

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE February 10, 2009

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:
Approval of the County Diesel Vehicle Idling Policy

STAFF RECOMMENDATIONS:
Approval of the County Diesel Vehicle Idling Policy

FISCAL IMPACT:
There is no fiscal impact associated with the adoption and implementation of this policy as mandated by the State of California. However, failure to adopt an in use off-road diesel vehicle idling policy by March 1, 2009 could result in fines of up to \$1,000 per day.

BOARD ACTION AS FOLLOWS: No. 2009-108

On motion of Supervisor Monteith, Seconded by Supervisor Grover
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) _____ Denied
- 3) _____ Approved as amended
- 4) _____ Other:

MOTION:

ATTEST: Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the County Diesel Vehicle Idling Policy

DISCUSSION:

Air Resources Board (ARB) regulation 2449(d)(3)(B) mandates that vehicle operators have a written policy regarding in use off-road diesel vehicle idling. The regulation requires that all fleets that meet the medium or large fleet categories create a written idling policy and make that policy available to vehicle operators by March 1, 2009. Stanislaus County's fleet is categorized as a large fleet. The ARB has limited idling of certain diesel vehicles to 5 minutes, except under certain circumstances as listed in the policy. The idling limits became effective and enforceable on June 15, 2008.

An additional ARB limit on diesel-fueled motor vehicles with a gross vehicle weight rating (GVWR) greater than 10,000 pounds was implemented on February 1, 2006 and revised on February 15, 2008. Although a written policy is not required for this limit, it is included in the attached proposed County policy. The ARB prohibits idling for more than 5 minutes of a diesel-fueled motor vehicle with a GVWR greater than 10,000 pounds at any location, and a diesel-fueled auxiliary power system (APS) may not operate for more than 5 minutes at any location within 100 feet of a restricted area (residences).

This policy applies to operators of all self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on-road, and diesel vehicles with a GVWR of 10,000 pounds or greater, owned or rented/leased to Stanislaus County.

Violation of the policy can result in a first time fine of a minimum of \$300 with subsequent penalties ranging from \$1,000 to \$10,000. The penalty for not having a written policy in place by March 1, 2009 is a fine of up to \$1,000 per day for each day from March 1, 2009 to the date of enforcement personnel discovering the absence of a written policy.

POLICY ISSUES:

The Board should consider if the recommended actions are consistent with its priorities of providing a safe community, a healthy community and a well-planned infrastructure system.

STAFFING IMPACT:

There is no staffing impact associated with this item.



STANISLAUS COUNTY

Diesel Vehicle Idling Policy

PURPOSE

The Air Resources Board's in-use off road diesel vehicle regulation (the regulation) contains a limit on unnecessary idling. The regulation states: "No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes." This limit applies to all off-road diesel vehicles subject to the regulation, unless the vehicle is idling for specific circumstances defined in the regulation or a waiver has been granted. The idling limits are effective and enforceable as of June 15, 2008, when the regulation became effective under California law.

The ARB also prohibits idling for more than 5 minutes of a diesel-fueled motor vehicle with a gross vehicle weight (GVWR) greater than 10,000 pounds at any location, and may not operate a diesel-fueled auxiliary power system (APS) for more than 5 minutes at any location within 100 feet of a restricted area (residences).

RESPONSIBILITY

It is the responsibility of each County department to administer this policy.

APPLICABILITY

This policy applies to operators of all self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on-road and diesel vehicles with a GVWR of 10,000 pounds owned or rented/leased to the Stanislaus County.

EXCEPTIONS

The idling limit does not apply to:

1. Idling when queuing
2. Idling to verify that the vehicle is in safe operating condition
3. Idling for testing, servicing, repairing or diagnostic purposes
4. Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane)
5. Idling required to bring the machine system to operating temperature, as specified by the manufacturer
6. Idling necessary to ensure safe operation of the vehicle

ENFORCEMENT

The Air Resources Board (ARB) enforcement advisory for idling is available online from ARB's website at <http://www.arb.ca.gov/msprog/ordiesel/guidance/idling.pdf>. The enforcement advisory describes the method by which the idling policy will be enforced by ARB staff, and also states "each first time violation of the idling requirements will be assessed a minimum civil penalty of \$300. Subsequent penalties can range for \$1,000 to \$10,000."

VIOLATION

An employee who violates this policy may be subject to the appropriate disciplinary action, which may include suspension, demotion or termination from County employment.