

## The Diesel-Powered Motor Vehicle Idling Act

The Diesel-Powered Motor Vehicle Idling Act, Act 124 of 2008, was adopted by the General Assembly on Oct. 7, 2008, and signed by the Governor on Oct. 8, 2008. The Act is enforceable on Feb. 6, 2009.

**General Restriction:** The Act prohibits drivers, owners and facility owners, from causing or allowing the engine of a diesel-powered motor vehicle with gross vehicle weight of 10,001 pounds or more to idle more than a total of 5 minutes in any continuous 60-minute period, with certain exemptions.

Certain types of diesel vehicles are not covered by this Act. Motor homes are excluded. Most agricultural equipment and vehicles are excluded.

The Act allows idling by vehicles that display a California Air Resources Board label indicating the vehicle meets California emission standards.

**Sleeper Berth Exemption:** The Act allows a temporary exemption for vehicles with sleeper berths that idle for driver comfort during hot and cold weather. (This exemption expires on May 1, 2010, allowing diesel vehicle owners and operators time to install alternatives to idling.)

**Buses and School Buses:** The Act allows a longer (15 minute) idling period for buses and school buses when passengers are on board or for any amount of time to maintain a safe temperature for students with special health needs.

**Testing and Unloading:** The Act allows a longer (15 minute) idling period when idling is necessary for sampling and weighing, and waiting to load, unload, sample or weigh.

In addition, the Act provides several exemptions for various purposes that apply only when idling is necessary:

- For traffic or traffic control
- To operate defrosters, heaters, air conditioners, refrigeration equipment to prevent safety or health emergency
- Police, fire, ambulance, military, utility service vehicles during emergency
- Maintenance or repair of vehicle or filter
- Security inspection
- Armored vehicle during deliveries
- Mechanical difficulty
- While waiting for a police escort
- While collecting waste or recyclable materials

**Signs:** The Act requires facilities where trucks load and unload or which provide 15 or more parking spaces to post PennDOT approved signs to inform drivers that idling is restricted.

**Fines:** The Act specifies a fine of \$150 to \$300 for violation. The Act can be enforced by state police, municipal police, and designated Department of Environmental Protection inspectors. In addition, the Department of Environmental Protection is authorized to assess civil penalties of \$1000 per day for violations.