

# VEHICLE IDLING AT SCHOOLS

## OVERVIEW OF STATE LAWS

Environmental Law Institute

Part of the ELI Series

*Topics in School  
Environmental Health:  
Overview of State Laws*

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### **Why is this Issue Important for School Environmental Health?**

Idling vehicles emit many different pollutants, including particulate matter, nitrogen oxides, carbon monoxide, formaldehyde, benzene, and other volatile organic compounds. These pollutants can contribute to cancer and other short and long-term health concerns. People with asthma, bronchitis, other respiratory problems or heart disease are most sensitive to the health effects of fine particles contained in vehicle exhaust.

Idling school buses can pollute the air inside and around the bus. Additionally, exhaust from buses and other vehicles on or near school grounds can enter school buildings through air intakes, doors and open windows. Policies that restrict idling can reduce harmful pollutant exposures and help improve indoor air quality for school children and staff. Restricting idling can also save money and reduce engine damage.

For more information on vehicle idling from the U.S. EPA and the state of Connecticut, see

<http://www.epa.gov/cleanschoolbus/antiidling.htm> and

[http://www.ct.gov/deep/cwp/view.asp?a=2684&q=322086&deepNav\\_GID=1619](http://www.ct.gov/deep/cwp/view.asp?a=2684&q=322086&deepNav_GID=1619).

### **What Types of State Policies are Included in this Overview?**

This Overview includes state laws and regulations that establish requirements for limiting vehicle idling on or near school grounds or require school districts to establish and implement such requirements, though it does not necessarily include all such policies. State agency guidance documents and other materials are not included in the absence of a related law or regulation addressing vehicle idling directly.

Many states have adopted anti-idling laws and regulations. Some measures are specific to schools, while others address idling broadly and include idling at or near schools. Many laws and regulations apply only to buses and commercial vehicles, while others apply to vehicles generally. Most state policies establish a specific time limit for idling and most provide certain exemptions to the idling restrictions. The summaries below note certain exemptions that may be relevant to vehicle idling at schools. While many state laws and regulations include penalties for violations, those provisions are not included in this Overview.

States included in the summary chart below: **AZ, CA, CO, CT, DE, DC, FL, HI, IL, IN, KS, ME, MD, MA, MN, MS, MO, NV, NH, NJ, NY, NC, OH, OR, PA, RI, SC, TX, UT, VT, VA, WV**

<b>VEHICLE IDLING</b>	
<b>STATE &amp; CITATION</b>	<b>SUMMARY OF LAW/REGULATION</b>
<b>ARIZONA</b> Az. Stat. § 11-876	Arizona air quality law requires counties that include areas listed in the law to adopt and enforce an ordinance that limits idling for heavy-duty diesel vehicles. The statute establishes penalties for violations.
<b>CALIFORNIA</b> Ca. Health & Safety Code §§ 39640--39642; 13 Ca. Admin. Code §§ 2480--2485	California air regulations restrict idling on or within 100 feet of school grounds by specified vehicles, including school buses, school activity buses, youth buses, general public para-transit vehicles, transit buses, and other commercial vehicles. Exceptions to the idling restrictions include idling to operate a heater or air conditioner when children with exceptional needs are on board. The regulations also require that motor carriers inform their drivers of the idling requirements, that all complaints of non-compliance are reviewed and remedial action taken, and that records of complaints are retained for three years. The regulations also establish idling restrictions generally for diesel-powered commercial vehicles.
<b>COLORADO</b> Co. Rev. Stat. § 42-14-105	Colorado motor vehicle law prohibits idling of commercial diesel vehicles for more than five minutes within any 60-minute period. The law provides a number of exemptions, including idling for up to 20 minutes in a 60-minute period when the outdoor temperature is below 10 degrees.
<b>CONNECTICUT</b> Ct. Gen. Stat. § 14-277; Ct. Admin. Code § 22a-174-18	Connecticut motor vehicle law prohibits school bus idling for more than three consecutive minutes. The law does not apply when the outdoor temperature is below 20 degrees or when idling is necessary to maintain a safe temperature for students with special needs. State air quality regulations also prohibit idling of vehicles generally for more than three minutes, with certain exceptions.
<b>DELAWARE</b> 7 De. Admin. Code § 1145	Delaware air quality regulations prohibit heavy-duty motor vehicles from operating for more than three consecutive minutes when not in motion. The regulations provide exemptions for school and transit bus idling when passengers are on board and allow idling for up to five minutes prior to passenger boarding. The regulations allow vehicle idling for 15 minutes when the outside temperature is between 32 degrees and -10 degrees and do not restrict idling when the outdoor temperature is below -10 degrees, provided no nuisance is created.
<b>DISTRICT OF COLUMBIA</b> D.C. Mun. Regs. tit. 20, § 900; tit. 18, § 2418; tit. 16 § 3637.3	D.C. air quality regulations prohibit idling of motor vehicles, including school buses and any vehicles transporting students, for more than three minutes. The regulations exempt private passenger vehicles and allow idling up to five minutes to operate heating equipment when the temperature is 32 degrees or below.
<b>FLORIDA</b> Fl. Admin. Code § r. 6A-3.0171	Florida education regulations require school districts to adopt a school board policy that prohibits the unnecessary idling of school buses while in the vicinity of students.
<b>HAWAII</b> Hi. Admin. Rules § 11-60.1-34	Hawaii air quality regulations prohibit the operation of a motor vehicle engine while the vehicle is stationary at a loading zone, parking or servicing area, route terminal, or other off-street area. The regulations allow idling for up to three minutes during the loading or unloading of passengers.

<p><b>ILLINOIS</b> 625 Il. Comp. Stat. § 5/11-1429</p>	<p>Illinois motor vehicle law, which applies to specified counties and townships, prohibits diesel vehicles with a gross vehicle weight rating of at least 8,000 pounds from idling for more than 10 minutes in any 60-minute period. Exceptions include idling for 15 minutes in any 60-minute period to maintain the comfort of non-driver passengers, and idling when the outdoor temperature is below 32 degrees or above 80 degrees.</p>
<p><b>INDIANA</b> In. Code § 16-41-37.5; 410 In. Admin. Code § 33-4-3</p>	<p>Indiana health law requires the state Department of Health to adopt rules establishing an IAQ inspection, evaluation and employee notification program and to inspect a school after receiving a complaint. Rules implementing the law require schools to adopt and enforce a written policy to address the idling of vehicles on school grounds. The rules recommend that schools use the state’s best practices manual in developing their policies and require that the policies be made available during state IAQ inspections.</p>
<p><b>KANSAS</b> Ks. Admin. Code §§ 28-19-712-712d</p>	<p>Kansas air quality regulations, which apply to specified counties, prohibit idling of heavy-duty commercial, institutional or public diesel vehicles for more than five minutes in a 60-minute period. Exceptions include bus idling for 15 minutes in a 60-minute period to maintain the comfort of non-driver passengers.</p>
<p><b>MAINE</b> 38 Me. Rev. Stat. § 585-L</p>	<p>Maine air quality law prohibits commercial vehicles and gasoline-powered vehicles other than private passenger vehicles from idling for more than five minutes in a 60-minute period. Exceptions include idling for 15 minutes in a 60-minute period to maintain the comfort of non-driver passengers or to provide heat when the outside temperature is 32 degrees or below, or idling as needed when the temperature is below 0 degrees.</p>
<p><b>MARYLAND</b> Md. Transp. Code § 22-402</p>	<p>Maryland transportation law prohibits the operation of a motor vehicle engine for more than five minutes when the vehicle is not in motion. Exceptions include idling when necessary to operate heating and cooling or auxiliary equipment.</p>
<p><b>MASSACHUSETTS</b> Ma. Gen. Laws Ch. 90, § 16B; 540 Code Ma. Regs. §§ 27.01--.08</p>	<p>Massachusetts motor vehicle law requires the Registrar of Motor Vehicles to promulgate regulations governing vehicle idling on school grounds that include a prohibition on idling of buses during boarding and exiting the bus and that prescribe templates for “no idling” signs to be posted by schools. The law also requires the Registry of Motor Vehicles to notify school bus drivers of these requirements. Regulations implementing the law prohibit unnecessary idling of motor vehicles on school grounds. Exemptions include limited idling of a school bus if the interior is below 35 degrees or above 80 degrees; limited idling of motor vehicles if the outside temperature is below 35 degrees or above 80 degrees; idling if there are children on board with temperature-sensitive disabilities; and idling required for queuing of buses during active pickup or discharge of students. The regulation also prohibits idling within 100 feet of a known and active school air intake system, except under specified conditions. A separate law (Mass. Gen. Laws ch. 71, § 37H) requires superintendents of every school district to include the idling requirements in the district's policies pertaining to the conduct of teachers and students.</p>
<p><b>MINNESOTA</b> Mn. Stat. § 123B.885</p>	<p>Minnesota education law requires operators of diesel school buses to minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes. The law also requires buses to be parked and loaded at a sufficient distance from school air intake systems unless the school board determines that alternative locations are unsafe or are not cost-effective.</p>

<p><b>MISSISSIPPI</b> Ms. Code § 37-11-71</p>	<p>Mississippi education law directs the Department of Education to require every public school district to require school bus operators to minimize engine idling in order to prevent children and adults from being exposed to diesel exhaust fumes.</p>
<p><b>MISSOURI</b> 10 Mo. Admin. Code §§ 10-5.385, 10-2.385</p>	<p>Missouri air quality regulations applicable to select counties in the St. Louis and Kansas City metropolitan areas prohibit idling of heavy-duty diesel vehicles for more than five minutes in a 60-minute period. Exemptions include bus idling for 15 minutes in a 60-minute period to maintain the comfort of non-driver passengers.</p>
<p><b>NEVADA</b> Nv. Admin. Code § 445B.576</p>	<p>Nevada air quality regulations prohibit the idling of a diesel bus or truck for more than 15 consecutive minutes, unless a variance has been granted or other limited exceptions apply.</p>
<p><b>NEW HAMPSHIRE</b> N.H. Admin. Code ENV-A 1101; N.H. Rev. Stat. § 200:48</p>	<p>New Hampshire air quality regulations prohibit idling of diesel and gasoline-powered motor vehicles for more than five consecutive minutes. An exception is provided for idling for 15 consecutive minutes to provide heat to occupants when the outside temperature is -23 to 0 degrees. Idling restrictions do not apply when the outdoor temperature is below -23 degrees, provided no nuisance is created. New Hampshire education law requires the school board of each school district to implement a school air quality policy that addresses the minimization or elimination of emissions from all vehicles on school grounds, taking into account state anti-idling requirements and policies.</p>
<p><b>NEW JERSEY</b> N.J. Stat. Ann. §§ 26:2C-8.28, 26:2C-8.33, 39:3-70.2; N.J. Admin. Code §§ 7:27-14.3,- 15.8</p>	<p>New Jersey air quality law requires the Department of Environmental Protection to adopt regulations governing the idling and queuing of school buses. Department regulations prohibit idling of diesel and gasoline-powered vehicles for more than three consecutive minutes. The regulations include exceptions for buses while discharging or picking up passengers.</p>
<p><b>NEW YORK</b> N.Y. Educ. Law § 3637; N.Y. Code Rules &amp; Regs. tit. 8, § 156.3(h); tit. 6, § 217-3.2</p>	<p>New York education law requires the Commissioner of Education to adopt regulations that require school districts to minimize the idling of school buses and other school vehicles and to annually notify school personnel of these restrictions. Education regulations implementing the law require school districts to ensure that school bus drivers turn off bus engines while waiting for passengers to load or off-load on school grounds and while standing on school grounds or in front of or adjacent to any school. Exceptions include idling to maintain an appropriate temperature for passenger comfort. The regulations also require school districts to provide notice of the requirements to school personnel, to periodically monitor compliance, and to include the idling requirements in contracts for pupil transportation services. State air pollution control regulations also establish a general prohibition on idling by heavy-duty vehicles; with limited exceptions, such vehicles may not idle for more than five consecutive minutes.</p>
<p><b>NORTH CAROLINA</b> 15A N.C. Admin. Code § 2D.1010; N.C. Gen. Stat. §§ 115C-12, 115C-47</p>	<p>North Carolina air quality regulations prohibit heavy-duty vehicles from idling for more than five consecutive minutes in any 60-minute period. Buses may idle while non-driver passengers are on board and up to 20 minutes prior to passenger boarding. In addition, state education law requires the state Board of Education to establish guidelines and local boards of education to adopt policies and procedures for reducing students' exposure to diesel emissions from unnecessary school bus idling.</p>
<p><b>OHIO</b> Oh. Admin. Code § 3301-83-20</p>	<p>Ohio education regulations prohibit diesel engine idling in excess of five minutes in school loading zones and require school districts to adopt policies that minimize diesel engine idling.</p>

<p><b>OREGON</b> Or. Stat. §§ 825.601--.615, 825.950</p>	<p>Oregon motor vehicle law prohibits idling of commercial vehicles for more than five minutes in a 60-minute period. Exceptions include idling to maintain the comfort of commercial bus passengers and idling up to 30 minutes while loading/unloading or waiting to load/unload the vehicle.</p>
<p><b>PENNSYLVANIA</b> 35 Pa. Stat. § 4603</p>	<p>Pennsylvania health law prohibits commercial diesel-powered motor vehicles with a gross weight of over 10,000 pounds from idling for more than five minutes in any 60-minute period. The law provides certain exceptions for school buses and school vehicles, which may idle to provide safe temperatures for students with special needs, to provide heating and air conditioning when non-driver passengers are on board (15 minutes in a 60-minute period), and when necessary to discharge or pick up students not on school property. The law's idling restrictions do not apply to vehicles that are labeled as meeting the optional NOx idling emission standard of the California Air Resources Board.</p>
<p><b>RHODE ISLAND</b> R.I. Gen. Laws § 31-16.1; R.I. Admin. Code §§ 25-4-45:45, 31-1-37:42.0, 21-2-41:1.04</p>	<p>Rhode Island motor vehicle law and implementing regulations prohibit diesel engine idling for more than five consecutive minutes in a 60-minute period. The regulations allow idling for 15 minutes per hour when temperatures are between 0 degrees and 32 degrees or as needed when temperatures are below 0 degrees. Passenger buses may idle for 15 minutes per hour to maintain passenger comfort while non-driver passengers are on board whenever temperatures are below 50 degrees. Separate state Department of Health regulations require each school to develop written protocols that address, among other things, parking and idling locations for motor vehicles and buses. Additionally, state education regulations require school construction/renovation projects to comply with all requirements set forth in the Northeast Collaborative for High Performance Schools Protocol, which requires adoption of a school policy that prohibits idling for more than five minutes and requires posting of appropriate signs.</p>
<p><b>SOUTH CAROLINA</b> S.C. Code Ann. § 56-35-20</p>	<p>South Carolina motor vehicle law prohibits idling of commercial diesel vehicles for more than 10 minutes in a 60-minute period. Passenger buses may idle for 15 minutes in a 60-minute period to provide heating and air conditioning when non-driver passengers are on board. Exceptions to the idling restrictions include idling of occupied vehicles while waiting in line to load or unload, or idling in restricted access or commercial access areas, provided those areas are at least 500 feet from a school or other listed facility.</p>
<p><b>TEXAS</b> 30 Tx. Admin. Code § 114.510--517</p>	<p>Texas air pollution control rules establish restrictions on idling of motor vehicle with a gross vehicle weight rating of over 14,000 pounds. The rules, which apply only to local jurisdictions that have signed a Memorandum of Agreement with the state to enforce idling restrictions, prohibit motor vehicles from idling for more than five consecutive minutes. Exceptions include idling for 30 minutes to supply heat or air conditioning for comfort and safety on commercial or public passenger transport vehicles. The restrictions do not apply to certain vehicle engines that have been certified as meeting NOx emissions limits.</p>
<p><b>UTAH</b> Ut. Code §§ 41-6a-1308, 19-2-104 Ut. Admin. Code § R392-200</p>	<p>Utah motor vehicle law requires the State Board of Education to implement an idling reduction program for all school bus drivers and to adopt an idling reduction standard in the <a href="#">Standards for Utah School Buses and Operations</a>. State air quality law requires that local school boards assist the State Board of Education in adopting the standards and implementing the idling reduction program. The standard adopted by the state includes requirements for bus drivers to turn off engines upon arriving at school loading and unloading areas, eliminate idling at events off school grounds, and keep idling in cold weather to a minimum and off school grounds when possible. The law calls on schools to provide an inside waiting area for drivers and directs transportation operations staff to revise bus schedules to avoid school bus caravanning and to assign the cleanest buses to the longest routes. The Standard also</p>

	requires drivers to receive a copy of the idling policy and at least 30 minutes of training on idling reduction. Additionally, state health regulations governing school operation and sanitation provide that schools must prohibit vehicles from parking in areas adjacent to or close to building air intakes.
<b>VERMONT</b> 23 Vt. Stat. §1282; Vt. Admin. Code §§ 7-1-13B:6001--6005	Vermont motor vehicle law prohibits school bus operators from idling while waiting for children to board or exit the bus and from starting the engine before the bus is ready to leave the school premises. State Board of Education rules adopted pursuant to the law prohibit school buses from idling for more than five minutes in a 60-minute period and require drivers to turn off the bus engine immediately upon arrival at school loading areas and to leave the engine off until the bus is ready to depart. The rules require employers to inform school bus drivers of idling restrictions and to ensure that complaints of non-compliance are reviewed and appropriate corrective actions taken. The rules also require school districts to communicate the idling requirements to all parents, drivers and staff and to incorporate the requirements into transportation contracts.
<b>VIRGINIA</b> 9 Va. Admin. Code § 5-40-5670	Virginia air pollution control regulations prohibit motor vehicles licensed for commercial or public service use from idling for more than three minutes in commercial or residential urban areas unless the vehicle is providing auxiliary power for other than heating or air conditioning. An exception is provided for diesel engine idling up to 10 minutes to minimize restart problems.
<b>WEST VIRGINIA</b> W. V. Code §§ 17C-13A-1--9  W.V. Code § 17C-12-7; W.V. Code State Rules §§ 126-92-3, 126-172-3	West Virginia motor vehicle law prohibits diesel-powered commercial motor vehicles with a gross vehicle weight over 10,000 pounds from idling for more than 15 minutes in any 60-minute period. Exemptions are provided for school buses when idling is necessary to maintain a safe temperature for passengers and for vehicles that are labeled as meeting the optional NOx idling emission standard of the California Air Resources Board. The law also requires posting of permanent signs by owners and operators of locations where vehicles subject to idling restrictions load or unload, or of locations that provide 15 or more parking spaces for such vehicles.  West Virginia motor vehicle law also requires the State Board of Education to promulgate a rule governing the idling of school buses. The Board's rule on school bus transportation prohibits buses from idling while waiting for or loading students. Exceptions include idling for 10 minutes when the outside temperature is at or below 40 degrees or when student safety and comfort is in question, or idling for 30 minutes when necessary to defrost windows. Additionally, a separate Board rule governing school facility planning provides that driveways at schools should be of adequate space to insure that carbon monoxide does not accumulate in idling vehicles or school buses.

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