

1 H.288

2 Introduced by Representatives Burke of Brattleboro, Bartholomew of

3 Hartland, Lanpher of Vergennes, Potter of Clarendon, and

4 Sharpe of Bristol

5 Referred to Committee on

6 Date:

7 Subject: Conservation; motor vehicles; idling; prohibition

8 Statement of purpose of bill as introduced: This bill proposes to:

9 (1) prohibit motor vehicles from idling for more than three minutes in
10 any 60-minute period, subject to certain exceptions; and

11 (2) require that in-school driver education and training courses include a
12 component on the environmental harms of idling.

13 An act relating to prohibiting unnecessary idling by motor vehicles

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

15 Sec. 1. 23 V.S.A. § 1110 is added to subchapter 11 of chapter 13 to read:

16 § 1110. PROHIBITED IDLING OF MOTOR VEHICLES

17 (a)(1) General prohibition. A person shall not cause or permit operation of
18 the primary propulsion engine of a motor vehicle for more than three minutes
19 in any 60-minute period, while the vehicle is stationary.

1 (2) Exceptions. The three-minute limitation of subdivision (a)(1) of this
2 section shall not apply when:

3 (A) a military vehicle; an ambulance; a police, fire, or rescue vehicle;
4 or another vehicle used in a public safety or emergency capacity idles as
5 necessary for the conduct of official operations;

6 (B) an armored vehicle idles while a person remains inside the
7 vehicle to guard the contents or while the vehicle is being loaded or unloaded;

8 (C) a motor vehicle idles because of highway traffic conditions, at the
9 direction of an official traffic control device or signal, or at the direction of a
10 law enforcement official;

11 (D) the health or safety of a vehicle occupant requires idling, or when
12 a passenger bus idles as necessary to maintain passenger comfort while
13 nondriver passengers are on board;

14 (E) idling is necessary to operate safety equipment such as
15 windshield defrosters, and operation of the equipment is needed to address
16 specific safety concerns;

17 (F) idling of the primary propulsion engine is needed to power
18 work-related mechanical or electrical operations other than propulsion, such as
19 mixing or processing cargo or straight truck refrigeration, and the motor
20 vehicle is idled to power such work-related operations;

1 (G) a motor vehicle with an occupied sleeper berth compartment
2 idles for purposes of air-conditioning or heating during a rest or sleep period;

3 (H) a motor vehicle idles as necessary for maintenance, service,
4 repair, or diagnostic purposes or as part of a state or federal inspection; or

5 (I) a school bus idles on school grounds in compliance with rules
6 adopted pursuant to the provisions of subsection 1282(f) of this title.

7 (b) Operation of an auxiliary power unit, generator set, or other mobile idle
8 reduction technology is an alternative to operating the primary propulsion
9 engine of a motor vehicle and is not subject to the prohibition of subdivision
10 (a)(1) of this section.

11 (c) In addition to the exemptions set forth in subdivision (a)(2) of this
12 section, the Secretary of Natural Resources may adopt rules governing times or
13 circumstances when operation of the primary propulsion engine of a stationary
14 motor vehicle is reasonably required.

15 (d) A person adjudicated of violating subdivision (a)(1) of this section shall
16 be:

17 (1) issued a warning ticket for a first violation;

18 (2) assessed a penalty of not more than \$150.00 for a second violation;

19 and

20 (3) assessed a penalty of not more than \$350.00 for a third or subsequent
21 violation.

1 Sec. 2. 16 V.S.A. § 1045 is amended to read:

2 § 1045. DRIVER TRAINING COURSE

3 (a) A driver education and training course, approved by the ~~department of~~
4 ~~education~~ Agency of Education and the ~~department of motor vehicles~~
5 Department of Motor Vehicles shall be made available to pupils whose parent
6 or guardian is a resident of Vermont and who have reached their ~~fifteenth~~ 15th
7 birthday and who are regularly enrolled in a public or independent high school
8 approved by the ~~state board~~ State Board.

9 (b) After June 30, 1984, all driver education courses shall include a course
10 of instruction, approved by the ~~state board~~ State Board and the ~~council~~ Alcohol
11 and Drug Abuse Council on the effects of alcohol and drugs on driving.

12 (c) All driver education courses shall include instruction on motor vehicle
13 liability insurance and the motor vehicle financial responsibility laws of the
14 state.

15 (d) All driver education courses shall include instruction on the adverse
16 environmental, health, and other effects of unnecessary idling of motor
17 vehicles and on the law governing prohibited idling of motor vehicles.

18 Sec. 3. EFFECTIVE DATE

19 This act shall take effect on July 1, 2013.