

STRICKEN AS OF END OF YEAR
AMENDED COPY AS OF 8/10/2011

Intro. Res. No. 1617-2011
Introduced by Legislator Kennedy

Laid on Table 6/21/2011

RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A LOCAL LAW TO STRENGTHEN MOTOR
VEHICLE REPORTING REQUIREMENTS FOR COUNTY
DEPARTMENTS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 21, 2011, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN MOTOR VEHICLE REPORTING REQUIREMENTS FOR COUNTY DEPARTMENTS**;" now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STRENGTHEN MOTOR VEHICLE REPORTING
REQUIREMENTS FOR COUNTY DEPARTMENTS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County Legislature is often frustrated when it tries to obtain information in a timely manner regarding the County's fleet of motor vehicles.

This Legislature further finds that the County has enacted a law requiring department heads to prepare semi-annual vehicle inventory reports, but this law is routinely ignored.

This Legislature finds that it is important that the County Executive and County Legislators have accurate fleet information so they can make informed decisions when considering departmental requests for vehicles.

This Legislature also finds that a strong and sensible motor vehicle inventory reporting system will reduce waste, enhance efficiency and save taxpayer dollars.

Therefore, the purpose of this local law is to establish a new motor vehicle inventory reporting requirement for County departments and ban departments that fail to adhere to the law's reporting requirements from acquiring new vehicles.

Section 2. Repeal.

Chapter 186 of the SUFFOLK COUNTY CODE is hereby repealed in its entirety.

Section 3. Motor vehicle reporting requirement established.

The heads of each County department, including county-wide elected officials, shall file a written motor vehicle inventory report with the County Executive and the County Legislature no later than the first day of June in each year.

Section 4. Content of report.

A. A departmental motor vehicle inventory report shall include the total number of vehicles operated by the department and set forth whether a vehicle is owned or leased by the County. The report shall include each vehicle's:

1. Make;
2. Model;
3. Year of manufacture;
4. Vehicle Identification Number;
5. Total mileage;
6. Fuel type used;
7. Average miles traveled per gallon of fuel;
8. Mileage traveled in the preceding year; and
9. Assigned county vehicle lot.

B. The annual report shall state, if applicable, which employee a vehicle is assigned to and the rationale for such assignment.

C. In the annual report, each department shall provide its standard for the decommissioning of vehicles and provide a list of those vehicles under its control which it plans to decommission in the following year.

D. In the annual report, each department shall describe the vehicles they wish purchase in the subsequent year and provide justification for each proposed acquisition.

E. Motor vehicles used by the Suffolk County Police Department, District Attorney's Office or the Office of the Sheriff for covert or undercover operations shall be excluded from the motor vehicle inventory report.

Section 5. Committee attendance required.

All County department heads shall be required to attend, on an annual basis, the first June meeting of the legislative committee which has jurisdiction over the department to discuss their motor vehicle inventory report and to respond to questions about their current inventory and proposed future acquisitions.

Section 6. Acquisition prohibited.

No County department shall acquire or lease, and no County department head shall approve the acquisition or lease of, any motor vehicle after June, 2012, unless the department has filed the annual motor vehicle inventory report required by this law. The acquisition or lease of a vehicle in violation of this law shall constitute grounds for disciplinary action. Further, any sale or lease agreement entered into by a department of the County of Suffolk in violation of this law, shall, at the election of the County, be voidable and wholly unenforceable.

Section 7. Applicability.

This law shall apply to actions occurring on or after the effective date of this law.

Section 8. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 9. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

.Section 10. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: