

The No Idling Law in Vermont (OCTOBER 2015)

In Vermont, as elsewhere, motor vehicles emit greenhouse gases and release other pollutants into the air that threaten our health and environment. The pollutants – which include volatile organic compounds, nitrogen oxides, and carbon monoxide – contribute to increased concentrations of ground-level ozone that can trigger asthma attacks, damage a person’s respiratory system, and lead to visibility-reducing haze. Carbon monoxide, an invisible and odorless gas, interferes with the delivery of oxygen to the human body’s organs and tissues. Numerous other toxic compounds are known or suspected carcinogens. The Air Quality and Climate Division of Vermont’s Department of Environmental Conservation is trying to curb these contaminants, and you can follow their efforts on its webpage, www.anr.state.vt.us/air/MobileSources/index.htm. According to the division, one of the easiest ways to tackle this problem is to eliminate unnecessary vehicle idling.

In 2013, Governor Peter Shumlin signed Act 57 into law which, among other amendments to motor vehicle laws, included a prohibition on idling. The law, which went into effect last year, limits the idling of all stationary motor vehicles to five minutes in any 60-minute period. The list of exceptions, however, is both long and specific and includes:

- military vehicles;
- ambulances, police, fire, and rescue or other vehicles used in a public safety or emergency capacity while conducting official operations;
- school buses in compliance with State Board of Education rules but generally not while waiting for children to board or exit the vehicle at a school;
- armored vehicles when they are being loaded or unloaded or while a guard remains inside;
- motor vehicles due to traffic, a traffic signal, or at the direction of a police officer;
- for the health and safety of the occupant to operate safety equipment such as windshield defrosters, to maintain passenger comfort in a bus, or, in the case of a pre-2018 vehicle or an occupied sleeper berth, for purposes of air-conditioning or heating during a rest or sleep period;
- the operation of work-related equipment;
- for maintenance, service, diagnostic purposes, or a state inspection; and
- at a motor vehicle dealership to maintain the premises of the business.

The Commissioner of Motor Vehicles and the Secretary of Natural Resources were authorized to adopt rules governing the times or circumstances when idling is reasonably required, but they have not found it necessary to be any more specific than the general statute.

Violations to the law can incur a fine of up to \$10.00 for a first offense, \$50.00 for a second, and \$100.00 for a third.

The law is detailed and potentially difficult to enforce, though enforcing idling limits is unlikely to be a high priority for law enforcement. The law does, however, establish a standard and provide a mechanism for dealing with repeat violators.

For years, the American Lung Association of the Northeast has advocated for state laws – including in Vermont’s – to eliminate the unnecessary idling of cars, trucks, and buses, especially school buses. When Vermont’s law was enacted in 2013, every other state in the Northeast already had a no idling policy. Passage of this legislation ended more than 10 years of efforts to bring Vermont on board with the other New England states.

The American Lung Association in Vermont together with the University of Vermont and the Air Quality and Climate Program offer a free, self-paced online training called Idle-Free VT (<http://idlefreevt.org/>), which allows heavy-duty vehicle operators and fleet managers to learn about the deleterious effects of idling on the environment, the economy, and human health.

On a cold winter day, do you start your car and let it idle to warm it up? The American Lung Association recommends that you instead simply begin driving to warm up your car. It also suggests that you turn off the car’s engine if you are stopping for more than 10 seconds. Educating Vermonters about how they can change their driving habits is one way to reduce the incidence of idling motor vehicles.

VLCT supported the statewide law addressing idling. A number of municipalities and school districts have enacted their own ordinances or guidelines that limit vehicle idling. Local officials should note that municipalities have discretion with respect to taking enforcement action under the provisions of either their own ordinance or the state statute.

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