

Wisconsin Clean Diesel News

For Immediate Release
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Truckers, Transportation Builders, Contractors, Dane County, Health Advocates Call for Stronger Provisions to Limit Unnecessary Commercial Vehicle Idling—

Measure would create jobs, save fuel, cut costs, reduce air pollution and health risks

Madison, WI—17 members of the Wisconsin Clean Diesel Coalition today called on the State Senate Clean Energy Committee to strengthen the Clean Energy Jobs Act (SB 450, AB 649) to reduce unnecessary commercial vehicle idling. The groups supported stronger language after a yearlong discussion with local and state officials following a proposed Dane County idling ban.

“This stronger statewide commercial unnecessary idling ban will create jobs and reduce fuel costs, while protecting the safety of truck drivers and emergency equipment operators,” said Dane County Supervisor Brett Hulsey, who proposed the Dane County ordinance and negotiated the statewide language with a broad range of stakeholders.

The letter was signed by a diverse group from all over the state including the Wisconsin Transportation Builders Association, Wisconsin Motor Carriers, Associated General Contractors of Wisconsin, Dane County, American Lung Association in WI, Inland Power Group, Associated Builders & Contractors of Wisconsin, Brooks Tractor Inc., Wisconsin Grocers Association, Antigo Construction, Owner-Operator Independent Drivers Assn., Inc., Capitol Underground Inc., WI Engine Manufacturers and Distributors Alliance, Transport Refrigeration Inc., Miller-Bradford & Risberg, Inc., Leonardo Academy, and Wisconsin Kenworth Madison.

Their proposal is stronger than the current bill and Global Warming Taskforce language by:

1. Covering commercial gasoline and diesel engines, both large sources of emissions;
2. Covering commercial on-road and off-road vehicles, both large sources;
3. Having fair exemptions to protect the health and safety of drivers and operators; and
4. Was created by the industries that will be impacted, ensuring higher compliance.

“We urge the Legislature to adopt this language negotiated with the members of the environmental community and the regulated industries who know effective ways to significantly reduce emissions including not only greenhouse gases but NOx and particulate matter,” said Tom Walker of the Wisconsin Transportation Builders Association. “We can continue to clean our air, keep our transportation building jobs going, and save money at the same time.”

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Wisconsin Clean Diesel Coalition Unnecessary Commercial Idling Ban, Page Two

Twenty other states, including Illinois, California, and Arizona regulate idling with exceptions based on weather, sleeping and rest, reasonable operation, and emergency vehicle use. The U.S. Department of Energy estimates trucks in the United States consume more than 800 million gallons of diesel while idling, costing more than \$2 billion each year.

“Those of us in the trucking industry support this because we can save fuel and reduce emissions at the same time, not jeopardize driver safety and comfort, and avoid a patchwork of local measures,” said Tom Howells of the Wisconsin Motor Carriers Association. “This is the right thing to do and the right time to do it.”

The Clean Air Task Force estimates that idling reduction and other clean diesel measures could save 100,000 lives over the next 20 years in reduced air pollution levels.

“This stronger clean diesel language is one of the best ways to keep kids safe and reduce asthma attacks caused by school bus exhaust,” said Dona Wininsky of the American Lung Association in Wisconsin. “I commend Supervisor Hulsey and all the Wisconsin Clean Diesel Coalition members who signed on to support cleaner air and healthier schools and buses.”

One local grocery store and mall have already gone idle free.

“The Wisconsin Grocers Association supports reasonable idling reductions because we know it helps manage grocers’ expenses, reduced emissions, and helps us keep down the increase in food costs which helps consumers,” said Brandon Scholz, president of the WGA. “Metcalf’s Market and Hilldale Mall in Madison were one of the first grocers and malls in the nation to put idling limits in place last year and it has been good for the store and neighborhood.”

Wisconsin leads the nation in clean diesel technology manufacturers with Cummins Emission Solutions, Universal Silencer, Combustion Catalytic, Idle Free Systems and many other clean diesel and idling reduction technology makers based here.

“Reducing unneeded engine idling also creates good jobs right here in Wisconsin,” said Hulsey. “Wisconsin has more companies building clean diesel and idling reduction technologies than any other state and this measure will help us create more good jobs right here. Wisconsinites also spend \$21.5 billion a year importing diesel, gasoline, and other fossil fuels so cutting unnecessary commercial idling keeps money in the state that creates jobs also.”

The letter and proposed language are attached below.

The Wisconsin Clean Diesel Coalition is a group of industry, public health and local government officials dedicated to promoting cleaner diesel technologies and use.

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**Wisconsin Transportation Builders Association
Associated General Contractors of Wisconsin
American Lung Association in WI
Associated Builders & Contractors of Wisconsin
Wisconsin Grocers Association
Owner-Operator Independent Drivers Assn., Inc.
WI Engine Manufacturers and Distributors Alliance
Miller-Bradford & Risberg, Inc.
Wisconsin Kenworth Madison**

**Wisconsin Motor Carriers
Dane County
Inland Power Group
Brooks Tractor Inc.
Antigo Construction
Capitol Underground Inc.
Transport Refrigeration Inc.
Leonardo Academy**

February 11, 2010

Dear Senators Mark Miller and Jeff Plale, Co-chairs of the Clean Energy Committee, Senate and Assembly members,

Thank you for your work. As you continue your work on the Clean Energy Jobs Act, we would like to call your attention to one important provision designed to reduce diesel idling.

We, the undersigned, as members of the Wisconsin Clean Diesel Coalition (WCDC), are writing to urge you to rework this language by substituting provisions agreed to by our members and attached to this letter. We believe that this approach would be far more effective, and avoid some of the problems and shortfalls of the provision included in the Clean Energy Jobs Act.

Idling reduction is one of the most cost-effective ways to reduce ozone, particulate and greenhouse air emissions in a way that saves money and jobs.

Unnecessary vehicle idling creates air pollution that wastes fuel, causes air pollution, and increases our reliance on foreign oil. The idling of diesel vehicles, especially, is a source of particulate matter pollution, and contributes to portions of the state not meeting Environmental Protection Agency' Clean Air standards. Reducing avoidable idling is an attainable goal and has an immediate, positive impact on air quality and fuel consumption. This is why the WCDC strongly encourages the adoption of language that targets *all* commercial vehicles, which is the most effective way to reduce idling.

Many local governments and businesses have taken action to decrease vehicle idling. For example, Dane County and Madison limit idling of government vehicles and on city and county property. The City of Milwaukee has also enforced idling restrictions on all of their vehicles and conducts idling training for their equipment operators. Many school bus, trucking and other fleets have also established policies and/or created incentives to reducing idling among their equipment operators. The Clean Diesel Coalition has worked with all types of diesel fleets across the state to successfully reduce idling, clean up engines, and use cleaner fuels like ultra low sulfur diesel and bio-diesel.

A statewide approach provides a level playing field for businesses associated with the transportation and construction industry, while providing the benefits of decreased pollution

throughout the state. A statewide regulatory framework will prevent the creation of islands of idling regulations across the state that could cause possible confusion.

Twenty other states, including Illinois, California, and Arizona regulate idling with exceptions based on weather, sleeping and rest, reasonable operation, and for emergency vehicles.

Wisconsin is also a leader in clean diesel technology with Cummins Emissions Solutions, Universal Silencer, Combustion Catalytic, Idle Free Systems and many other makers of clean diesel and idling reduction technologies based here. The Clean Air Task Force estimates that idling reduction and other clean diesel measures could save 100,000 lives over the next 21 years.

The language was negotiated with an involved process of key stakeholders including local officials, trucking, construction, school bus, transit, clean air, Departments of Natural Resources, Commerce and Transportation representatives.

We feel this language is better than the current bill language and Global Warming Taskforce language in several ways:

1. Covers commercial gasoline and diesel engines, both large sources of emissions;
2. Covers commercial on-road and off-road vehicles, both large sources;
3. Has fair exemptions to protect the health and safety of drivers and operators; and
4. Was created by the industries that will be impacted, ensuring higher compliance.

For all these reasons, we urge you to include this language in your final bill or make it a separate bill that can be passed in this session.

Thank you,

Brett Hulsey, Dane County Supervisor
Tom Walker, Wisconsin Transportation Builders Association
Tom Howells, Wisconsin Motor Carriers
Jim Boullion, Associated General Contractors of Wisconsin
Dona Wininsky, American Lung Association in WI
Steve Stone, Associated Builders & Contractors of Wisconsin
Brandon Scholz, Wisconsin Grocers Association
Joe Rajkovicz, Owner-Operator Independent Drivers Assn., Inc.
Myron Birschbach, Inland Power Group
Patrick R. George, Wisconsin Kenworth Madison
Mark Bentley, WI Engine Manufacturers and Distributors Alliance
Tom Gorst, Miller-Bradford & Risberg, Inc.
John Talbert, Antigo Construction
Doug Myers, Transport Refrigeration Inc.
John Rodgers, Leonardo Academy Inc.
Dennis Olson, Capitol Underground Inc.
Mary Kay Brooks, Brooks Tractor Inc.
Patrick Mackey, ESW Group

An Act to Conserve Fuel and Preserve Clean Air

Be it enacted by the People of the State of Wisconsin as follows:

Idling requirements for motor vehicles used for commercial purposes

1. Applicability. This section applies to:

- A. All motor vehicles used for commercial purposes on roads and for off-road activities, excluding vehicles operated completely by electric power;
- B. Locations where commercial motor vehicles load or unload.

2. General requirement for loading and unloading locations. A person who owns a location where a motor vehicle used for commercial purposes that is not subject to an exemption under subsection 4 loads or unloads may not cause a driver of that vehicle to idle for a period longer than 30 minutes by requesting that the vehicle continue running while waiting to load or unload at that location. To the maximum extent practical, a person subject to this subsection shall minimize delays in loading and unloading operations in order to reduce idling times.

3. General requirement for vehicles. An owner or operator of an on-road motor vehicle used for commercial purposes may not cause or permit such a vehicle to idle for more than 5 minutes in any 60-minute period except as provided in subsection 4.

An owner or operator of an off-road motor vehicle/equipment used for commercial purposes may not cause or permit such a vehicle/equipment to idle for more than 5 consecutive minutes when the equipment is not in use except as provided in subsection 4.

No idling shall be permitted by any motor vehicle used for commercial purposes within 100 feet of schools, daycares, elderly housing and hospitals that are clearly marked with signage visible from the roadway. For construction activity that involves off-road motor vehicles, the project manager has the responsibility to clearly mark the above-listed sensitive receptors on the plan documents with a 100 foot border delineated.

4. Exemptions. Subsection 3 does not apply for the period(s) when:

- A. Remains motionless because of traffic or an official traffic control device or signal or at the direction of a law enforcement official;
- B. Operating a defroster, heater, air conditioner, emergency lighting or installing equipment solely to prevent a safety or health emergency and not as part of a rest period;
- C. A police, fire, ambulance, public safety, military or other emergency or law enforcement vehicle idles while being used in the course of official business;

- D. The primary propulsion engine idles for maintenance, servicing, repair or diagnostic purposes if idling is required for such an activity;
- E. Part of a state or federal inspection to verify that all equipment is in good working order if idling is required as part of the inspection;
- F. Idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion, including, but not limited to, mixing, dumping or processing cargo; operating a lift, generator, crane, pump, drill, hoist, or other auxillary mechanical equipment; straight truck refrigeration, utility service restoration or to protect prescription or over-the-counter drug products. This exemption does not apply when idling for cabin comfort or to operate nonessential on-board equipment;
- G. Off-road equipment or transit buses are in immediate stand-by mode for passenger loading/unloading, project and/or worker safety, for readiness of an upcoming phase of a specific project element, or is needed for a stop-and-go project element.
- H. An armored vehicle idles when a person remains inside the vehicle to guard the contents or the vehicle is being loaded or unloaded;
- I. An occupied motor vehicle with a sleeper berth compartment idles for purposes of air conditioning or heating during a rest or sleep period;
- J. Necessary for regeneration of exhaust emission control devices or to recharge batteries on a hybrid vehicle;
- K. A passenger bus idles a maximum of 15 minutes in any 60-minute period to maintain passenger comfort while non-driver passengers are on board;
- L. Idling due to mechanical difficulties over which the operator has no control if the vehicle owner submits the repair paperwork or product receipt by mail within 30 days to the appropriate authority verifying that the mechanical problem has been fixed. If no repair paperwork is submitted within 30 days, the vehicle owner is subject to penalties as provided in subsection 5;
- M. Warming up to the manufacturer's recommended operating temperature;
- N. An on-road motor vehicle idles for not more than fifteen (15) consecutive minutes per

hour when the outside temperature is above 75 degrees F or below 40 degrees F. No time limit for off-road equipment when temperatures are outside of these ranges.

O. The outside temperature is below 10 degrees F the restrictions of this law will not apply.

5. Penalties. Any owner and/or operator of a motor vehicle used commercially and/or owner of a load/unload location who violates this section is subject to a forfeiture of \$150.00 for each violation.

6. Preemption. This act shall preempt and supersede a local ordinance or rule concerning the subject matter of this act.

COMPARISON OF IDLING REDUCTION PROVISIONS

SB 450/AB 649	WI Clean Diesel Coalition
SIMILARITIES	
Duration: 5 min allowed per 60 minutes	SAME
Exemptions: AB 649 language includes exemptions for traffic conditions, temperature, work-related mechanical operations, regeneration of emission controls, maintenance procedures.	Includes exemptions similar to AB 649, but WCDC has additional exemptions beyond the current language since so many types of vehicles would be impacted. The additional exemptions include: operating defroster, lighting and other controls during work (not rest) for safety and health; emergency and law enforcement vehicles; state and federal inspections; stand-by modes for transit and construction; armored vehicles; trucks with sleeper berths while on rest periods; mechanical difficulties with proof of issue; warm up.
DIFFERENCES	
Applicability: Current language only affects trucks	WCDC version is for all commercial equipment and load/unload locations
Penalties: Current language indicates \$20-\$1,000 depending on number of offenses	WCDC indicates \$150 for each violation
Temperature: Current language for temperature is for below 10 degrees F and above 90 degrees F.	WCDC completely exempts below 10 degrees F and allows for 15 minutes per 60 minutes when below 40 degrees F or above 75 degrees F.