

Sample Anti-idling Language

Definitions. As used in this article, unless the context otherwise requires:

- (1) “**Commercial vehicle**” means a vehicle which is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.
- (2) “**Covered vehicle**” means a vehicle to which this article applies under section [*Idling Standards*].
- (3) “**Idling**” means when the primary propulsion engine of a covered vehicle is running but the vehicle is not in motion for longer than one minute.
- (4) “**Noncommercial vehicle**” means a vehicle with no more than two axles (excluding axles on any towed vehicle) which is used exclusively for personal use.

Applicability.

- (1) This article applies to:
 - (a) Commercial vehicles, regardless of gross vehicular weight and
 - (b) Noncommercial vehicles, regardless of gross vehicular weight.
- (2) This ordinance does not apply to vehicles currently covered by the existing exemptions at C.R.S. § 42-14-105(2),

Idling Standards

- (1) The owner or operator of a covered vehicle shall not cause or permit the vehicle to idle for more than one minute, except as exempted by subsection (2) of this section.
- (2) Exemptions. Subsection (1) of this section does not apply to an idling, covered vehicle:
 - (a) When it remains motionless because of road traffic, an official control device or signal, or at the direction of a law enforcement officer;
 - (b) When actively loading or unloading passengers;
 - (c) Due to the provision of emergency services;
 - (d) When necessary for required maintenance, servicing, or repair of the vehicle;
 - (e) During a local, state, or federal inspection verifying that the equipment is in good working order if required for the inspection;
 - (f) During the operation of power take-off equipment if necessary for operating work-related mechanical or electrical equipment;
 - (g) In the case of an armored vehicle, when a person is inside the vehicle to guard its contents or during the loading or unloading of the vehicle;
 - (h) In the case of a passenger bus, when idling for up to five minutes in any sixty-minute period to maintain passenger comfort while nondriver passengers are on board;
 - (i) When used to heat or cool a sleeper berth compartment during a rest or sleep period at a location where the vehicle is legally permitted to park and that is at least one thousand feet from residential housing, a school, a daycare facility, a hospital, a senior citizen center, or a medical outpatient facility providing primary, specialty, or respiratory care;
 - (j) Idling for up to twenty (20) minutes within any sixty (60) minute period when the temperature is under 10 degrees Fahrenheit; or
 - (k) For a critical service or a utility provider, when performing the functions of the provider’s duties.

Penalty

- (1) The owner or operator of a covered commercial vehicle that violates this article is subject the following fine schedule, independent of when the violations occur:
 - (a) First offense - \$500
 - (b) Second offense - \$1,000
 - (c) Subsequent offenses - \$1,500
- (2) The owner or operator of a covered noncommercial vehicle that violates this article is subject to the following fine schedule, provided that the escalating fines shall only apply if the offenses are committed within twelve (12) months.
 - (a) First offense - \$50
 - (b) Subsequent offenses - \$200