

# Vehicle Idling Bylaw

## Possible Implementation

### Recommendation:

That the January 25, 2011, Deputy City Manager's Office report 2010DCM082 be received for information.

### Report Summary

**This report provides the results of the vehicle idling campaign, and outlines suggested bylaw provisions and approach if Council wishes to pursue the development of legislative requirements to limit vehicle idling.**

### Previous Council/Committee Action

- At the November 8, 2010, Agenda Review Committee meeting, the November 16, 2010, Deputy City Manager's Office Report was postponed to the January 25, 2011, Transportation and Public Works Committee meeting.
- At the January 21, 2009, City Council meeting, the following motion was passed:
 

That one year from the date of the implementation of the public awareness and education campaign to reduce vehicle idling, Administration prepare a report for Transportation and Public Works Committee outlining the results of the campaign, as well as terms and conditions of what should be included in an anti-idling bylaw and possible accompanying implementation plan for the bylaw.

### Report

#### 'Be Idle Free' Campaign

- The following are the results to date of the "Be Idle Free: *A minute or less is best*" education and awareness campaign launched in the fall of 2009.
- In fall 2009, "Be Idle Free" graphics were made available on the City of Edmonton website for the public to start their own campaigns.
- In late 2009, Community Services' Recreation Technicians were provided with "Be Idle Free" graphics and tips to include in their community interactions.
- An article on vehicle idling was sent to the Edmonton Federation of Community Leagues for inclusion in local community league newsletters.
- "Be Idle Free" messaging, buttons, posters and flyers were distributed at various events, including a display as part of Clean Air Day activities in City Hall and with CO<sub>2</sub>RE and The Way We Green promotions over the summer.
- In July 2010, a media release announced a July to October 2010 youth-oriented video contest that focused on vehicle idling reduction. The contest was a partnership among the City of Edmonton, Alberta Capital Airshed Alliance, the Alberta Lung Association, the City of St. Albert and the University of Alberta's Office of Sustainability.
- A promotional video created by the City of Edmonton to promote the "Be Idle Free" video contest which ran during the Movies on the Square event in early September 2010.
- Video contest winners will be announced on November 3, 2010.
- Activities from other organizations:
  - In the fall of 2009 to June 2010, Alberta Environment piloted an idle-free elementary education

- program in five Edmonton public schools. Reportedly, teachers and principals noted reduced idling. Alberta Environment plans to expand this initiative.
- In January 2010, The University of Alberta launched its own campaign, *Care for Our Air: Please Don't Idle*, including campus signage and campus news ads.
- Edmonton's Children-Organized Anti-Idling Recruiters (Eco-Air), a local youth group, continues to actively promote anti-idling.
- From October 2009 to 2010, 1,870 views were recorded for "Be Idle Free" on the City of Edmonton website. From October to December, 2009, and September through October 2010 there were over 100 views per month.
- Survey work to assess any changes in behaviour regarding citizens vehicle idling time was underway at the time of the writing of this report and will be provided verbally at the November 16, 2010, Transportation and Public Works Committee meeting.

### Excessive Idling Bylaw

- Administration believes that the bylaw provisions and enforcement approach identified in early 2009 are valid.
- The proposed bylaw approach was developed based upon research of other municipal idling bylaws and public consultation undertaken in the fall of 2008.

### Bylaw Provisions

- Attachment 1 provides proposed excessive idling bylaw provisions and exemptions.

- The bylaw provisions would regulate vehicle idling (engine operating while a vehicle is not moving) to less than three consecutive minutes.
- The scope of the bylaw would be for all licensed motor vehicles (i.e. private and commercial) on public and private lands.
- Recommended bylaw exemptions identified in Attachment 1 are included to allow for vehicle idling where required for safety, emergency, operational and because of cold temperatures.
- The Vehicle Idling Control Directive for the City's municipal fleet and Work Instruction for the City's bus fleet put restrictions that will meet or be more stringent than the proposed bylaw provisions.

### Bylaw Enforcement

- Administration will integrate enforcement of excessive idling restrictions into its current enforcement programs.
- Community Standards Peace Officers will rely on a citizen complainant to provide all the necessary evidence to lay a charge. No physical inspection will be undertaken, only verification of information provided through a witness statement. The complainant will be required to attend court if the matter is contested.
- This enforcement approach is similar to the current method of dealing with certain types of property noise complaints or other violations that are witnessed by individuals.

### Bylaw Implementation

- Administration would bring forward for Council's consideration

amendments to the Community Standards Bylaw 14600 based on the Excessive Idling provisions provided in Attachment 1.

- If bylaw amendments were approved by mid-2011, an awareness and education campaign would precede bylaw enforcement, which could begin in 2012.

### **Policy**

City's Environmental Policy C512.

### **Focus Area**

Preserving and Sustaining Edmonton's Environment

### **Public Consultation**

Excessive Idling Bylaw consultation was undertaken in late 2008 in accordance with Policy C513.

### **Attachments**

1. Proposed Amendments to the Community Standards Bylaw to Include Excessive Idling Provisions

### **Background Information Available on Request from the Department**

1. Public Consultation for the Limited Idling Bylaw – Final Report Summary – November 14, 2008

### **Others Reviewing this Report**

- G. Klassen, General Manager, Planning and Development Department
- D. H. Edey, General Manager, Corporate Services Department

## **Proposed Amendments to the Community Standards Bylaw to Include Excessive Idling Provisions**

### **Proposed Definitions**

'idle' or 'idling' means the operation of the engine of a motor vehicle while the motor vehicle is not in motion;

### **Proposed Regulations**

A person shall not cause, permit or allow a motor vehicle to idle for more than three consecutive minutes.

A person shall not cause, permit or allow a motor vehicle to idle for more than three minutes total in a 30 minute period.

### **Proposed Exceptions**

Fire, police, medical services or other similar emergency motor vehicles while engaged in operational activities.

Motor vehicles assisting in emergency activities.

Motor vehicles in which the engine is used to operate auxiliary equipment that is essential to the basic function of the vehicle.

Motor vehicles containing equipment that must be operated inside or in association with the vehicle.

Motor vehicles idling in compliance with the manufacturer's written directions concerning proper vehicle performance and proper vehicle safety.

Armoured motor vehicles in the course of being loaded or unloaded.

Motor vehicles using heating or refrigeration systems powered by the vehicle engine for the welfare or preservation of perishable cargo.

Motor vehicles in which proper ventilation system function is required to clear interior window surfaces of accumulated condensation, but only for the minimum period of time to allow safe visibility.

Motor vehicles remaining motionless for brief periods of time, not to exceed three consecutive minutes, due to emergency, traffic conditions, weather conditions or a traffic control device.

Motor vehicles idling where required for the purpose of servicing or repairing the vehicle.

Motor vehicles engaged in a parade, race or other event authorized by the City.

Motor vehicles operating solely on electric power or those idling without the use of an internal combustion engine.

Motor vehicles licensed to provide for hire transportation services to the public, but only when the outdoor temperature is less than 10 degrees above zero Celsius.

Motor vehicles idling when the outdoor temperature is less than 10 degrees below zero Celsius.

### **Proposed Evidentiary Clauses**

In the absence of evidence to the contrary, if a motor vehicle is involved in an offence referred to in this Part the registered owner of that vehicle is deemed to be someone causing, permitting or allowing the idling of the vehicle.

In any prosecution for an offence under this Part evidence by a person of audible engine noise or visual observation of exhaust coming from a motor vehicle shall be considered prima facie evidence of engine operation.

### **Proposed Fine**

The proposed specified fine is \$250.00. Higher fines (up to the \$10,000 maximum amount permitted by the Municipal Government Act) may be imposed by a court for repeat offenders.