

**RT ENVIRONMENTAL SERVICES, INC.***Your Solution-Oriented Environmental Services Firm*

PENNSYLVANIA DIESEL IDLING LAW FINALIZED - EFFECTIVE

FEBRUARY 9, 2009

Governor Rendell signed into law Pennsylvania's Diesel Power Motor Vehicle Idling Act, and provisions of the law take effect on February 9, 2009. Idling of diesel vehicles is limited to no more than five minutes each hour.

Exemptions in the law include:

- Vehicles while actively loading or unloading. (The vehicle may idle for up to 15 minutes.)
- School buses carrying special needs students
- Motor homes
- Emergency and utility service vehicles (being used in an emergency or public safety capacity)
- Farm equipment or farm vehicles
- Commercial implements of husbandry
- Armored vehicles
- Vehicles experiencing mechanical difficulties beyond operator's control
- An occupied vehicle with a sleeper-berth compartment when outside temperature is below 40 degrees or above 75 degrees
- Vehicles forced to idle due to on-highway traffic or traffic control devices
- Vehicles idling in order to operate defrosters, heaters, air conditioners or cargo refrigeration equipment (not for purpose of a rest period)
- Vehicles idling necessary for repair/maintenance or diagnostic testing
- Vehicle idling as required by federal and state inspections
- Vehicle idling necessary as part of a security inspection either entering or exiting a facility
- Vehicles hauling over-sized loads that are awaiting police escort
- A vehicle that is actively engaged in solid waste collection or the collection of source-separated recycling materials.

Title V Permits will not be impacted by diesel vehicles idling at individual facilities.

The law's provisions apply to diesel powered highway vehicles with a gross vehicle weight of 10,001 pounds or more. Thus the law affects most diesel powered buses, including school buses, and commercial trucks. The DEP and the Environmental Quality Board had previously proposed a regulation, but the law signed by the Governor takes the place of the proposed regulation.

RT Environmental Services assisted the construction industry, by providing comments on Pennsylvania's Diesel Vehicle Idling Restrictions. It should be noted that construction vehicles which are not "highway" vehicles (they do not have license plates) are not affected. Trucks

delivering asphalt, however, can use the fifteen minute "loading and unloading" exemption.

According the Pennsylvania Department of Environmental Protection (PADEP), the diesel idling restriction had to be placed into effect, because Pennsylvania did not have diesel idling restrictions, while other nearby states do. PADEP believes that this was causing trucks to "stop in Pennsylvania" overnight with their engines on all night, and that Pennsylvania needed to have similar provisions as surrounding states.

Please call Gary Brown if there are any questions at 800-725-0593 Extension 34, or contact him by email at gbrown@rtenv.com.

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