

Bills signed by the governor:

Anti-Idling of Diesel-Powered Vehicles – The governor signed **SB 295**, sponsored by **Sen. Pat Browne** (R-Lehigh), now Act 125 of 2008, related to restrictions on idling of buses and other diesel-powered vehicles.

Generally, the bill prohibits a driver or owner of a diesel-powered motor vehicle with a gross weight of 10,001 pounds or more engaged in commerce to idle for no more than five minutes in any continuous 60-minute period. This restriction on idling also is applicable to owners and operators of locations where these type of vehicles load, unload or park. There are 15 exceptions to the five-minute rule included in this bill, and PSBA was instrumental in securing several of them. The most relevant for school districts are:

1. On highway traffic, an official traffic-control device or signal or a law enforcement official forces a vehicle to remain motionless.
2. To operate defrosters, heaters, air conditioners or cargo-refrigeration equipment in order to prevent a safety or health emergency and not for the purpose of a rest period or as otherwise necessary to comply with manufacturers' operating requirements, specifications and warranties.
3. For maintenance, particulate matter trap regeneration, service or repair of the vehicle or for vehicle diagnostic purposes.
4. When the idling is necessary to power work-related mechanical, safety or electrical operations other than propulsion.
5. Due to mechanical difficulties, the vehicle must idle, provided that the operator repairs the mechanical problem and provides proof to the department within 30 days.
6. When a bus, school bus or school vehicle must idle to provide heating or air conditioning when non-driver passengers are onboard, provided that the bus does not idle for more than 15 minutes in a continuous 60-minute period, except when idling is necessary to maintain a safe temperature for students with special needs who are transported by a school bus or school vehicle.
7. For sampling, weighing, active loading or unloading provided that it does not idle for more than 15 minutes in any continuous 60-minute period.
8. When idling by a school bus or school vehicle off school property during queuing for the sequential discharge or pick-up of students is necessary because the physical configuration of a school or the school's surrounding streets does not allow for stopping.

The bill also requires any owner or operator of a location where vehicles subject to this act load or unload or a location that provides 15 or more parking spaces for vehicles to place a sign informing drivers that idling is restricted in the commonwealth. Fines for violation of this statute can be placed against either the driver or owner of a diesel-powered motor vehicle or the owner or operator of a location where such vehicles load, unload or park. The fine is a summary offense and is set at a minimum of \$150 and a maximum of \$300 plus court costs. It also authorizes the Department of Environmental Protection to assess other civil penalties for violations of the Air Pollution Control Act not to exceed \$1,000 per day. The law becomes effective in 120 days.