
California Special Districts Association

SAMPLE POLICY HANDBOOK

POLICY TITLE: Off-Road Diesel Equipment Idling
POLICY NUMBER: 3500

No vehicle or engine subject to the in-use off-road diesel regulation may idle for more than five consecutive minutes. The idling limits took effect on June 15, 2008, the day that the off-road diesel regulation became effective under California law. Please contact the [*General Manager/Equipment Maintenance Manager*] for more information or clarification.

General

The Air Resources Board (ARB) has adopted a regulation for In-Use Off-Road Vehicles, which became effective under California law on June 15, 2008. This regulation is designed to reduce harmful emissions from diesel powered construction and mining vehicles operating in California. Fleet owners are subject to retrofit or accelerated replacement/repower requirements for which ARB must obtain authorization prior to enforcement from the United States Environmental Protection agency under the federal Clean Air Act. However, this regulation also imposes idling limitations on owners, operators, renters, or lessees of off-road diesel vehicles, which the ARB is authorized to enforce.

The idling limits are effective and enforceable as of June 15, 2008. The regulation requires an operator of applicable off-road vehicles (self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on-road) to limit idling to no more than five minutes. These requirements are specified in title 13, California Code of Regulations as follows:

ARB Regulatory Section 2449 (d)(3) Idling:

3500.1 Idling Limit – No vehicles or engines subject to this regulation may idle for more than five consecutive minutes. Idling of a vehicle that is owned by a rental company is the responsibility of the renter or lessee, and the rental agreement should so indicate. The idling limit does not apply to:

- 3500.1.1 idling when queuing,
- 3500.1.2 idling to verify that the vehicle is in safe operating condition,
- 3500.1.3 idling for testing, servicing, repairing or diagnostic purposes,
- 3500.1.4 idling necessary to accomplish work for which the vehicle was designed (i.e. operating a crane),
- 3500.1.5 idling to bring the machine system to operating temperature,
- 3500.1.6 idling necessary to ensure safe operation of the vehicle,
- 3500.1.7 idling when waiting in line is allowed (idling to wait for other vehicles or materials is not allowed),
- 3500.1.8 idling to accomplish secondary functions, such as concrete agitation, load hoisting, fuel pump operation, or other necessary function,
- 3500.1.9 idling to keep equipment (including equipment windows) clear of ice and snow,

- 3500.1.10 idling to provide air conditioning or heat in extreme conditions to ensure the health and safety of the operator,
- 3500.1.11 idling to warm up a vehicle to operating temperature as specified by the manufacturer.

ARB Regulatory Section 2449(l) Right of Entry

For the purpose of inspecting off-road vehicles and their records to determine compliance with these regulations, an agent or employee of ARB, upon presentation of proper credentials, has the right to enter any facility (with necessary safety clearances) where off-road vehicle records are kept.

Non-Compliance:

Health and Safety Code, ARB Regulatory Section 39674 (a) authorizes civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Health and Safety Code, ARB Regulatory Section 39764 (b) authorizes civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed ten thousand dollars (\$10,000) for each day in which the violation occurs. The standard for assessing penalties is one of strict liability. The owner, renter or lessee will be responsible for the penalty.

ARB will pursue idling complaints received from the public and conduct "Idling Inspections" to observe off-road vehicles at construction sites, mines or any other location where such vehicles operate. In the event a vehicle is observed idling for more than five minutes, the operator and the site supervisor will be contacted to determine reason for the idling, if the reason for idling is not exempted by the rule, citations for each idling vehicle found to be in violation will be issued. Penalties of \$1,000 to \$10,000 can be imposed for each day in which the violation occurs.

3500.2 [DISTRICT] Equipment Affected by This Policy:

3500.2.1 All diesel powered on and off-road vehicles (dozer, scraper, compactor, wheel tractor, forklift, man lift, roll-off truck, semi truck, water truck, light truck, etc.) owned and operated by [DISTRICT].

3500.2.2 All other vehicles (pick-up, service truck, flatbed truck, administration vehicle, etc.) owned and operated by [DISTRICT] will also be required by [DISTRICT] to adhere to idling limits described in this policy.

3500.3 Employees Affected by This Policy: All [DISTRICT] employees who operate any [DISTRICT] owned, leased, or rented vehicles.

3500.4 Corrective Actions Required for Operator Violations of This Policy: All [DISTRICT] employees operating any [DISTRICT] owned, leased or rented vehicles who violate the five-minute idling regulation will receive progressive discipline, per their respective bargaining agreements, up to and to include termination for any violations.

3500.5 Additional Requirement of This Policy:

3500.5.1 Policy must be reviewed by management staff and updated annually.

3500.5.2 Copy of policy is to be posted in the employee lunchroom/break room in each facility.

3500.5.3 Training shall be required of all *[DISTRICT]* employees employed at the district.

3500.5.4 Safety manager will perform first training session, safety manger and department supervisors will be responsible for training employees who do not attend first session. All employees must attend this training, no exceptions.

3500.5.5 Administration staff shall provide Spanish session for those employees who require interpretation to fully understand requirements and expectations.

3500.5.6 Training of new employees will be required and performed by department supervisor before operating any *[DISTRICT]* owned, leased, or rented vehicles.

3500.5.7 Training requirement compliance and records shall be maintained by administration staff.

3500.5.8 Review of this policy to all employees by department supervisors shall be completed every two years.

3500.5.9 All *[DISTRICT]* owned off-road diesel vehicles covered by the regulation that require particulate and nitrogen oxide (nox) compliance will display a decal with red background and white characters issued by the ARB. Compliance records for this part of the regulation will be maintained by equipment manager.

3500.5.10 All *[DISTRICT]* vehicles will also receive a decal reminding operator of five minute idling limit placed in an area viewed by operator frequently.