

# Drive Your Best to SAVE FUEL & KEEP COLORADO'S AIR CLEAN

# Engines OFF!



## Model State Idling Law from EPA 420-S-06-001 (p. 9-11)

### III. MODEL STATE IDLING LAW

- (a) **PURPOSE:** The purpose of this law is to protect public health and the environment by reducing emissions while conserving fuel and maintaining adequate rest and safety of all drivers of diesel vehicles.
- (b) **APPLICABILITY:** This law applies to commercial diesel vehicles which are designed to operate on highways (as defined under 49 CFR 390.5), and to locations where commercial diesel vehicles load or unload (hereinafter referred to as “load/unload locations”).
- (c) **GENERAL REQUIREMENT FOR LOAD/UNLOAD LOCATIONS:** No load/unload location owner shall cause vehicles covered by this rule to idle for a period greater than 30 minutes while waiting to load or unload at a location under their control.
- (d) **GENERAL REQUIREMENT FOR VEHICLES:** No owner or operator of a vehicle shall cause or permit vehicles covered by this rule to idle for more than 5 minutes in any 60 minute period except as noted in sections (e) and (f), and except as provided in section (c) in the case of a load/unload location.
- (e) **EXEMPTIONS:** Section (d) does not apply for the period or periods where:
- (1) a vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official.
  - (2) a vehicle idles when operating defrosters, heaters, air conditioners, or installing equipment solely to prevent a safety or health emergency, and not as part of a rest period.
  - (3) a police, fire, ambulance, public safety, military, other emergency or law enforcement vehicle, or any vehicle being used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator.
  - (4) the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is required for such activity.
  - (5) a vehicle idles as part of a state or federal inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection.
  - (6) idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or straight truck refrigeration). This exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment.

(7) an armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded.

(f) **CONDITIONAL EXEMPTIONS:** Subsection (d) does not apply for the period or periods where:

- (1) a passenger bus idles a maximum of 15 minutes in any 60 minute period to maintain passenger comfort while non-driver passengers are onboard. The exemption expires (x) years after implementing a state financial assistance program for idle reduction technologies or strategies.
- (2) an occupied vehicle with a sleeper berth compartment idles for purposes of air conditioning or heating during rest or sleep period, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.
- (3) an occupied vehicle idles for purposes of air conditioning or heating while waiting to load or unload, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.
- (4) a vehicle idles due to mechanical difficulties over which the driver has no control; PROVIDED that the vehicle owner submits the repair paperwork or product receipt (by mail; within (x) days) to the appropriate authority verifying that the mechanical problem has been fixed.

(g) **AUXILIARY POWER UNITS:** Operating an auxiliary power unit, generator set, or other mobile idle reduction technology as a means to heat, air condition, or provide electrical power as an alternative to idling the main engine is not an idling engine.

- (1) operating an auxiliary power unit or generator set on all model year 2006 or older commercial diesel vehicles is permitted.
- (2) *[reserved for sub- section on operating an auxiliary power unit or generator set on 2007 and subsequent model year commercial vehicles.]*

(h) **PENALTIES:** The owner and/or operator of a vehicle, and/or the owner of a load/unload location, that is in violation of this law is responsible for penalties as follows.

- (1) First offense: warning ticket issued to vehicle driver and owner, and where applicable, the load/unload facility owner.
- (2) Second and subsequent offenses: \$150 citation is issued to the vehicle driver; and/or, \$500 citation issued to the registered vehicle owner or load/unload location owner.