

S.81

Introduced by Senators Ayer, Ashe, Baruth, Fox, Galbraith, Giard, Kittell,

Lyons, MacDonald, McCormack, Miller, Pollina, Snelling,

Starr and White

Referred to Committee on

Date:

Subject: Motor vehicles; conservation; heavy-duty vehicles; idling;  
prohibition

Statement of purpose: This bill proposes to prohibit motor vehicles with a  
gross vehicle weight rating of more than 10,000 pounds from idling more than  
five minutes in any 60-minute period unless authorized under rules adopted by  
the commissioner of motor vehicles. Military, law enforcement, emergency,  
and armored vehicles are exempted.

An act relating to idling of heavy-duty motor vehicles

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The general assembly finds that:

(1) Dozens of studies link particulate matter (PM), such as the PM in  
diesel exhaust, to increased hospital admissions for respiratory diseases  
including asthma, chronic obstructive pulmonary disease (COPD), pneumonia,

1 and heart disease. PM causes thousands of premature deaths annually in the  
2 United States.

3 (2) Motor vehicle exhaust and gasoline vapors are sources of nitrogen  
4 oxides and volatile organic compounds. Nitrogen oxides and volatile organic  
5 compounds are precursors to ground-level ozone, which can trigger a variety  
6 of health problems including chest pain, coughing, throat irritation, and  
7 congestion; worsen bronchitis, emphysema, and asthma; reduce lung function;  
8 and cause permanent lung damage.

9 (3) The United States Environmental Protection Agency (EPA) has  
10 determined that diesel exhaust is a likely human carcinogen.

11 (4) Vermont businesses and organizations and the state will save money  
12 by eliminating unnecessary idling of vehicles weighing more than 10,000  
13 pounds. According to the American Trucking Association, engine wear from  
14 idling can increase maintenance costs and shorten engine life. Green Mountain  
15 Coffee Roasters saves approximately \$20,000.00 per year in fuel costs as a  
16 result of its idling reduction policy. According to the Clean Air Task Force,  
17 Vermont spent an estimated \$78 million in 2010 on health care costs related to  
18 diesel exhaust.

19 (5) Idling burns fuel, emitting carbon dioxide, which is a major  
20 contributor to greenhouse gas emissions and climate change.

1           (6) Petroleum-based gasoline and diesel fuel are nonrenewable  
2           resources and should be conserved when possible.

3           Sec. 2. 23 V.S.A. § 1110 is added to read:

4           § 1110. IDLING OF HEAVY-DUTY MOTOR VEHICLES; LIMITATION

5           (a) Unless otherwise authorized by rules adopted by the commissioner of  
6           motor vehicles or exempted under this subsection, no person who owns, leases,  
7           or operates a motor vehicle with a gross vehicle weight rating of more than  
8           10,000 pounds shall operate or allow the operation of the primary propulsion  
9           engine of that vehicle for more than five minutes in any 60-minute period,  
10          while the vehicle is stationary. The following motor vehicles shall be exempt  
11          from this limitation on idling: a military vehicle; an ambulance; a police, fire,  
12          rescue, or other vehicle being used in an emergency or law enforcement  
13          capacity; or an armored vehicle when a person remains inside the vehicle to guard  
14          the contents.

15          (b) The commissioner of motor vehicles, after consulting with the secretary  
16          of natural resources, may adopt rules authorizing idling in excess of the limit  
17          set forth in subsection (a) of this section if the commissioner finds that times  
18          and circumstances exist when such idling is reasonably necessary. These times  
19          and circumstances may include but are not limited to idling to operate  
20          defrosting, heating, or cooling equipment to ensure the health or safety of the  
21          operator or passengers, to operate auxiliary work-related equipment, or to  
22          enable the engine to undergo maintenance or inspection. If adopting rules

1 under this subsection, the commissioner shall review standards in effect in  
2 other states and shall endeavor to maintain consistency with those standards.

3 (c) A person who violates this section commits a traffic violation and, on or  
4 after January 1, 2012, if adjudicated of a violation shall be subject to the  
5 following penalties:

6 (1) For a first violation, a warning ticket shall be issued to the vehicle  
7 operator and the registered owner.

8 (2) For a second and subsequent violation within a two-year period, the  
9 vehicle operator shall be subject to a fine of up to \$150.00 and the registered  
10 owner shall be subject to a fine of up to \$500.00. If the registered vehicle  
11 owner and the operator are the same person, that person shall be subject to one  
12 fine of up to \$500.00.

13 Sec. 3. EFFECTIVE DATE

14 This act shall take effect on July 1, 2011.