

15A NCAC 02D .1010 HEAVY-DUTY VEHICLE IDLING RESTRICTIONS

(a) **Applicability.** The requirements of this Rule apply to on-road heavy-duty vehicles powered in-part or entirely by an internal combustion engine.

(b) **Definitions.** For the purposes of this Rule, the following definitions apply:

- (1) "Auxiliary power unit" means a mechanical or electrical device affixed to a vehicle that is designed to be used to generate an alternative source of power for any of the vehicle's systems other than the primary propulsion engine;
- (2) "Congestion" means a situation that occurs when the volume of traffic exceeds the capacity of a roadway;
- (3) "Emergency" means a situation that poses an immediate risk to health, life, property, or environment;
- (4) "Emergency vehicle" means any vehicle that responds to or supports an emergency. These vehicles are operated by part of the government, charities, non-governmental organizations, and commercial companies;
- (5) "Gross vehicle weight rating" means the weight specified by the manufacturer as the loaded weight of a single vehicle;
- (6) "Farm vehicle" means a vehicle used exclusively for farm use and operated within 150 miles of the farmer's farm by the farmer or the farmer's employee to transport either agricultural product, farm machinery, or farm supplies. It is not used in the operations of a for-hire motor carrier.
- (7) "Heavy-duty vehicle" means a motor vehicle (excluding trailer(s)) with a gross vehicle weight rating of 10,001 pounds or greater for the purpose of this Rule;
- (8) "Idling" means the operation of a motor vehicle's propulsion engine while the vehicle is stationary;
- (9) "Military vehicle" means a motor vehicle owned by the U.S. Department of Defense;
- (10) "Motor vehicle" means any self-propelled vehicle used for transporting property or persons;
- (11) "On-road vehicle" means a self-propelled vehicle that is designed for use on a highway.
- (12) "Passenger bus" means any bus, including school buses, which is designed to carry sixteen or more passengers;
- (13) "Power take off" means a device used to transfer mechanical energy from a heavy-duty vehicle's propulsion engine to equipment that supplies mechanical, pneumatic, hydraulic, or electric power to non-vehicular mechanical, pneumatic, hydraulic, or electrically operated devices; and
- (14) "Queue area" means an area used by heavy-duty vehicles waiting to provide or receive services.

(c) **Exemptions.** The following exemptions to idle restrictions apply to this Rule:

- (1) Heavy-duty vehicles may idle if they remain motionless due to traffic conditions, traffic control devices or signals, congestion, or at the direction of law enforcement officials;
- (2) Emergency vehicles may idle while performing an emergency or training function. This exemption does not apply when idling only for driver comfort;
- (3) Military vehicles;
- (4) Heavy-duty vehicles may idle main propulsion engines to operate power take offs to perform the heavy-duty vehicle's designed functions (e.g., refrigeration of cargo, processing of cargo, dumping, lifting, hoisting, drilling, mixing, loading, unloading, other operations requiring the use of power take offs). This exemption does not apply when idling only for driver comfort;
- (5) Heavy-duty vehicles may idle if following manufacturer's recommendations for cold engine startup and engine cool-down, maintenance, inspection, servicing, repairing, or diagnostic purposes, if idling is required for such activity;
- (6) Heavy-duty vehicles with an occupied sleeper berth compartment may idle for the purposes of air conditioning or heating during federally mandated rest or sleep periods. This exemption shall expire on May 1, 2011;
- (7) Auxiliary power units;
- (8) Heavy-duty vehicles with a primary diesel engine meeting the nitrogen oxide idling emission standard in Title 13, of the California Code of Regulations, Section 1956.8(a)(6)(C);
- (9) A passenger bus when non-driver passengers are on board the vehicle and up to 20 minutes prior to passengers boarding;
- (10) Heavy-duty vehicles may idle to provide customer climate controlled comfort during periods of providing customer services (e.g., library bookmobile, blood mobile, safety shoe and safety glasses vendors). This exemption does not apply when idling only for driver comfort; and

- (11) Heavy-duty vehicles may idle if defrosters, heaters, air conditioners, or other equipment are operating solely to prevent a safety or health emergency.
 - (12) Heavy-duty farm vehicles.
- (d) Requirements.
- (1) No person who operates a heavy-duty vehicle shall cause, let, permit, suffer or allow idling for a period of time in excess of 5 consecutive minutes in any 60 minute period.
 - (2) Heavy-duty vehicles located in a queue area are not exempted from this Rule.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5); 143-215.107(a)(7); 143-215.107(b); Eff. July 10, 2010.