

SB 1509 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Senate Committee On Environment and Natural Resources

Action Date: 02/14/18

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Baertschiger Jr, Bentz, Dembrow, Olsen, Prozanski, Roblan, Taylor

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Removes exception to restrictions (ORS 825.605) on idling of a commercial vehicle primary engine during loading or unloading. Adds exception to such idling restrictions for a commercial vehicle when manufacturer has certified that a new 2008 or subsequent model year diesel engine is primarily responsible for vehicle propulsion and engine meets an optional nitrogen oxides idling emissions standard of 30 grams per hour while not affecting other specified, associated emissions. Requires certifying manufacturer to provide a sticker to be affixed to a vehicle to demonstrate compliance with the idling standard. Changes to idling restrictions apply to conduct on or after effective date of Act. Authorizes a local government to adopt an ordinance restricting idling of a commercial vehicle primary engine on or adjacent to: public or private K - 12 schools, specified child care facilities, hospitals, and residential care facilities. Requires local ordinance not be less stringent than idling restrictions in ORS 825.605. Prohibits local ordinance from restricting idling necessary to power work-related equipment installed on vehicle that is not used for propulsion. Specifies that a local ordinance is effective when appropriate signs giving notice of idling restrictions are posted in conspicuous locations near restricted zone and that the expense of erecting signs is borne by the local government.

ISSUES DISCUSSED:

- Current state idling restrictions and prohibition on local regulations
- 2017 legislation addressing diesel emissions
- Requirement for signs providing notice of local restrictions
- Types of vehicles subject to idling restrictions

EFFECT OF AMENDMENT:

Requires local ordinance not be less stringent than idling restrictions in ORS 825.605.

BACKGROUND:

Diesel engines are used throughout Oregon and the United States because of their reputation for reliability, durability, power, and fuel efficiency. On-road heavy duty diesel trucks and diesel construction equipment are the largest sources of diesel exhaust in Oregon. Diesel exhaust is considered a health risk, particularly in urban areas that are close to highways and major roads.

A person commits the offense of unlawfully idling the primary engine of a commercial vehicle when the person stops the vehicle and allows the engine to idle for more than five minutes in any continuous 60-minute period on a premises open to the public (ORS 825.605). A person who is operating an auxiliary power unit, generator set, or other idle reduction technology to heat, cool, or provide electrical power or who is operating a cargo control unit to maintain the cargo is not considered to be idling a primary engine. The offense is a Class C traffic violation. ORS 825.610 establishes exceptions to the idling restrictions. The authority to regulate the idling of primary commercial engines is solely vested in the Legislative Assembly.

Senate Bill 1509A would modify the exceptions to the restrictions on idling the primary engine of a commercial vehicle found in ORS 825.605. The measure would also authorize a local government to adopt idling restrictions in

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areas on or near schools, child care centers, hospitals, and residential care facilities that are not less stringent than state restrictions.