



# Senate

General Assembly

**File No. 350**

January Session, 2009

Substitute Senate Bill No. 792

*Senate, March 31, 2009*

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, 2009*) (a) As used in this  
2 section, "motor vehicle" means any motor bus, truck or passenger  
3 motor vehicle, as defined in section 14-1 of the general statutes, but  
4 does not include any "farm implement", as defined in said section 14-1.

5 (b) No person shall cause or allow a motor vehicle to operate for  
6 more than three consecutive minutes when such motor vehicle is not in  
7 motion, except as follows:

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

11 (2) When it is necessary to operate defrosting, heating or cooling  
12 equipment to ensure the safety or health of the driver, passengers or  
13 cargo;

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

17 (4) When it is necessary to bring the motor vehicle to the  
18 manufacturer's recommended operating temperature;

19 (5) When the outdoor temperature is below twenty degrees  
20 Fahrenheit;

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

24 (7) When a motor vehicle is in a queue to be inspected by United  
25 States military personnel prior to gaining access to a United States  
26 military installation;

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

29 (9) When a motor vehicle is in a queue at a drive-in establishment;

30 (10) When a motor vehicle is in a queue for weighing, loading or  
31 unloading freight;

32 (11) When a motor vehicle in livery service is waiting to discharge  
33 participants in a wedding or funeral; or

34 (12) When a motor vehicle is delivering food from a restaurant.

35 (c) Any person who violates any provision of this section shall have  
36 committed an infraction and shall be fined not more than twenty-five  
37 dollars.

38 Sec. 2. Subsection (c) of section 51-164m of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective*  
40 *October 1, 2009*):



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 House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

Any state revenue gain under the bill, which expands the scope of the prohibition against idling vehicles, is anticipated to be minimal (less than \$50,000 annually). Violation of the bill’s provisions is punishable by a fine of \$25 payable by mail to the Centralized Infractions Bureau of the Judicial Department.

**The Out Years**

The annualized ongoing revenue identified above would remain constant into the future since fine amounts are set by statute.

**OLR Bill Analysis****sSB 792*****AN ACT PROHIBITING THE IDLING OF MOTOR VEHICLES.*****SUMMARY:**

This bill prohibits anyone from causing or allowing a car, truck, or motor bus to idle for more than three consecutive minutes, except in certain instances. It does not apply to a vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations, and which is not operated on a highway to carry a payload or for any other commercial purpose.

A violation of the bill is an infraction, punishable by a fine of up to \$25. The bill specifically authorizes Superior Court judges to impose fines of less than \$35 on people who violate the bill.

Existing law prohibits a school bus operator from idling a school bus for more than three consecutive minutes. State regulations prohibit "mobile sources," including cars, buses, trucks, and tractors from idling more than three minutes except in certain instances, but do not impose a specific penalty (see BACKGROUND).

EFFECTIVE DATE: October 1, 2009

**EXCEPTIONS TO THE IDLING BAN**

A car, truck, or motor bus may idle for more than three consecutive minutes only 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, passengers, or cargo;

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 (a) weigh, load, or unload freight or (b) gain access to a U.S. military installation or a drive-in establishment;
8. a law enforcement, firefighting, rescue, or emergency vehicle is responding to an emergency;
9. a motor vehicle in livery service is waiting to discharge passengers in a wedding or funeral; or
10. a motor vehicle is delivering food from a restaurant.

## **BACKGROUND**

### ***Motor Buses***

A motor bus is any motor vehicle, except a taxicab, operated in whole or in part on any street or highway offering a means of transportation by (1) indiscriminately receiving or discharging passengers, (2) running on a regular route or over any portion of a regular route, or (3) between fixed termini (CGS § 14-1 (47)).

### ***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, the Department of Environmental Protection 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.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute Change of Reference  
Yea 24 Nay 3 (03/06/2009)

Transportation Committee

Joint Favorable Substitute  
Yea 31 Nay 5 (03/16/2009)