

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 11-0835

Date: March 17, 2011

Prime Sponsor(s): Rep. Priola

Bill Status: House Transportation

Fiscal Analyst: Kurtis Morrison (303-866-3140)

TITLE: CONCERNING THE CREATION OF AN ENGINE IDLING STANDARD FOR CERTAIN COMMERCIAL DIESEL VEHICLES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
Cash Funds		
Highway Users Tax Fund	Less than \$25,000	Less than \$25,000
Crime Victim Compensation Fund	Less than \$25,000	Less than \$25,000
State Expenditures		
FTE Position Change		
Effective Date: July 1, 2011		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

House Bill 11-1275 sets a statewide idling standard for commercial diesel vehicles with a gross vehicle weight rating greater than 14,000 pounds. The standard prohibits engine idling in excess of 5 minutes within a 60 minute period. Exceptions are provided for the following situations:

- **traffic stalls** — when motionless due to traffic, a traffic control device, or at a law enforcement officer's direction;
- **emergencies and emergency response** — when operating defrosters, heaters, or air conditioners, when installing equipment to prevent a safety or health emergency (but not for rest periods), or when responding to or training for an emergency (if an emergency response vehicle);
- **maintenance and equipment** — during maintenance, service, repair, or inspection, or during the operation of power take-off equipment;
- **armored vehicles** — when an armored vehicle idles when necessary to guard its contents, during loading, or during unloading;
- **passenger buses** — when idling for up to 5 minutes in any 60 minute period to maintain nondriver passenger comfort;

- ***rest stops and rest areas*** — when used to heat or cool a sleeper berth compartment, when at a rest area, when at a fleet trucking terminal, or when at a state-designated rest stop;
- ***parked locations*** — when at a location where the vehicle is legally permitted to park that is at least 1,000 feet from residential housing, schools, daycare facilities, or hospitals; and
- ***low temperatures*** — when the temperature is less than 10 degrees Fahrenheit or has been less than 20 degrees Fahrenheit for the past 24 hours.

Violations are a Class B traffic infraction, punishable by a fine up to \$150 for the first offense and \$500 for a second or greater offense, and a surcharge of \$20. The bill does not prevent local governments from adopting idling standards, provided they are not more stringent than state standards.

State Revenue

The bill increases state revenue by less than \$25,000 in FY 2011-12 and each year thereafter. The bill is anticipated to result in a number of citations, thereby resulting in new penalty and surcharge revenue for the state. Citation revenue is credited to the Highway Users Tax Fund (HUTF); surcharge revenue is credited to the Crime Victim Compensation Fund.

Local Government Impact

The bill increases local government HUTF distributions and increases local government staff workload by a minimal amount. Any penalty revenue collected for idling violations is credited to the HUTF for subsequent allocation to the State Highway Fund (65 percent), counties (26 percent), and cities (9 percent). Any increase in idling citations will result in increased HUTF distributions for counties and cities.

Currently, most local governments do not have idling ordinances; therefore, the bill is also estimated to result in additional law enforcement personnel time spent enforcing the bill's idling standard. This increase is anticipated to be minimal.

Departments Contacted

Public Health and Environment

Public Safety

Transportation