



General Assembly

February Session, 2016

Raised Bill No. 5318

LCO No. 1345



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING IDLING IN EXCESS OF THREE MINUTES BY CERTAIN TRUCKS AND BUSES.

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

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) As used in this
2 section, "motor vehicle" means any motor bus or truck, as defined in
3 section 14-1 of the general statutes, except any "farm implement", as
4 defined in said section 14-1. "Motor vehicle" does not include any
5 school bus.

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

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

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

14 cargo;

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

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

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

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

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

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

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

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

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

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

36 (c) Any person who violates any provision of this section shall have
37 committed an infraction.

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39 repealed and the following is substituted in lieu thereof (*Effective*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, 2016):

41 (c) (1) Except as provided in subdivision (2) of this subsection, no
42 fine established in accordance with the provisions of subsection (a) of
43 this section may be less than thirty-five dollars or more than ninety
44 dollars.

45 (2) No fine established in accordance with the provisions of
46 subsection (a) of this section for a violation of any provision of title 14
47 deemed an infraction may be less than fifty dollars or more than ninety
48 dollars, except that fines established for parking tag violations and
49 violations of section 1 of this act may be less than fifty dollars.

50 Sec. 3. Section 54-33m of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective October 1, 2016*):

52 (a) The failure of an operator of, or front seat passenger in, a private
53 passenger motor vehicle or vanpool vehicle to wear a seat safety belt as
54 required by section 14-100a shall not constitute probable cause for a
55 law enforcement official to conduct a search of such vehicle and its
56 contents.

57 (b) The operation of a motor vehicle in violation of the provisions of
58 section 1 of this act shall not constitute probable cause for a law
59 enforcement official to conduct a search of such vehicle or of the
60 operator's person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	New section
Sec. 2	October 1, 2016	51-164m(c)
Sec. 3	October 1, 2016	54-33m

Statement of Purpose:

To prohibit commercial buses and trucks from idling for longer than three minutes unless certain circumstances exist and to enable law enforcement officials to enforce such prohibition.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]