

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1509**

1 On page 1 of the printed A-engrossed bill, line 2, after the second semi-
2 colon delete the rest of the line and insert “amending ORS 825.610; and re-
3 pealing ORS 825.615.”.

4 Delete lines 4 through 27.

5 Delete page 2.

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

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

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

10 “[*(1)*] (a) Due to traffic, a traffic control device or mechanical difficulties
11 over which the operator has no control or at the direction of a law
12 enforcement official or road authority.

13 “[*(2)*] (b) Due to the need to operate defrosters, heaters or air conditioners
14 or installing equipment necessary to comply with manufacturers’ operating
15 requirements, specifications and warranties or with federal, state or local
16 safety regulations.

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

21 “[*(4)*] (d) For maintenance, service, repair or diagnostic purposes or for

1 particulate matter trap regeneration.

2 “[5] (e) For a state or federal inspection to verify that all equipment is
3 in good working order.

4 “[6] (f) To power work-related mechanical, safety, electrical or con-
5 struction equipment installed on the vehicle that is not used for propulsion.

6 “[7] (g) Because the commercial vehicle is an armored vehicle and a
7 person must remain inside the vehicle to guard the contents or while the
8 vehicle is being loaded or unloaded.

9 “[8] (h) To maintain the comfort of commercial bus passengers while
10 passengers are on board.

11 “[9] (i) In a commercial vehicle with a gross vehicle weight rating of
12 more than 26,000 pounds, for purposes of air conditioning or heating during
13 a rest or sleep period and the outside temperature is less than 50 degrees or
14 greater than 75 degrees Fahrenheit at any time during the rest or sleep pe-
15 riod. This subsection applies to a commercial vehicle with a sleeper berth
16 compartment that is parked in any place that a commercial vehicle is legally
17 permitted to park, including, but not limited to, a fleet trucking terminal,
18 commercial vehicle stop or designated rest area. This exemption does not
19 apply if the commercial vehicle is equipped with an auxiliary power unit or
20 other suitable idle reduction technology, if the commercial vehicle is parked
21 at a location equipped with suitable stationary idle reduction technology
22 that is available for use, or during a rest or sleep period when the commer-
23 cial vehicle is parked on or adjacent to a public or private educational in-
24 stitution offering education in all or part of kindergarten through grade 12,
25 unless the outside temperature is greater than 75 degrees Fahrenheit and the
26 auxiliary power unit provides heating only, in which case the person may
27 idle the primary engine to provide air conditioning.

28 “[10] (j) In a commercial vehicle with a gross vehicle weight rating of
29 more than 26,000 pounds, for purposes of air conditioning or heating while
30 waiting to load or unload the commercial vehicle or while actually loading

1 or unloading the commercial vehicle, and the outside temperature is less
2 than 50 degrees or greater than 75 degrees Fahrenheit at the time. This ex-
3 emption does not apply if the commercial vehicle is equipped with an auxil-
4 iary power unit or other suitable idle reduction technology, or if the
5 commercial vehicle is parked at a location equipped with suitable stationary
6 idle reduction technology that is available for use, unless the outside tem-
7 perature is greater than 75 degrees Fahrenheit and the auxiliary power unit
8 provides heating only, in which case the person may idle the primary engine
9 to provide air conditioning.

10 “[11] (k) For a maximum of 30 minutes while waiting to load or unload
11 the commercial vehicle [*or while actually loading or unloading the commer-*
12 *cial vehicle*] during a single loading or unloading event. **This paragraph**
13 **applies only to a commercial vehicle that has a gross vehicle weight**
14 **rating of more than 26,000 pounds.**

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

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

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

28 “825.610. (1) ORS 825.605 does not apply to a commercial vehicle if it is
29 necessary to idle the primary engine of the commercial vehicle:

30 “(a) Due to traffic, a traffic control device or mechanical difficulties over

1 which the operator has no control or at the direction of a law enforcement
2 official or road authority.

3 “(b) Due to the need to operate defrosters, heaters or air conditioners or
4 installing equipment necessary to comply with manufacturers’ operating re-
5 quirements, specifications and warranties or with federal, state or local
6 safety regulations.

7 “(c) Because the commercial vehicle is a police, fire, ambulance, public
8 safety, military, utility service or road authority vehicle, or any other vehi-
9 cle being used to respond to an emergency or for other public safety pur-
10 poses, or being actively used for training for emergencies or public safety.

11 “(d) For maintenance, service, repair or diagnostic purposes or for
12 particulate matter trap regeneration.

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

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

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

20 “(h) To maintain the comfort of commercial bus passengers while pas-
21 sengers are on board.

22 “[i] *In a commercial vehicle with a gross vehicle weight rating of more*
23 *than 26,000 pounds, for purposes of air conditioning or heating during a rest*
24 *or sleep period and the outside temperature is less than 50 degrees or greater*
25 *than 75 degrees Fahrenheit at any time during the rest or sleep period. This*
26 *subsection applies to a commercial vehicle with a sleeper berth compartment*
27 *that is parked in any place that a commercial vehicle is legally permitted to*
28 *park, including, but not limited to, a fleet trucking terminal, commercial ve-*
29 *hicle stop or designated rest area. This exemption does not apply if the com-*
30 *mmercial vehicle is equipped with an auxiliary power unit or other suitable idle*

1 *reduction technology, if the commercial vehicle is parked at a location equipped*
2 *with suitable stationary idle reduction technology that is available for use, or*
3 *during a rest or sleep period when the commercial vehicle is parked on or*
4 *adjacent to a public or private educational institution offering education in all*
5 *or part of kindergarten through grade 12, unless the outside temperature is*
6 *greater than 75 degrees Fahrenheit and the auxiliary power unit provides*
7 *heating only, in which case the person may idle the primary engine to provide*
8 *air conditioning.]*

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

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

25 “(2)(a) ORS 825.605 does not apply to a commercial vehicle when the en-
26 gine manufacturer has certified that a new 2008 or subsequent model year
27 commercial vehicle diesel engine which is primarily responsible for propel-
28 ling the commercial vehicle meets an optional nitrogen oxides idling emis-
29 sion standard of 30 grams per hour while not affecting the associated
30 emissions of carbon monoxide, particulate matter and nonmethane

1 hydrocarbons.

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

6 **“SECTION 3. The amendments to ORS 825.610 by section 2 of this
7 2018 Act become operative on January 1, 2020.**

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

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

10 After line 15, insert:

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

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