

SB 1509 B STAFF MEASURE SUMMARY

House Committee On Health Care

Action Date: 02/26/18

Action: Do pass with amendments to the A-Eng bill, and be referred to Rules. (Printed B-Eng).

Vote: 6-5-0-0

Yeas: 6 - Alonso Leon, Greenlick, Keny-Guyer, Malstrom, Nosse, Salinas

Nays: 5 - Boles, Buehler, Hayden, Kennemer, Vial

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Oliver Droppers, LPRO Analyst

WHAT THE MEASURE DOES:

Repeals preemption of local government regulation of idling of primary engines in commercial vehicles (ORS 825.615). Narrows idling restrictions for commercial vehicles with a gross weight of more than 26,000 pounds waiting to load or unload. Starting January 1, 2020, removes idling exemption for commercial vehicles with a gross weight of more than 26,000 pounds that idle for purposes of air conditioning or heating during a rest or sleep period (ORS 825.610). Establishes a new exemption for idling the primary engine of commercial vehicles that are certified by a manufacturer and demonstrate compliance with the idling emission standard with a sticker (30 grams per hour of nitrogen oxides).

ISSUES DISCUSSED:

- Year and makes of diesel trucks operating in Oregon
- Health effects of diesel engines, idling, and emissions
- Residential neighborhoods that experience disproportionate exposure to diesel idling
- Ability for law enforcement to determine year and make of a diesel truck, whether the vehicle has been retrofitted, and ability to enforce Oregon's idling law (ORS 825.610)
- Potential amendment
- State preemption of local idling laws; allows local governments to further regulate vehicle idling (ORS 825.615)

EFFECT OF AMENDMENT:

Repeals preemption of local government regulation of idling of primary engines in commercial vehicles (ORS 825.615). Narrows idling restrictions for commercial vehicles with a gross weight of more than 26,000 pounds waiting to load or unload. Starting January 1, 2020, removes idling exemption for commercial vehicles with a gross weight of more than 26,000 pounds that idle for purposes of air conditioning or heating during a rest or sleep period (ORS 825.610). Establishes a new exemption for idling the primary engine of commercial vehicles that are certified by a manufacturer and demonstrate compliance with the idling emission standard with a sticker (30 grams per hour of nitrogen oxides).

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

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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 1509B modifies the exceptions to the restrictions on idling the primary engine of a commercial vehicle found in ORS 825.605. The measure authorizes a local government to adopt idling restrictions that are not less stringent than state restrictions.