ORDINANCE NO. 20061130-004

AN ORDINANCE AMENDING SECTIONS 6-1-51 AND 6-1-52 OF THE CITY CODE RELATING TO VEHICLE IDLING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

- **PART 1.** Section 6-1-51 (*Idling Prohibited*) of the City Code is amended as follows
 - (A) No person shall cause, suffer, allow, or permit the primary propulsion engine of a motor vehicle to idle for more than five consecutive minutes when the motor vehicle is not in motion
 - (B) No driver using the vehicle's sleeper berth may idle the vehicle in a school zone or within 1,000 feet of a public school during its hours of operation

 This subsection expires September 1, 2007
- **PART 2.** Section 6-1-52 (Exemptions) of the City Code is amended as follows

The restriction in Section 6-1-51 (*Idling Prohibited*) does not apply to

- (1) a motor vehicle that has a gross vehicle weight rating of 14,000 pounds or less, and if before September 1, 2007, does not have a sleeper berth,
- (2) a motor vehicle forced to remain motionless because of traffic conditions over which the operator has no control,
- (3) a motor vehicle being used by the United States military, national guard, or reserve forces, or as an emergency or law enforcement motor vehicle,
- (4) the primary propulsion engine of a motor vehicle providing a power source necessary for mechanical operation, not including propulsion, and/or passenger compartment heating, or air conditioning,
- (5) the primary propulsion engine of a motor vehicle being operated for maintenance or diagnostic purposes,
- (6) the primary propulsion engine of a motor vehicle being operated solely to defrost a windshield,

- (7) the primary propulsion engine of a motor vehicle that is being used to supply heat or air conditioning necessary for passenger comfort and safety in '[those] vehicles intended for commercial or public passenger transportation or passenger transit operations, [sehool-buses] in which case idling up to a maximum of 30 minutes is allowed,
- (8) the primary propulsion engine of a motor vehicle being used to provide air conditioning or heating necessary for employee health or safety while the employee is using a vehicle to perform an essential job function related to roadway construction or maintenance [for passenger transit operations in which case idling up to a maximum of 30 minutes is allowed],
- (9) the primary propulsion engine of a motor vehicle being used as airport ground support equipment, [or]
- (10) the owner of a motor vehicle rented or leased to a person who operates the vehicle and is not employed by the owner, or[-]
- (11) before September 1, 2007, a motor vehicle when idling is necessary to power a heater or air conditioner while a driver is using the vehicle's sleeper berth for a government-mandated rest period

PART 3. This ordinance takes effect on December 11, 2006

PASSED AND APPROVED

November 30	, 2006 §	Mm Wy
		Will Wy y n Mayor
APPROVED: David Allan City Attorn	1	Shirley A Gentry City Clerk