 New Yorkers](#). [Idling cars and trucks in New York City alone produce 130,000 tons of carbon dioxide, which is so large that offsetting it would require planting trees over an](#)

[area the size of Manhattan each year.](#) The Citizens Air Complaint Program results in reduced pollution, ensuring cleaner air for children, the elderly, and all residents of our vibrant city. The Program breathes new life into idling laws that went largely unenforced for decades — to the detriment of the health of New Yorkers — when enforcement was exclusively done by the City. The Program is supported by a wide array of groups who have opposed changes undermining it, including the New York Clean Air Collective, Transportation Alternatives, Open Plans, and Food & Water Watch, among other environmental and advocacy groups. Unfortunately, the program is under a sustained political attack by bus and trucking companies who think it works too well after little to no enforcement against idling for decades.

The Bills Before This Committee Will Collectively Severely Impair the Citizens Air Complaint Program (Except for Int. No. 48)

Int. No. 561-A (Gennaro) - Strongly Oppose

This bill eviscerates the Program by creating countless loopholes that enable commercial vehicles to idle more, generating more harmful and deadly air pollution. It also disincentivizes participation by complainants by making it very difficult to determine if idling is occurring or if an exception is being utilized, and by capping payouts to complainants even when they do a large portion of the work involved in curtailing idling.

We strongly oppose all of the following provisions in the bill that will increase idling and air pollution:

1. **Requiring the DEP to issue violations to respondents (companies receiving complaints) within 60 days of receiving a citizen complaint.** DEP currently takes about a year to process complaints, meaning tens of thousands of idling complaints would automatically be invalidated. Scores of companies would receive no fine for polluting they did in the past. If the Council actually wants DEP to process complaints 6 times faster, it should increase their budget to hire enough staff to process complaints in a timely manner.
2. **Giving scofflaw bus companies, like [Academy Express](#) and [Corporate Express](#), free rein to idle by doing all of the following:**
 - a. **Establishing that buses may idle at multiple use “terminal points” along their route that are not actually terminal points but stops along the route used by one or more buses.** This will enable buses to idle along their route and render idling reporting and enforcement impossible, since there is no way for citizen complainants or DEP to know the routes and stops of every bus on the road.
 - b. **Permits buses to idle to the extent necessary for “mechanical work,” an undefined term that will be impossible for civilians to**

identify. Ambiguous terms make it difficult for the public to determine whether to report complaints and for DEP to evaluate complaints and enforce the law.

- c. **Permits buses to idle for 30 minutes when the temperature is below 40 degrees or above 80 degrees for passenger comfort at a school location.** There is no way to determine the start or end time of the 30 minute period, so this gives buses a free pass to idle all the time in front of a school, putting vulnerable children at greater risk of exposure to air pollution.
3. **Exempting diesel trucks from idling restrictions when running the engine to engage in a “regeneration clean cycle” for a diesel particulate filter when regulations require such vehicle to operate a diesel particulate filter.** There is no way for the citizen complainant to know this is the reason for the diesel truck’s idling and no way for the DEP to determine that this is not being used as an excuse for an idling diesel truck that is not engaged in a “regeneration clean cycle.”
4. **Reducing idling violations to \$50 if the respondent admits liability and certifies with the DEP that they have installed a battery-powered auxiliary unit in good working condition.** There is no way for the citizen complainant to know, or for the DEP to confirm, if the battery-powered auxiliary unit is in good working order at the time the idling was reported — even with the DEP authorized to do physical inspections of vehicles, which will require a massive increase in funds and resources to effectively administer.
5. **Enabling vehicles to be exempt from idling enforcement when using a loading or unloading device.** Most vehicles that use lifts to unload and load materials do not actually require the engine to run to use the lift. This codifies another excuse to idle that is not necessary in most cases. This is achieved by adding new definitions for “loading” and “unloading” and exempting those actions from what is considered idling.
6. **Allowing trucks transporting food to idle rather than buying a reefer or refrigeration unit that can be attached to the truck and cool its contents without running the engine.** This is realized by expanding and codifying the definition of “processing device,” which goes beyond what the DEP considers a processing device to be.
7. **Capping idling payouts to civilian complainants to \$125 if the DEP pursues their complaint and \$150 if the civilian pursues the complaint on their own, thereby inadequately paying complainants for their share of the work when a large fine is paid and discouraging civilian reporting of idling violations.** Under the current program, fines can be as much as \$2,000, but civilian complainants never receive more than 25% of the total fine, which is most often \$87.50. The City always keeps at least 75% of the

total fine while the complainant does more than 25% of the work, which includes filming the violation and completing the related administrative work of reporting it, tracking it, and submitting request for payment. Furthermore, civilians only receive about 61% of the bounty payment per complaint allocated to civilians by the City. [This is because only about 65%-70% of violations are actually paid or successfully collected by the Department of Finance or the Law Department.](#)

Another estimated 10% of complaints are disqualified by the DEP or dismissed by OATH hearing officers. If payments to civilians are capped at \$125, a civilian will actually receive an average of \$76 per complaint when accounting for delinquency, disqualifications, and dismissals. If implemented in conjunction with Int. No. 11, this provision will lower both collections and commission payments to civilians and severely undercut the lynchpin of the program: incentivizing civilians to report complaints by sharing the fine paid with them.

Int. No. 11 (Menin) - Oppose

Under the current program, a first offense for idling is \$350, a second offense \$440, and three or more offenses \$600. A respondent's failure to appear at an OATH hearing (defaulting) on the violation can result in penalties and interest that increase the total to \$2,000. Under Int. No. 11, fines are increased: a first offense is \$500, a second offense \$1500, and three or more offenses \$3,000. Not showing up at an OATH hearing (defaulting) on the violation can result in penalties and interest that increase the total to \$7,500.

Reinvent Albany opposes this bill because it will result in [more companies not paying their violations](#) because the fines are so high. Higher rates of non-payment will lead to complainants not receiving commission payments, which will disincentivize reporting, ultimately causing the number of complaints to decrease and thus idling to increase dramatically. [Only about 65%-70% of violations are currently paid or successfully collected by the Department of Finance or the Law Department.](#) The payment rate is even lower, at about 40%, for violations for the existing Program that are between \$1,000-\$2,000 because companies fail to show up at adjudication hearings (called defaults). With fines up to \$7,500 established by this bill, collection rates will be dramatically lower.

Civilian complainants receive 25% of the base fine under the current Program. If less than 40% of the idling violators pay, civilian complainants will quit participating in the program, and idling will return to the unabated levels prior to civilians reporting idling through cell phone videos. This is particularly true if Int. No. 561-A also passes, which lowers the payout to complainants for larger fines that include default penalties. The result is that air pollution, asthma, and deadly illnesses will increase.

The Council should be focused on getting the Department of Finance (DOF) and the Law Department to be far more assertive in collecting unpaid fines for the existing Program. This can be achieved by having DOF execute judgments through the sheriff's office for civil judgments filed by the Law Department against the companies. In many instances, the DOF already has the bank account information of idling scofflaws from the few fines paid through CityPay. The sheriff's office can seize companies' funds by executing civil judgments. Until those collection changes are made, raising fines will increase delinquency rates.

Int. No. 2662 (Hudson) - Support with Condition

Reinvent Albany supports large fleets having access to all of their violations under the Fleet Program so they can better address violations through streamlined administration and due process. However, we do not support lowering fines for idling violations as is done for parking violations in section 39 of the Rules of the City of New York under the [Stipulated Fines and Commercial Abatements Program for vehicles in the Fleet Program](#). As we noted in our opposition to Int. No. 11 above, we think the fine levels have been effective in reducing idling and should not be raised or lowered. This bill does not appear to empower the Department of Finance (DOF) to lower the amount due for idling violations issued by the Department of Environmental Protection (DEP), but we only support it if that is the case and DOF implements it accordingly.

Int. 562-A (Gennaro) - Oppose

Reinvent Albany opposes this bill because it enables companies to shift liability for idling violations to everyday people and contractors, which will make adjudication and collections of violations more diffuse, result in less money collected by the City, and increased idling due to weaker enforcement. This bill would require the Commissioner of Environmental Protection to establish a program that would allow lessors of motor vehicles to transfer the liability for idling violations to lessees. Truck rental and moving companies that have thousands of idling violations like U-Haul, C.C. Rental, and A Piece of Cake would be able to transfer liability to individual renters rather than their company being responsible for idling violations. It would also allow Amazon to shift liability to its many delivery contractors like Roman Empire Logistics rather than being liable for idling violations that occurred while Amazon's packages were delivered. If companies feel their contractors should be liable for idling violations, they can enter into their own contracts regarding liability rather than the City dictating they do so.

Int. No. 869-A (Gennaro) - Oppose

This bill creates a code of conduct for noise complainants (but is also present in Int. No. 561-A related to idling complaints) that forbids citizens who report idling complaints from reporting fraudulent complaints, assaulting commercial vehicle drivers or a city employee, or impermissibly entering the office of a city agency. The consequence for

violations is a temporary or permanent ban from reporting idling complaints, after due process.

Reinvent Albany opposes this bill because the conduct of complainants it seeks to regulate are already prohibited under other laws. For instance, reporting a fraudulent complaint is already punishable under perjury-related laws, and complainants are informed of this on every complaint they file, which requires them to affirm they are telling the truth when reporting a complaint. Assault and trespassing should be addressed by the Police Department, and this bill one-sidedly only addresses assaults by complainants rather than commercial vehicle drivers, taking no action against companies if their workers verbally or physically abuse complainants.

Int. No. 48 (Aviles) - Support

This bill would require DEP to make its portal for reporting complaints and information about the Citizens Air Complaint Program available in all of the languages the City requires for translation. Translation of Program materials and the online reporting site is critically important for this program because the communities that have the highest rates of asthma, cancer, and other illnesses tied to air pollution are those where English proficiency is lower. DEP should be doing this without being required to do so in legislation specific to their agency and this program. This bill, nevertheless, sends an important message to [encourage participation by civilians in underserved communities like the Bronx, where air pollution is worse than average and the frequency of complaints reported by civilians is lower than other City neighborhoods.](#)