



Senate

General Assembly

File No. 151

February Session, 2008

Substitute Senate Bill No. 123

Senate, March 26, 2008

The Committee on Transportation reported through SEN. DEFRONZO of the 6th 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, 2008*) (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

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 09 \$	FY 10 \$
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

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

The Out Years

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$	FY 13 \$
Judicial Dept.	GF - Revenue Gain*	Potential Minimal	Potential Minimal	Potential Minimal

Note: GF=General Fund

*These figures have been adjusted for inflation at a rate of 3%

Municipal Impact: None

OLR Bill Analysis**sSB 123*****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 when it is not moving, except in certain instances. The bill does not apply to any car or truck engaged in off-road farming. A violation of the bill is an infraction (see BACKGROUND).

EFFECTIVE DATE: October 1, 2008

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 over which the operator has no control;
2. it is necessary to operate defrosting, heating, or cooling equipment to ensure the health or safety of the driver or his or her passengers;
3. it is necessary to operate auxiliary equipment located in or on the vehicle to accomplish its 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. maintenance or inspection requires the vehicle 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. it is a law enforcement, firefighting, rescue, or emergency vehicle 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,” which includes cars, buses, trucks, and tractors, 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 offender violates the law knowingly or with criminal negligence.

Related Bill

On March 12, 2008, the Environment Committee favorably reported SB 581, which prohibits idling of motor buses for more than three consecutive minutes, except in certain circumstances.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute Change of Reference
Yea 29 Nay 1 (02/27/2008)

Transportation Committee

Joint Favorable
Yea 28 Nay 3 (03/07/2008)