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Model State Idling Law

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Transportation and Regional Programs Division
Office of Transportation and Air Quality
U.S. Environmental Protection Agency

MODEL STATE IDLING LAW

I. BACKGROUND

In May, 2004, at the National Idle Reduction Planning Conference in Albany, New York, representatives from the trucking industry identified the inconsistent pattern and design of state and local vehicle idle restriction laws as a barrier to greater implementation of idle reduction technologies. According to the trucking industry, the patchwork of state and local idling laws and the impracticality of the provisions of these laws make knowledge, understanding, and ultimately compliance an issue for truck drivers and owners. Approximately 15 states and dozens of local jurisdictions have idling laws. In response to their concerns, the Environmental Protection Agency (EPA) hosted a series of five public workshops.

The goal of the workshops was twofold: (1) Develop a model state idling law for states to consider adopting that would foster greater compliance through common understanding of the requirements and ease of implementation; and (2) Raise awareness among the trucking industry, states, and environmental groups about each other's needs. For example, states and environmental groups want diesel emission reductions, and truck drivers want to rest comfortably and drive safely.

Existing idle reduction laws served as a starting point for discussion at the workshops hosted by EPA around the country in 2005. The workshops were held in Baltimore, MD; Atlanta, GA; Chicago, IL; San Francisco, CA; and Hartford, CT. Participants had an opportunity to discuss the provisions of these laws, add or modify them, and generally improve the framework of the laws. The language included in this model law represents the majority views expressed by the participants.

EPA is not promulgating any type of regulation regarding vehicle idling. EPA's role is limited to that of a facilitator on behalf of the Federal government to respond to the trucking industry's request to better involve the trucking industry in the development of idle reduction laws and achieve greater compliance with such laws. This model law does not represent the views of EPA or any other Federal department or agency concerning whether any state should, or should not, adopt the model law. Instead, the model law should be considered informational in nature.

II. MODEL STATE IDLING LAW WITH DISCUSSION COMMENTS

General: The model law is divided into eight sections. For purposes of better understanding, each section here includes a summary of some of the discussion points and comments made at the workshops. The model state idling law, without workshop comments, is also included in Section III.

Section A: Purpose
Section B: Applicability
Section C: General Requirement for Load/Unload Locations

Section D: General Requirement for Vehicles
Section E: Exemptions
Section F: Conditional Exemptions
Section G: Auxiliary Power Units
Section H: Penalties

Section A: PURPOSE: The purpose of this law is to protect public health and the environment by reducing emissions while conserving fuel and maintaining adequate rest and safety of all drivers of diesel vehicles.

> *Discussion*: Many participants expressed concern that current idle restriction laws were passed to reduce vehicle emissions or noise while ignoring other important benefits. These participants want the law to also recognize, as its purpose, that reducing vehicle idling conserves fuel and potentially improves the truck driver's rest and safety. Many felt that the trucking industry's needs or views were not represented in past idle restriction laws, and inclusion of such needs and views would improve the law's effectiveness.

Section B: APPLICABILITY: This law applies to commercial diesel vehicles which are designed to operate on highways (as defined under 49 CFR 390.5), and to locations where commercial diesel vehicles load or unload (hereinafter referred to as "load/unload locations").

> *Discussion*: This model law only addresses diesel vehicles because the majority of the emissions impacts and fuel consumption is from long duration idling diesel vehicles. Participants generally agreed that the law should apply to diesel vehicles. These participants pointed out that diesel engines emit more harmful emissions than gasoline engines. Some participants also voiced the need to include gasoline engines as a growing segment of the vehicle idling population, especially with the increase in remote start technology which is likely to result in more light-duty vehicle idling emissions. States and local jurisdictions are welcome to modify this model to include gasoline engines. Some participants expressed the concern that diesel delivery and service vans used in commercial applications are the source of much idling emissions. These participants preferred weight classifications as a limiting factor, and recommended ranges from a minimum of 8,500 pounds to 10,000 pounds. General agreement was reached on using the term "commercial diesel vehicles" as a means of including the majority of long duration idling diesel vehicles.

Section C: GENERAL REQUIREMENT FOR LOAD/UNLOAD LOCATIONS: No load/unload location owner shall cause vehicles covered by this rule to idle for a period greater than 30 minutes while waiting to load or unload at a location under their control.

> *Discussion*: The objective of this section is to strike a balance between truck drivers and facility owners of load/unload locations. It would create a mutual responsibility to reduce truck idling. Participants expressed a strong desire to address the issue of idling while waiting at load/unload locations (e.g., distribution centers, retail stores, ports, and other

similar facilities), where truck drivers will idle their engines to maintain cab comfort while waiting to load or unload. Many truck drivers noted that it is often logistics problems at the load/unload locations that create long wait times, and during this period they need to idle to maintain their comfort. They believe that they should not be solely responsible for idling in these cases. In fact, they indicated that by holding the load/unload locations accountable for causing these delays, changes might be put into place which would result in less waiting, and therefore less truck idling. States and local jurisdictions view long lines of idling trucks as a significant source of emissions, which is of concern especially if the load/unload location is near residential housing. Consequently, many participants wanted similar language encouraging load/unload locations to adopt technologies or behaviors to reduce idling. Load/unload location operators can improve their logistics system for processing truck loading and unloading, implement a call-in system when trucks are ready to be processed, or provide a waiting room for truck drivers until they are ready to be processed. Where the cause of the long wait times is due to load/unload location owner behavior, and not due to forces outside of their control (e.g., weather), then the load/unload location owner should bear some of the responsibility to implement measures to reduce idling.

Note, the language in this section applies to facilities that "cause" idling while trucks are waiting to "load or unload." This language does not apply to truck stops or plazas because truck drivers do not load or unload at these locations. Moreover, truck stop owners or operators are not "causing" a truck driver to idle. This section is limited to load/unload location owners that "cause" idling due to their own behavior. Participants considered and rejected adding the term "permit" idling as part of the location owner's liability. The rationale for rejecting this term was based on the need to address the underlying reason for queue idling which was found to be, at times, an active behavior on the part of the facility owner. "Permit" idling confers a passive situation which is not necessarily linked with any action on the part of the facility owner.

Section D: GENERAL REQUIREMENT FOR VEHICLES: No owner or operator of a vehicle shall cause or permit vehicles covered by this rule to idle for more than 5 minutes in any 60 minute period except as noted in sections E and F, and except as provided in section C in the case of a load/unload location.

Discussion: Most idle restriction laws have a general time limit, but the rationale for the time limit is usually not explained or understood. In this case, it was noted that some exemptions found in other idling laws require no more than five minutes of engine idling to accomplish certain tasks. This section attempts to bundle some exemptions under the umbrella of a general time limit. For example, warming-up or cooling-down a diesel engine in moderate weather takes only about five minutes (in extreme weather conditions the truck owner or driver should invest in an alternative device to keep the engine and fuel warm, and should not rely on the main engine for this function). Similarly, the required pre-trip inspection requires an air brake pressure test which typically takes less than five minutes of engine idling. The rest of the inspection can be conducted without the engine operating. If a state or local jurisdiction would rather create specific

exemptions for engine conditioning or pre-trip inspection, they can add these sections as additional exemptions. However, the majority of participants felt that fewer exemptions make for easier compliance and enforcement because it promotes greater consistency and understanding of the requirement. This section includes the term "permit" idling. The rationale for including this term here but rejecting it for load/unload facility owners is that the truck owners retains greater control over their drivers and the operation of their vehicles.

Section E: EXEMPTIONS: Section D does not apply for the period or periods where:

1. A vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official.

Discussion: Participants recognized the need for this exemption as it involves a situation outside the truck driver's control. Participants recommended adding "on-highway" to avoid allowing trucks queuing at a distribution center (off the highway) from claiming this exemption. Queuing and distribution centers are addressed under Section C: GENERAL REQUIREMENT FOR LOAD/UNLOAD LOCATIONS.

2. A vehicle idles when operating defrosters, heaters, air conditioners, or installing equipment solely to prevent a safety or health emergency, and not as part of a rest period.

Discussion: This exemption was originally advanced during the workshops to allow idling for the safe operation of the vehicle during adverse weather conditions. However, many workshop participants felt that this language was too broad and created many loopholes. This subsection was therefore revised to require that the idling be necessary to prevent a safety or health emergency (e.g., school bus breaks down in cold weather and idles to keep its occupants warm), so as to differentiate this need from cabin comfort needs during a truck driver's rest period.

3. A police, fire, ambulance, public safety, military, other emergency or law enforcement vehicle, or any vehicle being used in an emergency capacity, idles while in an emergency or training mode, and not for the convenience of the vehicle operator.

Discussion: Some participants in the conferences cautioned that this exemption could potentially be abused under the guise of public service. Therefore, language was specifically inserted to ensure that the vehicle must be in an emergency or training mode for the exemption to apply.

4. The primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is required for such activity.

Discussion: Similar to the emergency exemption above, workshop participants recommended language guarding against abuse. Therefore, the language indicates that

idling must be “necessary” for the exemption to apply. Interpreting what is “required” is a mechanical or electrical function of the activity, so its interpretation is rather narrow.

5. A vehicle idles as part of a state or federal inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection.

Discussion: During the workshops, there was general agreement on this exemption with language indicating that idling is required for the inspection.

6. Idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or straight truck refrigeration). This exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment.

Discussion: Workshop participants agreed that “power take-off” operation is a valid exemption. Participants wanted to guard against using this exemption to operate air conditioning, heating, microwaves, or televisions as an electrical operation (all of which would be considered non-essential on-board equipment) during rest periods, so it was necessary to add the last sentence.

7. An armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded.

Discussion: While many would consider this a common sense exemption, like the emergency vehicle exemption above, many participants felt it was important to articulate these exemptions to ensure appropriate interpretation and enforcement by law enforcement officials.

Section F: CONDITIONAL EXEMPTIONS: Subsection D does not apply for the period or periods where:

1. 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. The exemption expires (x) years after implementing a state financial assistance program for idle reduction technologies or strategies.

Discussion: Participants felt that passenger buses needed to keep passengers warm or cool while on-board. Some participants argued for 30 minutes as the time needed to condition the bus, but the majority felt that this was excessive and that 15 minutes was sufficient. Others wanted temperature ranges, but the majority felt that ambient temperatures did not reflect interior temperatures, which may be affected by solar intensity. Almost everyone agreed that the driver should not be allowed to idle just for his/her own needs, but that passengers had to be on-board. The time period for the sunset provision should be established by the state/local legislative body. The issue of a sunset

provision is explained below in subsection (2), and a list of financial assistance programs is in Section IV.

2. An occupied vehicle with a sleeper berth compartment idles for purposes of air conditioning or heating during rest or sleep period, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.

Discussion: All participants felt that this model law should balance the needs of states and industry. In a common theme for the conditional exemptions with a sunset provision, participants agreed that both the trucking industry and states have responsibilities toward reducing idling. Simply passing a state law and placing the financial burden on the trucking industry was not enough, according to trucking industry participants.

The compromise advanced in this provision is for both sides to contribute toward reducing idling. The trucking industry would evaluate, select, and purchase an idle reduction technology; and the state would assist the trucking industry with the purchase by creating a financial assistance program, such as those that currently exist in Minnesota, Arkansas, Pennsylvania, and Oregon. These states, as well as others, are assisting the trucking industry with purchasing idle reduction technologies through grants and loans. These states are in the position to say that since they are helping the industry; therefore the industry should not be idling during their rest or sleep period while in theses states.

Since this issue is a matter for states to decide in the context of various competing priorities, the EPA does not take a position on whether exemptions should be made conditional on the enactment and implementation of a state financing program. This is inherently a matter for states to decide in their legislative process.

Under the provision, the sleeper berth exemption would expire after a set period of time in states that provide some kind of financial assistance program. The set period of time should take into account the state's financial resources and legislative concerns, as well as the trucking industry's need for time to evaluate and select an idle reduction technology. More information about different types of loan programs is provided in Section IV. Under this provision, if a state offers no financial assistance, in any form, then the sleeper berth exemption could stay in effect. The theory underlying this provision is that while laws may serve as a deterrent to idling, the effectiveness of a law may be enhanced with some kind of financial program to assist with the purchase and deployment of an idle reduction technology. This view was not shared by all workshop participants. Some states argued that since the idle reduction devices pay for themselves over time, the industry should simply buy them. Others argued that this view should take into account the fact that idle reduction technologies (e.g., auxiliary power units) may require significant up front capital costs. For example, where an average truck owner-operator earns $30,000 in net annual income, the upfront $7,000 cost of an auxiliary

power unit may prevent the purchase of this technology even though the unit will pay for itself in a relatively short period.

In addition, financial assistance can increase the deployment of idling reduction technologies which are not directly funded by vehicle owners. For example, EPA has awarded grants to study, evaluate, and deploy idle reduction systems with trucking fleets and in many states, and estimates that the Agency's grant awards of $6.5 million has leveraged $15 million in additional resources. Conversely, it can be argued that without some kind of financial assistance program, truck owners may simply pay the fine as a cost of doing business and take their chances on lack of enforcement.

EPA does not have a formal position with respect to the type of financial assistance that states may want to provide, or with respect to the eligibility or user requirements for any financial assistance program.

Participants in the workshops indicated that a loan program could move states and industry closer toward achieving the goals of emission reductions and fuel conservation. It was argued that, by offering a loan instead of a grant, states are in a position to recoup their expenditures. One often cited concern of the trucking industry is that financial assistance programs not be limited to in-state trucking companies only. The industry argued that a loan program should apply to any trucking company traveling through the state since freight truck activity and any emission reductions potentially affects the air quality of multiple states.

3. An occupied vehicle idles for purposes of air conditioning or heating while waiting to load or unload, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.

Discussion: Many trucking industry representatives blamed their idling on facility owners. This conditional exemption recognizes the need to deploy idle reduction technologies or strategies (e.g., waiting room) for trucks that idle while loading/unloading. Some participants believed that queue idling requires a joint truck driver-facility owner response. Consequently, Sections C (GENERAL REQUIREMENTS FOR LOAD/UNLOAD LOCATIONS) and H (PENALTIES) address location owners.

As with other conditional exemptions, EPA does not take a position as to whether conditional exemptions should be dependent on financial assistance and believes that the matter of state financing is inherently a matter for individual states to decide.

4. A vehicle idles due to mechanical difficulties over which the driver has no control; PROVIDED that the vehicle owner submits the repair paperwork or product receipt (by mail; within (x) days) to the appropriate authority verifying that the mechanical problem has been fixed.

Discussion: Many participants felt that simply exempting a vehicle for mechanical problems was open for abuse because of the difficulty of verifying the claim without potentially harming the truck engine if the claim was accurate. The solution, as recommended by the participants, is to have the truck owner/driver submit the proper paperwork indicating that the mechanical problem was fixed to dismiss the ticket. This approach is already used for similar types of infractions. Some participants cited the additional administrative burden, but the situations where a truck must remain idling (e.g., problem with alternator) are so rare that it would not be overly burdensome to manage.

Section G: AUXILIARY POWER UNITS: Operating an auxiliary power unit, generator set, or other mobile idle reduction technology as a means to heat, air condition, or provide electrical power as an alternative to idling the main engine is not an idling engine.

(1) Operating an auxiliary power unit or generator set on all model year 2006 or older commercial diesel vehicles is permitted.

(2) *[Reserved for sub-section on operating an auxiliary power unit or generator set on 2007 and subsequent model year commercial vehicles once more emissions testing data is available.]*

Discussion: Some truck drivers stated that they received idling citations for operating their auxiliary power unit. They requested that the model law clarify that an idle reduction technology should not be considered an idling engine since its use is to reduce main engine idling. Based on EPA testing and engine certification levels, the emissions of a typical APU are less than a model year 2006 or older diesel vehicle so states should encourage and create financial incentives for the use of APUs on those trucks. As for 2007 and subsequent model year diesel vehicles, more information is needed to better understand how model year 2007 and subsequent engines perform under long duration idling conditions. However, one state provided information that APUs will emit more than 2007 and subsequent model year engines, and this state will require the APUs to meet a more stringent emission level.

The California Air Resources Board issued a regulation to amend Title 13 of the California Code of Regulations. This regulation states that on or after January 1, 2008, the truck drivers operating in California shall not operate an internal combustion auxiliary power system (APS) on any vehicle equipped with a 2007 and subsequent model year primary engine unless the vehicle is equipped with an APS meeting the emissions performance requirements, as follows:

a. Be equipped with a verified Level 3 in-use strategy for particulate matter control, or
b. Have its exhaust routed directly into the vehicle's exhaust pipe, upstream of the diesel particulate matter aftertreatment device.

Section H: PENALTIES: The owner and/or operator of a vehicle, and/or the owner of a load/unload location, that is in violation of this law is responsible for penalties as follows.

(1) First offense: Warning ticket issued to vehicle driver and owner, and where applicable, the load/unload facility owner.

(2) Second and subsequent offenses: $150 citation is issued to the vehicle driver; and/or, $500 citation issued to the registered vehicle owner or load/unload location owner.

Discussion: Participants felt a warning should first be given, especially if a state is beginning to enforce a state idling law. If the state has a long and well-established history of enforcement in this area, then the warning ticket may not be necessary. Workshop participants indicated that utilizing a warning ticket provides a good opportunity to educate the truck owner about the law and any state financing program, if available. As for the second and subsequent offenses, many states have their own protocol on issuing tickets, and the model language above simply represents some agreement by participants on the amounts. Some states felt the need to penalize the truck owner for a perceived economic gain in idling. Trucking industry participants expressed the desire that states understand that owner operators are less likely to absorb high fines and remain economically solvent, while larger companies could build in these fines as a cost of doing business.

III. MODEL STATE IDLING LAW

(a) PURPOSE: The purpose of this law is to protect public health and the environment by reducing emissions while conserving fuel and maintaining adequate rest and safety of all drivers of diesel vehicles.

(b) APPLICABILITY: This law applies to commercial diesel vehicles which are designed to operate on highways (as defined under 49 CFR 390.5), and to locations where commercial diesel vehicles load or unload (hereinafter referred to as “load/unload locations”).

(c) GENERAL REQUIREMENT FOR LOAD/UNLOAD LOCATIONS: No load/unload location owner shall cause vehicles covered by this rule to idle for a period greater than 30 minutes while waiting to load or unload at a location under their control.

(d) GENERAL REQUIREMENT FOR VEHICLES: No owner or operator of a vehicle shall cause or permit vehicles covered by this rule to idle for more than 5 minutes in any 60 minute period except as noted in sections (e) and (f), and except as provided in section (c) in the case of a load/unload location.

(e) EXEMPTIONS: Section (d) does not apply for the period or periods where:

(1) a vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official.

(2) a vehicle idles when operating defrosters, heaters, air conditioners, or installing equipment solely to prevent a safety or health emergency, and not as part of a rest period.

(3) a police, fire, ambulance, public safety, military, other emergency or law enforcement vehicle, or any vehicle being used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator.

(4) the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is required for such activity.

(5) a vehicle idles as part of a state or federal inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection.

(6) idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or straight truck refrigeration). This exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment.

(7) an armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded.

(f) CONDITIONAL EXEMPTIONS: Subsection (d) does not apply for the period or periods where:

(1) a passenger bus idles a maximum of 15 minutes in any 60 minute period to maintain passenger comfort while non-driver passengers are onboard. The exemption expires (x) years after implementing a state financial assistance program for idle reduction technologies or strategies.

(2) an occupied vehicle with a sleeper berth compartment idles for purposes of air conditioning or heating during rest or sleep period, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.

(3) an occupied vehicle idles for purposes of air conditioning or heating while waiting to load or unload, until (x) years after implementing a state financial assistance program for idle reduction technologies or strategies, whereupon this exemption expires.

(4) a vehicle idles due to mechanical difficulties over which the driver has no control; PROVIDED that the vehicle owner submits the repair paperwork or product receipt (by mail; within (x) days) to the appropriate authority verifying that the mechanical problem has been fixed.

(g) AUXILIARY POWER UNITS: Operating an auxiliary power unit, generator set, or other mobile idle reduction technology as a means to heat, air condition, or provide electrical power as an alternative to idling the main engine is not an idling engine.

(1) operating an auxiliary power unit or generator set on all model year 2006 or older commercial diesel vehicles is permitted.

(2) *[reserved for sub- section on operating an auxiliary power unit or generator set on 2007 and subsequent model year commercial vehicles.]*

(h) PENALTIES: The owner and/or operator of a vehicle, and/or the owner of a load/unload location, that is in violation of this law is responsible for penalties as follows.

(1) First offense: warning ticket issued to vehicle driver and owner, and where applicable, the load/unload facility owner.

(2) Second and subsequent offenses: $150 citation is issued to the vehicle driver; and/or, $500 citation issued to the registered vehicle owner or load/unload location owner.

IV. FINANCIAL ASSISTANCE PROGRAMS

For virtually every trucking company, fuel is the second largest expense behind labor. Numerous technologies are currently available to help these companies reduce fuel consumption from idling; however one of the major barriers to their widespread adoption is a lack of investment capital. In order to increase compliance with state idle restriction laws, especially among small and medium-sized trucking companies, participants at EPA's workshops generally agreed that states should consider developing financial assistance programs aimed at providing capital to trucking companies for the purchase of idle reduction technologies. Opportunities for financial assistance programs include loan programs, performance contracting arrangements, and grants as listed below.

<u>Loan Programs</u>

- States could offer grants or loans with terms that are more attractive than currently available commercial loans (e.g., low-interest rates, flexible repayment terms). Some states have existing grant or loan programs through their small business or environmental offices that may be able to support idle reduction technologies, including:
    - Currently, at least two states, Arkansas and Minnesota, offer loans to small businesses for idle reduction technologies (AR: http://www.adeq.state.ar.us/poa/businessasst.htm and MN: http://www.pca.state.mn.us/programs/sbomb_loan.html).

- Another state, Oregon's Lane Regional Air Pollution Authority (LRAPA), provides low-cost lease-to-own or no-interest arrangements on auxiliary power units for truckers (http://www.lrapa.org).

- The State of Wisconsin recently created a grant program for diesel truck idling reduction units. This program is administered by the Wisconsin Department of Commerce and provides grants to freight motor carrier's newer truck tractors. The program is designed to award $1 million per year in grants for five years (http://www/legis.state.wi.us/ (click on "Wisconsin Law")).

- The State of California provides funds to support the incremental cost of cleaner diesel engines and equipment. Eligible projects include the installation costs for auxiliary power units (http://www.arb.ca.gov/msprog/moyer/moyer.htm).

- California Assembly Bill 1901 would establish a program, until January 1, 2012, in the State Energy Resources Conservation and Development Commission, to help finance, through direct loans, the retrofitting of trucks of large and small businesses with EPA SmartWay Upgrade Kits (includes idle reduction technology) that would be required to have specified emission control devices and may have other specified equipment. The Bill has been passed by Assembly Committee on Transportation and by the Assembly Committee on Jobs, Economic Development and the Economy. The Bill is currently with the Committee on Appropriations (http://www.aroundthecapitol.com/Bills/AB_1901).

- The State of Pennsylvania provides up to 50% matching grants, to a maximum of $7,500, to enable small Pennsylvania businesses to adopt or acquire energy efficient or pollution prevention equipment (http://www.dep.state.pa.us/dep/deputate/pollprev/Ombudsman/Advantage/ADVANTAGE.htm).

- The State of Washington Legislature recently passed a bill that would provide a tax credit from the retail sale, lease, or rental of auxiliary power to heavy-duty diesel vehicles through onboard auxiliary systems or stand along electrification systems (http://apps.leg.wa.gov/billinfo/summary.aspx?bill=6512#documents).

Performance Contracting Arrangements

- States or private institutions could consider setting up programs in which they provide idle reduction equipment to trucking companies with no up-front cost to the company. The company would then pay for the equipment by returning a portion of its savings from reduced fuel consumption to the state or private entity each month. This type of arrangement would eliminate the problem caused by lack of access to investment capital that is a problem for many small- and medium-sized trucking companies. EPA's SmartWay Transport Partnership is currently studying this type of program.

Department of Transportation Programs

- Congestion Mitigation and Air Quality (CMAQ) Improvement program provides funds to state Department of Transportations, metropolitan planning organizations, and transit agencies to invest in projects that reduce regulated criteria air pollutants from transportation-related sources. This program has funded several idle-reduction projects throughout the country and there are several applications pending for future CMAQ-funded idle-reduction projects (http://www.fhwa.dot.gov/environment/cmaqpgs/index.htm).

- Section 129 Loans allows states to use regular federal-aid highway apportionments to fund loans for projects with dedicated revenue streams (http://www.fhwa.dot.gov/innovativefinance/).

- State Infrastructure Banks provides revolving infrastructure investment funds for surface transportation projects that are established and administered by states (http://www.fhwa.dot.gov/innovativefinance/sib.htm).

- Transportation Infrastructure Finance and Innovation Act allows DOT to provide direct credit assistance to sponsors of major transportation projects (http://tifia.fhwa.dot.gov/).