

## APPENDIX A

### 25 Pa. Code Chapter 121 GENERAL PROVISIONS

#### Section 121.1 Definitions

*Commercial diesel vehicles*—vehicles which are designed to operate on highways (as defined under 49 CFR 390.5)<sup>1</sup>, [new]

### 25 Pa. Code Chapter 126 MOTOR VEHICLE AND FUELS PROGRAMS

#### Subchapter F. Limitations on Idling [new]

##### Section 126.601. Scope [new]

The provisions of this chapter apply to commercial diesel vehicles at locations where commercial diesel vehicles load, unload or park.

##### Section 126.602 General Requirement [new]

No person shall cause or allow the engine of any commercial diesel vehicle to idle for more than 5 minutes in any 60 minute period, except as provided in Sections 603 and 604.

##### Section 126.603. Exemptions. [new]

This restriction on idling does not apply for the period or periods during which idling by the operator of a commercial diesel vehicle is necessary for one of the following reasons.

(a) A commercial diesel vehicle must remain motionless because of:

- (i) on-highway traffic,
- (ii) an official traffic control device or signal,
- (iii) the direction of a law enforcement official.

(b) A commercial diesel vehicle must idle to operate defrosters, heaters, or refrigeration in order to prevent a safety or health emergency, and not as part of a rest period.

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<sup>1</sup> 49 CFR 390.5 [definitions] Commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle--

- (1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- (4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

(c) A commercial diesel vehicle must idle for maintenance, servicing, repairing, testing, active loading or unloading, or mixing.

(d) A commercial diesel vehicle intended for commercial passenger transportation is idling for up to 10 minutes prior to passenger boarding and anytime passengers are onboard in order to supply heat or air conditioning necessary for the comfort of passengers.

(e) A police, fire, ambulance, public safety, military, or other emergency diesel vehicle or armored car, is idling while being used in its official capacity.

#### Section 126.604 Transitional Period Exemptions [new]

For a period from the effective date of this chapter until April 30, 2010, the following exemptions are allowed:

(a) If the outside temperature is less than 40°F, the operator of a commercial diesel vehicle parked at a fleet trucking terminal, commercial truck stop, or PennDOT designated rest area may idle, provided that any idle reduction technology is fully occupied or in use at the truck terminal, truck stop, or rest area.

(b) If the outside temperature is greater than 80°F, the operator of a commercial diesel vehicle parked at a fleet trucking terminal, commercial truck stop, or PennDOT designated rest area may idle, provided that any idle reduction technology is fully occupied or in use at the truck terminal, truck stop, or rest area.

#### Section 126.605 Auxiliary Power Units

This chapter does not regulate or prohibit the operation of an auxiliary power unit, generator set, or other mobile idle reduction technology.