



Pennsylvania's Diesel-Powered Motor Vehicle Idling Act (Act 124 of 2008)

Diesel vehicles are a significant source of emissions that contribute to elevated ozone and fine particulate concentrations in Pennsylvania. On Oct. 9, 2008, Governor Rendell signed Act 124, also called the Diesel-Powered Motor Vehicle Idling Act, which will reduce unnecessary idling of the main propulsion engine in diesel-powered motor vehicles, including trucks and buses. The Act became effective on Feb. 6, 2009. Act 124 prohibits the owners and drivers of any diesel-powered motor vehicle with a gross weight of 10,001 pounds or more engaged in commerce from causing the engine of the vehicle to idle for more than five minutes in any continuous 60-minute period, except as provided in the Act. In addition to vehicle drivers and owners, owners and operators of locations where subject vehicles load, unload or park are also responsible for compliance with Act 124. An owner or operator of a location where subject vehicles load or unload, or where 15 or more parking spaces are provided for vehicles subject to the Act, must erect and maintain at least one permanent sign to inform drivers that idling is restricted in Pennsylvania. The requirements of the law will not be incorporated into any permit issued by DEP.

While Act 124 preempts and supersedes local anti-idling ordinances or rules, more stringent idling restrictions imposed by counties of the first and second class (Allegheny and Philadelphia Counties) prior to Jan. 1, 2007, continue in full force and effect provided they are not amended, suspended or rendered invalid. Links to the anti-idling requirements in Philadelphia and Allegheny counties are available on DEP's Web site at www.dep.state.pa.us/dep/deputate/airwaste/aq/cars/idling.htm.

Q. What types of vehicles are exempt from the requirements of Act 124?

A. Motor homes, commercial implements of husbandry, implements of husbandry, farm equipment, and farm vehicles are not covered by Act 124. The definitions of these types of vehicles can be found in Title 75, Pennsylvania Consolidated Statutes, Section 102 (relating to definitions).

Q. What is meant by the term 'engaged in commerce' as used in Act 124?

A. A motor vehicle is "engaged in commerce" under Act 124 if it has a business name or logo visible on the outside of the vehicle. The term includes, but is not limited to, vehicles carrying a load or a trailer and vehicles on their way to pick up a load or trailer. School buses and other types of vehicles specifically referenced in the act are also considered to be "engaged in commerce" for purposes of Act 124. A diesel-powered motor vehicle used exclusively for private use is not considered to be engaged in commerce.

Q. Are there exemptions to allow idling longer than 5 minutes?

A. Yes. Buses, school buses and school vehicles may idle for 15 minutes in a continuous 60-minute period when passengers are aboard. Other exemptions address excess idling due to factors outside the drivers' control, such as traffic or mechanical issues. There are also exemptions addressing idling during maintenance, vehicle equipment inspection, and emergency or utility service functions and idling for security reasons. Additionally, the restriction on idling does not apply if a vehicle exhibits a label issued by the California Air Resources Board under 13 CCR §1956.8(a)(6)(C) showing the vehicle's engine meets the optional NOx idling emission standard. See the Act (Senate Bill 295, Printer's No. 2485) at www.legis.state.pa.us for the full listing and details of exemptions.

Q. Can trucks with sleeper-berths idle during mandated rest periods?

A. An occupied vehicle with a sleeper-berth may idle for the purpose of air conditioning or heating during a rest period if the outside temperature is below 40 degrees or greater than 75 degrees Fahrenheit at any time during the rest period. These vehicles may idle during the rest period if

they are parked any place the vehicle is legally permitted to park, and if the location is not equipped with stationary idle reduction technology available for use at the start of the rest period. This exemption expires May 1, 2010.

Q. Who is required to post permanent idling restriction signs?

A. Owners and operators of locations where subject vehicles load and unload, as well as owners and operators of locations that provide 15 or more parking spaces for subject vehicles, are required to post approved signs. Information for the approved sign format is available on the DEP's Web site at: www.dep.state.pa.us/dep/deputate/airwaste/aq/cars/idling.htm. Links available on the Web page direct you to PennDOT's Publication 236M, Sign R7-100, which is the PennDOT-approved sign. Signs must be manufactured by approved sign manufacturers; a link to a list of approved sign manufacturers is provided on the Web page.

Q. Who has the authority to enforce the idling restrictions imposed under Act 124?

A. DEP and state and local law enforcement officers are authorized to enforce Act 124 requirements.

Q. What are the penalties for violating the requirements of Act 124?

A. Drivers and owners of vehicles and owners and operators of locations where subject vehicles load or unload, or where 15 or more parking spaces are provided for vehicles subject to the Act, found to be in violation of this act commit a summary offense. A conviction will result in a fine ranging from \$150 to \$300, plus court costs. DEP is also authorized to assess civil penalties, not to exceed \$1,000 per day for each violation of Act 124, in accordance with the procedures and factors specified in Section 9.1 of the Pennsylvania's Air Pollution Control Act.

Q. What options are available to reduce idling?

A. The simplest way to reduce idling is to turn off the engine. Modern diesel engines do not require long warm-up or cool-down periods or constant idling in order to operate efficiently. The most common alternatives for main engine idling are auxiliary power systems and stationary idle reduction technologies. Auxiliary power systems are devices installed on vehicles to provide power for cabin temperature control and other electric needs typically provided by main engine idling. Stationary idle reduction technology provides some type of plug-in system at locations where subject vehicles park.

If you have questions on Act 124, please contact the Pennsylvania DEP, Bureau of Air Quality, by telephone at 717-787-9495 or visit DEP's Web site at: www.dep.state.pa.us/dep/deputate/airwaste/aq/cars/idling.htm.

If you believe someone is idling illegally, you can reach a DEP Regional Office by calling the statewide Citizen's Complaint Line toll free at 1-866-255-5158. You may also contact local or state law enforcement officials with idling complaints. State police telephone numbers are available on the Pennsylvania State Police Web site at: www.psp.state.pa.us/. Local law enforcement non-emergency numbers can be found in the local telephone book.

For more information, visit www.depweb.state.pa.us, keyword: Idling.