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

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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.

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

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3 SHORMINA AHMED, Executive Agency Counsel, BIC

4 NICOLE MATHIAS, Director of Policy, BIC

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1 MS. AHMED: Good morning, and welcome
2 to today's public hearing. The time is 11:08
3 on Wednesday, August 10, 2022. We are in the
4 20th floor conference room of 100 Church
5 Street.

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

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

19 The Commission published the proposed
20 rules in the City Record on July 6, 2022. We
21 also disseminated a copy of the rules via
22 e-mail to all New York City local elected
23 officials, the managers of all 59 community
24 boards, several media organizations in the
25 City, and other interested parties.

1 Lastly, we posted the proposed rules on
2 both the Commission's and the New York City
3 Rules' websites. New York City
4 Administrative Code Section 16-526, Local Law
5 56 of 2015 and Local Law 108 of 2021 gives
6 the Commission the authority to promulgate
7 rules requiring the installation of side
8 guards on trade waste hauling vehicles.

9 A trade waste hauling vehicle is
10 defined as a motor vehicle with a
11 manufacturer's gross weight exceeding 10,000
12 pounds, that is owned or operated by an
13 entity that is required to get licensed or
14 registered by the Commission, pursuant to
15 16-505 of the Administrative Code, and that
16 it's operated in New York City for the
17 collection, removal, transportation or
18 disposal of trade waste.

19 The Commission is proposing to amend
20 Title 17 of the rules of the City of New York
21 to require trade waste hauling vehicles to be
22 equipped with side guards. The proposed rule
23 amendment establish situation where trade
24 waste hauling vehicles will be considered
25 equipped with side guards. The proposed rule

1 amendment will require licensees and
2 registrants a simple proof that all trade
3 waste hauling vehicles disclosed to the
4 Commission are equipped with side guards no
5 later than January 1, 2023.

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

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

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

25 That concludes the summary of the

1 proposed rule changes at issue at this
2 hearing. You may present any oral statements
3 for the record or submit written comments
4 concerning the proposed rule changes.
5 Additionally, the Commission has been
6 accepting written comments on the proposed
7 rules since the publication of the City
8 Record and will continue to do so through the
9 close of business today.

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

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

1 that you limit your statement to
2 five minutes.

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

7 MS. MATHIAS: Good morning. I'm Nicole
8 Mathias, Director of Policy at BIC.

9 Is anyone here who would like to
10 testify at today's public hearing?

11 (No response).

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

15 Thank you.

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

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

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