

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1509

By COMMITTEE ON HEALTH CARE

February 27

1 On page 1 of the printed A-engrossed bill, line 2, after the second semicolon delete the rest of
2 the line and insert “amending ORS 825.610; and repealing ORS 825.615.”

3 Delete lines 4 through 27.

4 Delete page 2.

5 On page 3, delete lines 1 through 13 and insert:

6 “**SECTION 1.** ORS 825.610 is amended to read:

7 “825.610. (1) ORS 825.605 does not apply to a commercial vehicle if it is necessary to idle the
8 primary engine of the commercial vehicle:

9 “[1] (a) Due to traffic, a traffic control device or mechanical difficulties over which the oper-
10 ator has no control or at the direction of a law enforcement official or road authority.

11 “[2] (b) Due to the need to operate defrosters, heaters or air conditioners or installing equip-
12 ment necessary to comply with manufacturers’ operating requirements, specifications and warranties
13 or with federal, state or local safety regulations.

14 “[3] (c) Because the commercial vehicle is a police, fire, ambulance, public safety, military,
15 utility service or road authority vehicle, or any other vehicle being used to respond to an emergency
16 or for other public safety purposes, or being actively used for training for emergencies or public
17 safety.

18 “[4] (d) For maintenance, service, repair or diagnostic purposes or for particulate matter trap
19 regeneration.

20 “[5] (e) For a state or federal inspection to verify that all equipment is in good working order.

21 “[6] (f) To power work-related mechanical, safety, electrical or construction equipment in-
22 stalled on the vehicle that is not used for propulsion.

23 “[7] (g) Because the commercial vehicle is an armored vehicle and a person must remain inside
24 the vehicle to guard the contents or while the vehicle is being loaded or unloaded.

25 “[8] (h) To maintain the comfort of commercial bus passengers while passengers are on board.

26 “[9] (i) In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds,
27 for purposes of air conditioning or heating during a rest or sleep period and the outside temperature
28 is less than 50 degrees or greater than 75 degrees Fahrenheit at any time during the rest or sleep
29 period. This subsection applies to a commercial vehicle with a sleeper berth compartment that is
30 parked in any place that a commercial vehicle is legally permitted to park, including, but not limited
31 to, a fleet trucking terminal, commercial vehicle stop or designated rest area. This exemption does
32 not apply if the commercial vehicle is equipped with an auxiliary power unit or other suitable idle
33 reduction technology, if the commercial vehicle is parked at a location equipped with suitable sta-
34 tionary idle reduction technology that is available for use, or during a rest or sleep period when the
35 commercial vehicle is parked on or adjacent to a public or private educational institution offering

1 education in all or part of kindergarten through grade 12, unless the outside temperature is greater
2 than 75 degrees Fahrenheit and the auxiliary power unit provides heating only, in which case the
3 person may idle the primary engine to provide air conditioning.

4 “[10] (j) In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds,
5 for purposes of air conditioning or heating while waiting to load or unload the commercial vehicle
6 or while actually loading or unloading the commercial vehicle, and the outside temperature is less
7 than 50 degrees or greater than 75 degrees Fahrenheit at the time. This exemption does not apply
8 if the commercial vehicle is equipped with an auxiliary power unit or other suitable idle reduction
9 technology, or if the commercial vehicle is parked at a location equipped with suitable stationary
10 idle reduction technology that is available for use, unless the outside temperature is greater than
11 75 degrees Fahrenheit and the auxiliary power unit provides heating only, in which case the person
12 may idle the primary engine to provide air conditioning.

13 “[11] (k) For a maximum of 30 minutes while waiting to load or unload the commercial vehicle
14 [or while actually loading or unloading the commercial vehicle] during a single loading or unloading
15 event. **This paragraph applies only to a commercial vehicle that has a gross vehicle weight
16 rating of more than 26,000 pounds.**

17 **“(2)(a) ORS 825.605 does not apply to a commercial vehicle when the engine manufacturer
18 has certified that a new 2008 or subsequent model year commercial vehicle diesel engine
19 which is primarily responsible for propelling the commercial vehicle meets an optional ni-
20 trogen oxides idling emission standard of 30 grams per hour while not affecting the associ-
21 ated emissions of carbon monoxide, particulate matter and nonmethane hydrocarbons.**

22 **“(b) A manufacturer that certifies that its engine meets the standard specified in para-
23 graph (a) of this subsection shall provide a sticker to be affixed to the commercial vehicle
24 to demonstrate compliance with the idling emission standard.**

25 **“SECTION 2.** ORS 825.610, as amended by section 1 of this 2018 Act, is amended to read:

26 “825.610. (1) ORS 825.605 does not apply to a commercial vehicle if it is necessary to idle the
27 primary engine of the commercial vehicle:

28 “(a) Due to traffic, a traffic control device or mechanical difficulties over which the operator
29 has no control or at the direction of a law enforcement official or road authority.

30 “(b) Due to the need to operate defrosters, heaters or air conditioners or installing equipment
31 necessary to comply with manufacturers’ operating requirements, specifications and warranties or
32 with federal, state or local safety regulations.

33 “(c) Because the commercial vehicle is a police, fire, ambulance, public safety, military, utility
34 service or road authority vehicle, or any other vehicle being used to respond to an emergency or
35 for other public safety purposes, or being actively used for training for emergencies or public safety.

36 “(d) For maintenance, service, repair or diagnostic purposes or for particulate matter trap re-
37 generation.

38 “(e) For a state or federal inspection to verify that all equipment is in good working order.

39 “(f) To power work-related mechanical, safety, electrical or construction equipment installed on
40 the vehicle that is not used for propulsion.

41 “(g) Because the commercial vehicle is an armored vehicle and a person must remain inside the
42 vehicle to guard the contents or while the vehicle is being loaded or unloaded.

43 “(h) To maintain the comfort of commercial bus passengers while passengers are on board.

44 “[i] *In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds, for
45 purposes of air conditioning or heating during a rest or sleep period and the outside temperature is less*

1 *than 50 degrees or greater than 75 degrees Fahrenheit at any time during the rest or sleep period.*
2 *This subsection applies to a commercial vehicle with a sleeper berth compartment that is parked in any*
3 *place that a commercial vehicle is legally permitted to park, including, but not limited to, a fleet*
4 *trucking terminal, commercial vehicle stop or designated rest area. This exemption does not apply if the*
5 *commercial vehicle is equipped with an auxiliary power unit or other suitable idle reduction technology,*
6 *if the commercial vehicle is parked at a location equipped with suitable stationary idle reduction tech-*
7 *nology that is available for use, or during a rest or sleep period when the commercial vehicle is parked*
8 *on or adjacent to a public or private educational institution offering education in all or part of*
9 *kindergarten through grade 12, unless the outside temperature is greater than 75 degrees Fahrenheit*
10 *and the auxiliary power unit provides heating only, in which case the person may idle the primary*
11 *engine to provide air conditioning.]*

12 “[*j*] (i) In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds,
13 for purposes of air conditioning or heating while waiting to load or unload the commercial vehicle
14 or while actually loading or unloading the commercial vehicle, and the outside temperature is less
15 than 50 degrees or greater than 75 degrees Fahrenheit at the time. This exemption does not apply
16 if the commercial vehicle is equipped with an auxiliary power unit or other suitable idle reduction
17 technology, or if the commercial vehicle is parked at a location equipped with suitable stationary
18 idle reduction technology that is available for use, unless the outside temperature is greater than
19 75 degrees Fahrenheit and the auxiliary power unit provides heating only, in which case the person
20 may idle the primary engine to provide air conditioning.

21 “[*k*] (j) For a maximum of 30 minutes while waiting to load or unload the commercial vehicle
22 during a single loading or unloading event. This paragraph applies only to a commercial vehicle that
23 has a gross vehicle weight rating of more than 26,000 pounds.

24 “(2)(a) ORS 825.605 does not apply to a commercial vehicle when the engine manufacturer has
25 certified that a new 2008 or subsequent model year commercial vehicle diesel engine which is pri-
26 marily responsible for propelling the commercial vehicle meets an optional nitrogen oxides idling
27 emission standard of 30 grams per hour while not affecting the associated emissions of carbon
28 monoxide, particulate matter and nonmethane hydrocarbons.

29 “(b) A manufacturer that certifies that its engine meets the standard specified in paragraph (a)
30 of this subsection shall provide a sticker to be affixed to the commercial vehicle to demonstrate
31 compliance with the idling emission standard.

32 “**SECTION 3. The amendments to ORS 825.610 by section 2 of this 2018 Act become op-**
33 **erative on January 1, 2020.**

34 “**SECTION 4. ORS 825.615 is repealed.**”.

35 In line 14, delete “3” and insert “5” and after the period insert “(1)”.

36 After line 15, insert:

37 “(2) The amendments to ORS 825.610 by section 2 of this 2018 Act apply to conduct occurring
38 on and after January 1, 2020.”.