

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1113 Session of
2007

INTRODUCED BY GABIG, NAILOR, BENNINGHOFF, CREIGHTON, DALEY,
DePASQUALE, GERGELY, GRELL, HENNESSEY, KAUFFMAN, LEACH, MANN,
SIPTROTH, SONNEY AND WALKO, APRIL 18, 2007

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 18, 2007

AN ACT

1 Providing for idling restrictions on commercial diesel vehicles;
2 and imposing a penalty.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Restrictions
7 on Idling Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Commercial diesel vehicles." Vehicles which are designed to
13 operate on highways as defined in 49 CFR 390.5 (relating to
14 definitions).

15 "Department." The Department of Transportation of the
16 Commonwealth.

17 Section 3. Scope of act.

1 The provisions of this act apply to commercial diesel
2 vehicles at locations where commercial diesel vehicles load,
3 unload or park.

4 Section 4. Restrictions on idling.

5 No person shall cause or allow the engine of any commercial
6 diesel vehicle to idle for more than five minutes in any 60-
7 minute period, except as provided in sections 5 and 6.

8 Section 5. Exemptions.

9 The restriction on idling does not apply for the period or
10 periods during which idling by the operator of a commercial
11 diesel vehicle is necessary for one of the following reasons:

12 (1) A commercial diesel vehicle which must remain
13 motionless because of:

14 (i) on-highway traffic;

15 (ii) an official traffic control device or signal;
16 or

17 (iii) the direction of a law enforcement official.

18 (2) A commercial diesel vehicle which must idle to
19 operate defrosters, heaters or refrigeration to prevent a
20 safety or health emergency, and not as part of a rest period.

21 (3) A commercial diesel vehicle which must idle for
22 maintenance, servicing, repairing, testing, active loading or
23 unloading or mixing.

24 (4) A commercial diesel vehicle intended for commercial
25 passenger transportation which idles for up to ten minutes
26 prior to passenger boarding and any time passengers are
27 onboard in order to supply heat or air conditioning necessary
28 for the comfort of passengers.

29 (5) A police, fire, ambulance, public safety, military
30 or other emergency diesel vehicle or armored car, which is

1 being used in its official capacity.

2 Section 6. Transitional period exemptions.

3 For a period from the effective date of this act until April
4 30, 2010, the following exemptions are allowed:

5 (1) If the outside temperature is less than 40 degrees
6 fahrenheit, the operator of a commercial diesel vehicle
7 parked at a fleet trucking terminal, commercial truck stop or
8 department-designated rest area may idle, provided that any
9 idle reduction technology is fully occupied or in use at the
10 truck terminal, truck stop or rest area.

11 (2) If the outside temperature is greater than 80
12 degrees fahrenheit, the operator of a commercial diesel
13 vehicle parked at a fleet trucking terminal, commercial truck
14 stop or department-designated rest area may idle, provided
15 that any idle reduction technology is fully occupied or in
16 use at the truck terminal, truck stop or rest area.

17 Section 7. Auxiliary power units.

18 This act does not regulate or prohibit the operation of an
19 auxiliary power unit, generator set or other mobile idle
20 reduction technology.

21 Section 8. Penalty.

22 A person who violates this act commits a summary offense.

23 Section 9. Effective date.

24 This act shall take effect in 60 days.