

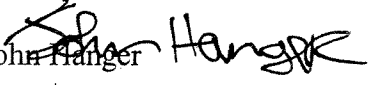
COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Secretary

April 27, 2009
717-787-2814

SUBJECT: Designation of Employees for Criminal Enforcement of the Diesel-Powered Motor Vehicle Idling Act (Act 124 of 2008)

TO: Michael Sherman
Deputy Secretary for
Field Operations

Thomas K. Fidler
Deputy Secretary for
Waste, Air and Radiation Management

FROM: 
John Hanger
Secretary

As you know, the Diesel-Powered Motor Vehicle Idling Act was signed into law on October 9, 2008 (P.L. 809, No. 124), and became effective February 6, 2009. The act authorizes me, as Secretary of the Department of Environmental Protection (Department), to designate Department employees to enforce the act under its summary offense provisions. This memorandum serves as my designation of employees.

Section 7 of the act provides the designation authority. It reads as follows:

Section 7. Enforcement.

The Secretary of Environmental Protection may designate employees of the department to enforce the provisions of this act under the summary offense provisions of section 5(a). Employees of the department so designated are hereby authorized to issue or file citations for summary violations under this act, and the Office of General Counsel is hereby authorized to prosecute these offenses. The employees shall exhibit proof of and be within the scope of the designation when instituting summary proceedings as provided by the Pennsylvania Rules of Criminal Procedure.

In accordance with Section 7, I designate the following Department employees to enforce the provisions of the Diesel-Powered Motor Vehicle Idling Act under the summary offense provisions of Section 5(a) of the act: **all Department employees who are authorized to conduct inspections or investigations.** A Department employee is authorized to conduct inspections and investigations if, for example, his or her job specification includes conducting inspections and investigations.

Please let me know if you have any questions.

cc: Susan Shinkman
Richard P. Mather, Sr.
Kristen M. Furlan
Joyce E. Epps