

electricity, steam, natural gas and fuel oil by each agency.

(C) Twice a year, OEC shall submit to OMB and the Mayor's Office of Operations a report showing the actual amounts of electricity, steam and gas consumed by each agency as compared to the budgeted allocations.

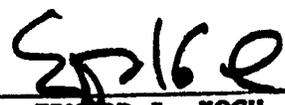
If an agency's consumption of electricity, steam and gas significantly exceeds its budgeted allocations and the justification of this excess is found unacceptable by OEC, the agency shall be subject to a detailed review by OEC, OMB and the Mayor's Office of Operations and measures necessary to assure compliance shall be taken by OMB and the Mayor's Office of Operations.

**Section 6. Annual Report.**

OEC shall report annually to the Mayor on its activities and shall prepare such other reports as the Mayor shall request.

**Section 7. Effective Date.**

This directive shall take effect immediately.

  
EDWARD I. KOCH  
MAYOR

Executive Order No. 122  
August 2, 1989

Revocation of Executive Order No. 60  
(Dated: May 28, 1976) Regarding Conservation of Energy Resources

By the powers vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Prior Order Revoked. Executive Order No. 60 (May 28, 1976) is hereby revoked.

Section 2. Effective Date. This Order shall take effect immediately.

  
EDWARD I. KOCH  
MAYOR

EXECUTIVE ORDER NO. 60

May 28, 1976

CONSERVATION OF ENERGY RESOURCES

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electricity, steam, natural gas and fuel oil, have risen manifold in the City of New York, thereby causing serious economic harm to the economy of City government; and

WHEREAS, there is a pressing need to reduce the costs of said energy resources required by the City of New York; and

WHEREAS, there is a need to reduce wasteful, uneconomical and unnecessary uses of energy, to reduce the rate of growth of energy consumption and to prudently conserve energy resources; and

WHEREAS, as a result of an analysis of the present information system and reporting procedures for electrical energy made by the Municipal Energy Conservation Program, the Municipal Service Administration recommends that certain management practices be established for all energy resources; and

WHEREAS, conservation of energy resources require expanded authority and technical capability within City government.

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

Section 1. The Municipal Service Administrator is hereby charged with the authority and responsibility to develop, promote and implement in all Mayoral agencies of the City of New York policies, programs and procedures to conserve and to improve efficiency in the use of energy resources, i. e., electricity, steam, natural gas and fuel oil. The Administrator shall establish guidelines for such programs that will have an immediate and substantial effect in reducing the rate of growth of energy demand and in minimizing the adverse economic impact of increasing energy consumption.

§ 2. Each agency is directed to cooperate, assist and implement fully all directives of the Municipal Service Administrator pursuant to this Order.

§ 3. Each agency shall establish and maintain an energy resources control and data information center. The center shall be responsible for liaison with the Municipal Service Administrator as he requires, including:

- a. a tabulation by month of the cost of, and the quantity of, the energy resource consumed for each facility under the jurisdiction of the agency for fiscal 1972-73 through fiscal 1976-77.
- b. a list of planned facilities which will be in use or surrendered by the agency for fiscal 1976-77 and fiscal 1977-78, the location of such facilities, and the anticipated consumption of energy resources to be utilized in the proposed or surrendered facilities.

§ 4. Each agency shall, within twenty (20) days

for the coming fiscal year.

§ 10. Executive Order No. 29, dated April 16, 1975, and Executive Order No. 46, dated November 13, 1975, are hereby superseded.

§ 11. This Executive Order shall take effect immediately.

  
 ABRAHAM D. BEAME  
 MAYOR

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**OFFICE OF THE CITY SHERIFF**

*Notice of Public Hearing and Opportunity to Comment  
 Notice of Opportunity to Comment  
 on Proposed Rules Governing Adjudications*

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE OFFICE OF THE CITY SHERIFF in accordance with the requirements of Sections 1041, 1043, and 1046-1048 of the New York City Charter that the Office of the City Sheriff intends to promulgate a rule governing its agency adjudications.

Written comment regarding this rule may be sent to the office of Jeffrey Grossel, Counsel, Office of the City Sheriff, 31 Chambers Street, Room 608, New York, New York 10007 on or before ~~September 14th~~ September 15th, 1989. A public hearing shall be held on ~~September 15th~~ September 15th, 1989 at 31 Chambers Street, Room 608, New York, New York from 9:30 A.M. to 12:30 P.M. Persons seeking to testify are requested to notify Mr. Grossel at the foregoing address. Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the office of Mr. Grossel.

Dated: August 7, 1989

  
 VINCENT H. PHARO

**ADJUDICATIONS OF THE OFFICE OF THE CITY SHERIFF**

~~Office of the City Sheriff adjudications regarding the fitness and discipline of agency employees will be conducted by the Office of Administrative Trials and Hearings. After conducting an adjudication and analyzing all testimony and other evidence, the hearing officer shall make written proposed findings of fact and recommend decisions, which shall be reviewed and finally determined by the City Sheriff.~~

Statement of Basis and Purpose of Proposed Rule: The Office of the City Sheriff conducts adjudications regarding employee fitness and discipline. Section 1046(a) of the New York City Charter provides that the Office of Administrative Trials and Hearings ("OATH") shall conduct adjudicatory hearings for all agencies unless otherwise provided for by executive order, rule, law or pursuant to collective bargaining agreements. Furthermore, Charter Section 1046(e) provides that the hearing officer presiding at such hearing shall make final findings of fact and shall not make any final decision "except as otherwise provided for by the rules of the agency." The proposed rule affirms the delegation to OATH to conduct the administrative hearings regarding employee fitness and discipline, and provides that OATH hearing officers shall make written proposed findings of fact and recommended decisions. The rule further provides that the City Sheriff will review the proposed findings and recommendations of the hearing officer, and the City Sheriff will make the final findings of fact and decision in the matter being adjudicated.

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**TAXI & LIMOUSINE COMMISSION**

*Promulgation of Rule*

NOTICE IS HEREBY GIVEN THAT THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION HAS ADOPTED AN AMENDMENT OF TAXICAB OWNERS RULE 405, RELATING TO THE SCHEDULING OF SAFETY AND EMISSIONS INSPECTIONS FOR TAXICABS.

The effective date of the amendment to Taxicab Owners Rule 405 is September 15, 1989.

The amendment was adopted by vote of the Commission at its

of energy resources to be utilized in the proposed or surrendered facilities.

§ 4. Each agency shall, within twenty (20) days after the date of this Order, submit a plan to the Municipal Service Administrator specifying the energy conservation policies and practices which it will employ to decrease energy consumption by minimum goals of five (5) percent reduction in the consumption of electricity and twenty-five (25) percent reduction in the consumption of steam, natural gas and fuel oil in fiscal 1976-77 as compared to fiscal 1975-76.

§ 5. The Municipal Service Administrator shall, within forty (40) days after the date of this Order, review each agency's plans, shall determine the adequacy of the measures proposed by the agency and shall revise the plan, where necessary.

§ 6. The Municipal Service Administrator may prescribe such rules as may be necessary or appropriate to carry out his authority under this Order.

§ 7. The Municipal Service Administrator shall report periodically to the Mayor on the operation of the program. Such report shall include an estimate of the energy conservation achieved, the degree of agency participation and achievement, and a description of innovative conservation programs undertaken by individual agencies.

§ 8. The Municipal Service Administrator shall develop and implement a long term plan for energy conservation with respect to buildings owned or leased by the City and its agencies. Such plan shall include:

- a. Mandatory thermal efficiency standards and insulation requirements,
- b. Mandatory lighting efficiency standards,
- c. Restrictions governing the hours and conditions of operation,
- d. Thermostat controls,
- e. Plans for replacing or altering equipment to meet such standards, and
- f. Programs of education to promote energy conservation in public buildings and structures.

§ 9. For each succeeding fiscal year, each agency shall by November 1st submit a plan to the Municipal Service Administrator specifying the energy conservation policies and practices it will employ for the coming fiscal year. After reviewing and modifying the plan, where necessary, the Administrator shall, at the earliest practicable date, set an energy conservation goal for each agency

FOR TAXICABS.  
The effective date of the amendment to Taxicab Owners Rule is September 15, 1989.

The amendment was adopted by vote of the Commission at its meeting on July 26, 1989. The Commission had previously published the proposed rule in the City Record on June 16 and had also provided notification to certain interested parties as required by the City Charter. The Commission held a public hearing on the matter on July 17, 1989.

Taxicab Owners Rule 405 is amended as follows:

An owner shall have his taxicab inspected every four months at a date and time designated by the Commission and at any other time [required] deemed necessary by the Commission.

( ) brackets designates deleted material  
— underlining designates new material

#### STATEMENT OF BASIS AND PURPOSE

The rule promulgated herein by the New York City Tax Limousine Commission (TLC) is authorized under Chapter 6 Section 2303 of the Charter of the City of New York and 19-503 and 19-506 of the Administrative Code, authorizing Tax and Limousine Commission to regulate and supervise business and industry of transportation of persons by all vehicles for hire in the city.

The rule is intended to insure that all taxicabs are inspected on an orderly and consistent schedule. Presently within a particular month taxicab owners are permitted the date and time at which their vehicles are inspected has found that most owners schedule their vehicle inspection for the end of the month, a practice which if allowed to continue, would prevent the operation of the centralized inspection facility now being put into use. In order for facility to function effectively, inspections must be conducted by TLC.

NOTICE IS HEREBY GIVEN THAT THE NEW YORK CITY TAXI AND COMMISSION HAS ADOPTED A NEW TAXICAB OWNERS RULE 410, IN ADDITION TO THE REQUIREMENT OF SAFETY BELTS IN TAXICABS.

The rule applies to each taxicab of the 1990 model year and model years thereafter. The effective date of the new rule is September 15, 1989.

The new rule was adopted by vote of the Commission at its meeting on July 26, 1989. The Commission had previously published the proposed rule in the City Record on June 16 and had also provided notification to certain interested parties as required by the City Charter. The Commission held a public hearing on the matter on July 17, 1989.

The new Taxicab Owner's Rule 410 is as follows:

Each taxicab commencing with the 1990 model year and for all model years thereafter shall in addition to seat belts for each seating position and shoulder belts for both outside front seat positions be equipped with shoulder belts for both outside passenger rear seat positions. All seat belts and shoulder belts shall be clearly visible, accessible and in good working order.

The penalty for failure to comply with the foregoing shall be a penalty of \$50 to \$100.

#### STATEMENT OF BASIS AND PURPOSE

The rule promulgated herein by the New York City Tax Limousine Commission (TLC) is authorized under Chapter 6 Section 2303 of the Charter of the City of New York and 19-503 and 19-506 of the Administrative Code of the City of New York.

The purpose of this rule is to provide greater safety and comfort for the riding public and for the driver.

NOTICE IS HEREBY GIVEN THAT THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION HAS ADOPTED A NEW RULE RELATING TO THE REQUIREMENT OF AIR-CONDITIONING EQUIPMENT IN TAXICABS.

The rule applies to each taxicab of the 1990 model year and all model years thereafter. The effective date of the new rule is September 15, 1989.

The new rule was adopted by vote of the Commission at its meeting on July 26, 1989. The Commission had previously published the proposed rule in the City Record on June 16, 1989, and had also provided notification to certain interested parties as required by the City Charter. The Commission held a public