



Senate

General Assembly

File No. 306

January Session, 2007

Substitute Senate Bill No. 988

Senate, April 4, 2007

The Committee on Environment reported through SEN. FINCH of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT PROHIBITING THE IDLING OF MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) No person shall cause
2 or allow a motor vehicle to operate for more than three consecutive
3 minutes when such motor vehicle is not in motion, except as follows:

4 (1) When a motor vehicle is forced to remain motionless because of
5 traffic conditions or mechanical difficulties over which the operator
6 has no control;

7 (2) When it is necessary to operate defrosting, heating or cooling
8 equipment to ensure the safety or health of the driver or passengers;

9 (3) When it is necessary to operate auxiliary equipment that is
10 located in or on the motor vehicle to accomplish the intended use of
11 the motor vehicle;

12 (4) When it is necessary to bring the motor vehicle to the

13 manufacturer's recommended operating temperature;

14 (5) When the outdoor temperature is below twenty degrees
15 Fahrenheit;

16 (6) When the motor vehicle is undergoing maintenance or an
17 inspection that requires such motor vehicle be operated for more than
18 three consecutive minutes;

19 (7) When a motor vehicle is in queue to be inspected by United
20 States military personnel prior to gaining access to a United States
21 military installation;

22 (8) When a law enforcement, firefighting rescue or emergency
23 vehicle is in the course of responding to an emergency; or

24 (9) When a motor vehicle is in a queue at a drive-in establishment.

25 For the purposes of this section, "motor vehicle" means any automobile
26 or truck.

27 (b) A violation of any provision of this section shall be an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

Statement of Legislative Commissioners:

Section 2 was deleted for consistency with the general statutes.

ENV Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Any revenue gain from infractions under the bill is anticipated to be minimal (i.e., less than \$50,000) on an annual basis.

The Out Years

The annualized ongoing fiscal impact identified above would remain relatively constant into the future since the amount of infractions is set by statute.

OLR Bill Analysis**sSB 988*****AN ACT PROHIBITING THE IDLING OF MOTOR VEHICLES.*****SUMMARY:**

This bill prohibits anyone from causing or allowing a car or truck to idle for more than three consecutive minutes except in certain instances. A violation of the bill is an infraction.

EFFECTIVE DATE: October 1, 2007

EXCEPTIONS TO THE IDLING BAN

A car or truck may idle for more than three consecutive minutes when:

1. it is forced to remain motionless because of traffic conditions or mechanical difficulties;
2. it is necessary to operate defrosting, heating, or cooling equipment to ensure the health or safety of its occupants;
3. it is necessary to operate auxiliary equipment located in or on the vehicle to accomplish the vehicle's intended use;
4. it is necessary to bring the vehicle to the manufacturer's recommended operating temperature;
5. the outdoor temperature is below 20 degrees Fahrenheit;
6. vehicle maintenance or inspection requires it to be operated for more than three consecutive minutes;
7. it is waiting in line to gain access to a U.S. military installation or a drive-in establishment; or

8. a law enforcement, firefighting, rescue, or emergency vehicle is responding to an emergency.

BACKGROUND

Infractions

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the amount of the fine. There may be other added charges depending on the type of infraction.

School Bus Idling

Existing law prohibits a school bus operator from idling a school bus for more than three consecutive minutes, except in certain situations (CGS § 14-277(b)). A first violation is considered an infraction; subsequent offenses are punishable by fines of between \$100 and \$500.

State Regulations on Motor Vehicle Idling

State regulations prohibit “mobile sources” from idling for more than three minutes except in certain instances. Since there is no specific penalty for this violation, DEP must use its general enforcement powers, which call for a fine of up to \$25,000 a day (or up to one year in jail) for first-time offenders. However, the penalty cannot be imposed unless the violator does so knowingly or with criminal negligence.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 3 (03/19/2007)