

1 H.97

2 Introduced by Representatives Sharpe of Bristol, Bohi of Hartford, Copeland-

3 Hanzas of Bradford, Donovan of Burlington, Edwards of

4 Brattleboro, Maier of Middlebury, McCullough of Williston,

5 Mrowicki of Putney, Pellett of Chester and Zuckerman of

6 Burlington

7 Referred to Committee on

8 Date:

9 Subject: Conservation; motor vehicle operation; idling of vehicles

10 Statement of purpose: This bill proposes to prohibit a motor vehicle with a

11 gross vehicle weight rating of more than 10,000 pounds from idling while the

12 motor vehicle is stopped for a period of time in excess of five consecutive

13 minutes in any 60-minute period unless otherwise exempted under rules

14 adopted by the department of motor vehicles.

15 An act relating to the idling of motor vehicles

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

17 Sec. 1. FINDINGS

18 The general assembly finds that:

1 (1) There is general scientific agreement that human-made emissions of
2 carbon dioxide and other greenhouses gases (GHGs), primarily from the
3 combustion of fossil fuels, are the major causes of global climate change.

4 (2) Dozens of studies link particulate matter (PM) such as those PMs in
5 diesel exhaust to increased hospital admission for respiratory diseases
6 including asthma, chronic obstructive pulmonary disease (COPD), pneumonia,
7 heart disease and up to 60,000 premature deaths annually in the United States.

8 (3) Nitrogen oxides and volatile organic chemicals are precursors to
9 ground-level ozone. Ozone can irritate the respiratory system, trigger
10 problems for people with chronic lung disease, lower the immune system's
11 ability to fight off bacterial infections in the respiratory system, and cause
12 permanent lung damage.

13 (4) The United States Environmental Agency (EPA) has determined that
14 diesel exhaust is a likely human carcinogen.

15 (5) If every driver of a motor vehicle in Vermont avoided idling a motor
16 vehicle for just five minutes a day, the state would save millions of gallons of
17 fuel and would prevent thousands of tons of carbon dioxide from entering the
18 atmosphere and contributing to climate change.

19 (6) In order to reduce the impact of the state on global climate change,
20 Vermont should enact legislation and implement policies to reduce or
21 eliminate the idling of motor vehicles.

1 Sec. 2. 23 V.S.A. § 1111a is added to read:

2 § 1111a. IDLING OF MOTOR VEHICLES

3 (a) On or after July 1, 2009, a person shall not cause, allow, or permit the
4 unnecessary operation of a motor vehicle with a gross vehicle weight rating of
5 more than 10,000 pounds while the motor vehicle is stopped for a period in
6 excess of five consecutive minutes in any 60-minute period unless otherwise
7 exempted under rules adopted by the department of motor vehicles under
8 subsection (c) of this section. The following vehicles shall be exempt from
9 this section:

10 (1) Police, fire, and rescue vehicles, ambulances, and other public safety
11 motor vehicles;

12 (2) Military vehicles;

13 (3) Armored vehicles when a person remains inside to guard the
14 contents; and

15 (4) Vehicles delivering fuel or energy products.

16 (b) The department of motor vehicles, in collaboration with the agency of
17 natural resources, shall adopt rules governing the idling of a motor vehicle with
18 a gross vehicle weight rating of more than 10,000 pounds. The rules shall set
19 forth times or circumstances that reasonably require the idling of an engine,
20 including times when it is necessary to operate defrosting, heating, or cooling
21 equipment to ensure the health or safety of the driver or passengers or to

1 operate auxiliary equipment; and times when the engine is undergoing
2 maintenance or inspection. In adopting the rules, the commissioner of motor
3 vehicles shall review standards in effect in other states and shall endeavor to
4 maintain consistency with those standards.

5 (c) A person who violates a provision of this section commits a civil
6 violation and shall be subject to a civil penalty of not more than \$500.00.