

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 24-1008.02 Jessica Herrera x4218

HOUSE BILL 24-1341

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A BILL FOR AN ACT

101 **CONCERNING THE STATE IDLING STANDARD, AND, IN CONNECTION**
102 **THEREWITH, AUTHORIZING A LOCAL GOVERNMENT TO ENACT A**
103 **RESOLUTION OR ORDINANCE CONCERNING IDLING THAT IS AT**
104 **LEAST AS STRINGENT AS, BUT NOT LESS STRINGENT THAN, THE**
105 **STATE STANDARD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law imposes a uniform state idling standard on an owner or operator of a covered vehicle that prohibits the vehicle from idling for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
2nd Reading Unamended
April 8, 2024

HOUSE
3rd Reading Unamended
March 25, 2024

HOUSE
Amended 2nd Reading
March 22, 2024

more than 5 minutes within any 60-minute period, except in certain situations. Current law also prohibits a local government from enacting a resolution or ordinance concerning the idling of a covered vehicle that is more stringent than the state idling standard.

The bill authorizes a local government to enact a resolution or ordinance concerning the idling of a covered vehicle that is at least as stringent as, but not less stringent than, the state idling standard.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 42-14-101 as
3 follows:

4 **42-14-101. Legislative declaration.** The general assembly hereby
5 finds and determines that the operation of a motor vehicle in commerce
6 has important statewide ramifications for commercial diesel vehicle
7 operators because the transportation of people and property is not
8 confined to one jurisdiction. Therefore, the general assembly hereby
9 declares that idling standards are a matter of MIXED LOCAL AND statewide
10 concern.

11 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-14-103 as
12 follows:

13 **42-14-103. Uniform standard - local governments.** (1) A local
14 authority ~~shall not~~ MAY adopt or enact a resolution, ordinance, or other
15 law concerning idling of a covered vehicle that is ~~more stringent, than~~ AT
16 LEAST AS STRINGENT AS, BUT NOT LESS STRINGENT THAN, THE STATE
17 IDLING STANDARD SET FORTH IN ~~this article~~ ARTICLE 14.

18 (2) THE EXEMPTIONS SET FORTH IN SECTION 42-14-105 (2) APPLY
19 TO ANY LOCAL RESOLUTION, ORDINANCE, OR ANY OTHER LAW
20 CONCERNING THE IDLING STANDARD IN SECTION 42-14-105 (1).

21 **SECTION 3.** In Colorado Revised Statutes, 42-14-105, **amend**
22 (2)(j) and (2)(k); and **add** (2)(l) as follows:

1 **42-14-105. Idling. (2) Exemptions.** Subsection (1) of this section
2 does not apply to an idling, covered vehicle:

3 (j) When used to heat or cool a sleeper berth compartment during
4 a rest or sleep period at a location where the vehicle is legally permitted
5 to park and that is at least one thousand feet from residential housing, a
6 school, a daycare facility, a hospital, a senior citizen center, or a medical
7 outpatient facility providing primary, specialty, or respiratory care; ~~or~~

8 (k) When idling for up to twenty minutes in any sixty-minute
9 period if the ambient temperature is less than ten degrees; OR

10 (l) FOR A CRITICAL SERVICE OR A UTILITY PROVIDER, WHEN
11 PERFORMING THE FUNCTIONS OF THE PROVIDER'S DUTIES.

12 **SECTION 4. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.