

1 H.327

2 Introduced by Representative Cheney of Norwich

3 Referred to Committee on

4 Date:

5 Subject: Conservation; air pollution control; idling

6 Statement of purpose of bill as introduced: This bill proposes to direct the
7 Secretary of Natural Resources to adopt rules to limit unnecessary idling of
8 motor vehicles.

9 An act relating to the adoption of rules to limit unnecessary idling of motor
10 vehicles

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 10 V.S.A. § 567 is amended to read:

13 § 567. MOTOR VEHICLE POLLUTION

14 (a) As used in this section “motor vehicle” shall have the same meaning as
15 defined in section 4 of Title 23.

16 (b)(1) ~~The secretary~~ Secretary in conjunction with the ~~motor vehicle~~
17 ~~department~~ Commissioner of Motor Vehicles may ~~provide~~ adopt rules for the
18 control of emissions from motor vehicles. Such rules may prescribe
19 requirements for the installation and use of equipment designed to reduce or
20 eliminate emissions and for the proper maintenance of the equipment and the

1 vehicles. Rules pursuant to this ~~section~~ subsection shall be consistent with
2 provisions of federal law, if any, relating to control of emissions from the
3 vehicles concerned and shall not require, as a condition precedent to the initial
4 sale of a vehicle or vehicular equipment, the inspection, certification or other
5 approval of any feature or equipment designed for the control of emissions
6 from motor vehicles, if the feature or equipment has been certified, approved,
7 or otherwise authorized pursuant to federal law.

8 ~~(b)(2)~~ Except as permitted or authorized by law, no person shall fail to
9 maintain in good working order or remove, dismantle, or otherwise cause to be
10 inoperative any equipment or feature constituting an operational element of the
11 air pollution control system or mechanism of a motor vehicle and required by
12 rules pursuant to this chapter to be maintained in or on the vehicle. Any failure
13 to maintain in good working order or removal, dismantling, or causing of
14 inoperability shall subject the owner or operator to suspension or cancellation
15 of the registration for the vehicle by the ~~motor vehicle department~~ Department
16 of Motor Vehicles. The vehicle shall not thereafter be eligible for registration
17 until all parts and equipment constituting operational elements of the motor
18 vehicle have been restored, replaced, or repaired and are in good working
19 order.

20 ~~(c)(3)~~ The ~~secretary~~ Secretary shall consult with the ~~motor vehicle~~
21 ~~department~~ Department of Motor Vehicles and furnish it with technical

1 information, including testing techniques, standards, and instructions for
2 emission control features and equipment.

3 ~~(d)~~(4) When rules have been issued requiring the maintenance of features
4 or equipment in or on motor vehicles for the purpose of controlling emissions
5 therefrom, no motor vehicle shall be issued an inspection sticker unless all the
6 required features or equipment ~~have~~ has been inspected in accordance with the
7 standards, testing techniques, and instructions furnished pursuant to ~~subsection~~
8 ~~(b) hereof~~ subdivision (3) of this subsection and has been found to meet those
9 standards.

10 (c) The Secretary shall in consultation with the Commissioner of Motor
11 Vehicles adopt rules to limit unnecessary idling of motor vehicles. The rules
12 shall set forth periods or circumstances that reasonably require the idling of the
13 engine, including periods when it is necessary to operate defrosting, heating, or
14 cooling equipment to ensure the health or safety of the driver or passengers or
15 to operate auxiliary equipment, and periods when the engine is undergoing
16 maintenance or inspection. The Secretary shall adopt rules under this
17 subsection on or before July 1, 2014.

18 ~~(e)~~(d) The remedies and penalties ~~provided here apply to~~ provided herein
19 for violations of this section are exclusive, and the penalty provisions of
20 section 568 of this title shall not apply.

1 ~~(f) As used in this section “motor vehicle” shall have the same meaning as~~
2 ~~defined in section 4 of Title 23.~~

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.