

EXECUTIVE ORDER NO. 40

SEPTEMBER 8, 2003

DESIGNATION OF AGENCIES TO ENFORCE VEHICLE AND TRAFFIC LAW
SECTION 375 (1)

WHEREAS, chapter 231 of the laws of 2003, which amends subdivision 1 of section 375 of the Vehicle and Traffic Law, became a law on July 29, 2003 and took effect on September 1, 2003; and

WHEREAS, subdivision 1 of section 375 of the Vehicle and Traffic law prohibits (i) the use or placing of posters or stickers on windshields or rear windows of motor vehicles other than those authorized by the New York State Commissioner of Motor Vehicles and (ii) the attaching to windshields and windshield wipers of handbills and other forms of advertisements; and

WHEREAS, chapter 231 of the laws of 2003 provides that "[i]n a city of one million or more, there shall be a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any handbill or other form of advertisement attached to a windshield or windshield wipers of a motor vehicle shall be in violation of the provisions of subdivision 1 of section 375 of the Vehicle and Traffic Law "relating to the prohibition against attaching to windshields and windshield wipers, handbills and other forms of advertisements"; and

WHEREAS, chapter 231 of the laws of 2003 further provides that in addition to those persons otherwise authorized to enforce subdivision 1 of section 375 of the Vehicle and Traffic Law, the provisions of subdivision 1 of section 375 of the Vehicle and Traffic Law "shall also be enforceable in a city having a population of one million or more by an agency or agencies designated for such purpose by the mayor of such city";

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. The Police Department and the Department of Sanitation are designated to enforce the provisions of subdivision 1 of section 375 of the Vehicle and Traffic Law.

§ 2. This Order shall take effect immediately.

Michael R. Bloomberg
Mayor