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Model State Idling Law Workshop — Chicago, Illinois

Meeting Summary

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Transportation and Regional Programs Division
Office of Transportation and Air Quality
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This Technical Report does not necessarily represent final EPA decisions or positions.
It is intended to present technical analysis of issues using data that are currently available.
The purpose in the release of such reports is to facilitate an exchange of
technical information and to inform the public of technical developments.

The U.S. Environmental Protection Agency (EPA) sponsored meeting on June 28, 2005, in Chicago, Illinois, to develop a model state idling law. Participants included representatives from states and local governments, trucking industry, and environmental and community groups. The views and opinions expressed below do not necessarily represent official EPA policy, positions, or views. The purpose of this meeting was, among other things, to reach consensus on a model state idling law. EPA takes no position on state or local idling laws. EPA's role in these meetings was that of organizer and facilitator only.

List of Issues

A: Exempt a vehicle when forced to remain motionless because of traffic, an official traffic control device or signal, or at the direction of a law enforcement official. 1

B: Exempt a vehicle when adverse weather conditions affect the safe operation of the vehicle (operating defrosters, heaters, air conditioners, or other equipment) solely to prevent a safety or health emergency. 1

C: Exempt idling of a police, fire, ambulance, public safety, military or any other emergency or law enforcement vehicle while in an emergency or training mode, or as part of its standard operating procedure. 1

D: Exempt a vehicle when the primary propulsion engine is idling for maintenance, servicing, repairing, or diagnostic purposes at a recognized facility for such operations. 1

E: Exempt idling when a vehicle is required to do so by law to verify that all equipment is in good working order, either as part of a daily vehicle inspection or State/Federal inspection, provided that such engine idling is mandatory for such verification. 2

F: Exempt a vehicle when the primary propulsion engine is providing a power source necessary for mechanical or electrical operations other than propulsion, such as loading or unloading, mixing or processing cargo, straight truck refrigeration, or providing a mechanical extension to perform work functions. 2

G: Exempt any vehicle with an independent engine used for the sole purpose of controlling cargo temperature. 2

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A

Issue: Exempt a vehicle when forced to remain motionless because of traffic, an official traffic control device or signal, or at the direction of a law enforcement official.

Discussion: Discussion focused on the fact that allowing this exemption is common sense. Some discussion on if this applies to a queue at a distribution center (DC), and who is responsible for the wait time: driver or DC owner. In some cases the DC owner may be responsible for delays resulting in more idling, and in other cases, if a driver shows up early, the driver may be the cause of the idling.

Consensus: General consensus on this issue, but no consensus on if this applies to queuing.

B

Issue: Exempt a vehicle when adverse weather conditions affect the safe operation of the vehicle (operating defrosters, heaters, air conditioners, or other equipment) solely to prevent a safety or health emergency.

Discussion: Discussion focused on uncertainty with the terms "adverse weather" and "solely to prevent a safety or health emergency." The need here is to condition the truck and not necessarily the driver. May need to better define "adverse." General sense that this exemption is too broad, but equal concern of having to define every word or term.

Consensus: General consensus reached on this issue provided that the phrase "solely to prevent a safety or health emergency" is deleted.

C

Issue: Exempt idling of a police, fire, ambulance, public safety, military or any other emergency or law enforcement vehicle while in an emergency or training mode, or as part of its standard operating procedure.

Discussion: Discussion focused on the phrase "as part of its standard operating procedure." The groups felt that this was a loophole that was ripe for abuse. Anyone can claim that idling is part of their SOP. How would an enforcement official prove that this was not true? Many felt that the idling had to be a necessary part of their operation to be exempted.

Consensus: General consensus reached on this exemption provided that the phrase about SOP is deleted.

D

Issue: Exempt a vehicle when the primary propulsion engine is idling for maintenance, servicing, repairing, or diagnostic purposes at a recognized facility for such operations.

Discussion: Discussion focused on the term "recognized facility." Many felt that this needed to be defined. Others felt that repairs could be done by a service truck or the truck owner, and that only exempting "recognized facilities" penalizes owners who do their own repairs.

Consensus: General consensus reached on this exemption provided that the phrase "at a recognized facility" is deleted.

E

Issue: Exempt idling when a vehicle is required to do so by law to verify that all equipment is in good working order, either as part of a daily vehicle inspection or State/Federal inspection, provided that such engine idling is mandatory for such verification.

Discussion: Discussion focused on the fact that this was common sense if a law required the engine to idle during the inspection process.

Consensus: General consensus reached on this exemption.

F

Issue: Exempt a vehicle when the primary propulsion engine is providing a power source necessary for mechanical or electrical operations other than propulsion, such as loading or unloading, mixing or processing cargo, straight truck refrigeration, or providing a mechanical extension to perform work functions.

Discussion: Discussion focused on the fact that much of this is common sense, and that when performing a work function the operation of the engine is necessary.

Consensus: General consensus reached on this exemption.

G

Issue: Exempt any vehicle with an independent engine used for the sole purpose of controlling cargo temperature.

Discussion: Discussion focused on the fact that this operation is not technically idling. Others stressed that the exemption should apply to the independent engine and not the whole truck.

Consensus: General consensus reached on this exemption provided that the words "any vehicle" is deleted and replaced with "any independent engine."

H

Issue: Exempt vehicle idling to conform to the engine manufacturer's recommended time for warming-up and cooling down the engine up to a maximum of 5 minutes.

Discussion: Discussion focused on the need to warm up and cool down a diesel engine, but the time limit of 5 minutes was seen as impractical in extremely cold weather. Some suggested that temperature ranges be provided with correlating times. Others believed that if a truck owner operated in cold weather areas they should invest in a block heater or other technology to protect the engine instead of using the main engine. The discussion focused on creating incentives to reduce main engine idling by not simply exempting every possible reason to idle the main engine. Additional comment on changing the word "time" to "procedures."

Consensus: General consensus reached on this exemption based largely on the need to create an incentive to purchase an alternative device for those vehicles that operate in cold weather. Agreement to change "time" to "procedures."

I

Issue: Establishing a general time limit.

Discussion: Discussion focused on a rationale for a general time limit. A few exemptions can be folded into this general time limit: engine warm-up/cool-down, pre-trip inspection, and conditioning a bus prior to passenger boarding. Many drivers noted that during the pre-trip inspection the engine only needed to idle to check the air brake pressure, and this would only require about 5 minutes of idling. As for conditioning a bus, many felt that 5 minutes would be sufficient in moderate weather, but in weather extremes the bus would need more time. The issue of creating incentives came up with bus conditioning. Many felt that buses, like trucks during warm-up, should invest in a technology that cooled or warmed the interior instead of simply exempting them. Some people recommended doing away with a general time limit and basing everything on temperature.

Consensus: General consensus on the need for a rationally based general time limit.

J

Issue: Exempting mechanical difficulties provided that the problem is fixed.

Discussion: Discussion focused on recognizing that not all truck owners have the problem fixed at a repair facility, so these people should be allowed to submit the product receipt to demonstrate the problem was fixed. Many noted that this approach is similar to DOT's approach (the "fix-it-ticket"). Some believed that this exemption falls under the maintenance discussion in (D) above, but this differs from (D) in that the truck is not in the process of being repaired at the time.

Consensus: General consensus reached on this exemption provided that people are permitted to submit repair paperwork to demonstrate that the problem was fixed.

K

Issue: Research & Development: Should you exempt a vehicle when the primary engine, vehicle, or device is idling when operated by the engine or truck manufacturer or their partners (including labs, research facilities, and trucking companies).

Discussion: Discussion focused on the actual practicality of this situation. Many, including engine manufacturers, felt that this situation is so rare that the exemption is not necessary.

Consensus: General consensus reached on deleting this exemption.

L

Issue: Sleeper Berth Exemption: Should you exempt all trucks with sleeper berths?

Discussion: Discussion focused on balancing needs of the state with that of the truck driver. States want the emission reductions, truck owners want the fuel savings, and truck drivers want to rest comfortably. To balance these needs, the industry needs to consider alternatives to main engine idling. They should be given time to evaluate and finance the purchase of alternatives. States need to give industry a fair amount of time to do this. In the interim, the law should exempt sleeper berth idling but remove this exemption at some point. This will put industry on notice that they have a certain amount of time to install or adopt an alternative means to main engine idling.

Consensus: General consensus reached on the need to allow sleeper berth idling for a certain amount of time, whereupon the exemption goes away ("sunsets"), and industry must adopt alternatives.

M

Issue: Temperature exemption for non-sleeper trucks.

Discussion: Discussion focused immediately on who was responsible for this delay: the truck driver or the facility owner. Many truck drivers noted that they may arrive to pick-up or drop-off a load only to be told by the facility that they are not ready to be processed. The truck drivers must then wait for hours until the facility is ready to process them, and during this wait, if the temperatures warrants, the driver will idle to run the air or heat. Putting aside who is responsible for the enforcement section, many noted the similarity between this exemption and the sleeper berth exemption. There is a need to create an incentive for truck drivers that must wait to load or unload, for both sleeper or non-sleeper trucks, to invest in an alternative other than main engine idling.

Consensus: General consensus reached on the need to allow truck idling during loading or unloading wait times up until a certain date, whereupon the exemption goes away ("sunsets"), and industry must adopt alternatives.

N

Issue: Should you exempt a mobile idle reduction technology (e.g., generator sets, auxiliary power units, direct fired heaters) operating to provide heating, air conditioning, or auxiliary power to the vehicle.

Discussion: Discussion focused on California's proposed rule that would require auxiliary engines installed on post 2006 MY trucks to be cleaner. Much discussion ensued on whether or not auxiliary engines emitted more particulate matter and nitrogen oxides during the long duration idling mode than the newer trucks. The group felt that more testing was necessary to determine if this was true.

Consensus: No consensus was reached on this issue, but a request to obtain more information was made.

O

Issue: Exempt natural gas, hybrid, or 2007+ diesel vehicles.

Discussion: Discussion focused on the fact that one of the purposes of this model law is to conserve fuel, and that exempting vehicles that may emit less does not fulfill the purpose of conserving fuel.

Consensus: General consensus reached on removing this exemption.

P

Issue: Penalties

Discussion: Discussion focused on who should pay the fine: driver vs. company owner. Owners and drivers staked out opposing views. Some owners stated that if they received the ticket they would usually pay the fine as the cost of doing business in that state. Some owners may pass the fine onto the driver, but driver retention is a concern.

Consensus: No general consensus reached on who is responsible for paying the fine, but the conversation leaned towards making the truck owner liable for fines as an incentive for them to purchase alternative technologies.

Q

Issue: Enforcement

Discussion: Discussion focused on enforcing against facility owners versus truck owners. Truck stops were also discussed. The cause of queue idling was attributed to facility owners who caused delays. In some cases, truck drivers showing up at the facility too early was the reason for the wait. They key issue is determining who causes the wait time. If it is the facility owner, they should be liable. If it is the truck driver, they should be liable. The issue of truck stop owners was discussed in terms of what, if any, control they have over the trucks visiting their location. The thought was that the less control, the less culpability.

Consensus: No consensus reached on fining facility owner versus truck driver. General consensus reached on not fining the truck stop owner for truck driver behavior largely outside their control.

R

Issue: Future truck at low idle emission

Discussion: Some discussion on the need for an exemption if truck engines were designed to emit at a lower rate during long duration idling periods. The thought is that if an engine OEM designed a low idle emission engine then we should exempt these engines. This would not address the fuel consumption issue unless the engine also did not consume as much in idle.

Consensus: No consensus reached on including this because of its speculative nature. If OEMs were to design a low emission engine with low fuel consumption during long duration idling then states should consider exempting it.

S

Issue: Light duty vehicle remote starting

Discussion: One participant educated the group about the rising popularity with remote start on light duty vehicles. Remote starting allows the vehicle owner to start the vehicle from outside the vehicle. Vehicle owners may want this function if they want to warm or cool the interior prior to entering. However, this new and growing option for vehicle purchasers may exacerbate idling by having car owners idle their engines for much longer periods than necessary. While diesel is the focus of this model law, the increase in light duty gasoline engine idling may cancel the benefits of diesel idling reductions.

Consensus: No consensus sought on this issue.