

PINAL COUNTY AREA A
VEHICLE ENGINE IDLING RESTRICTION ORDINANCE
Originally Adopted June 5, 2002

Whereas, A.R.S. § 11-876 requires a vehicle engine idling restriction ordinance for those counties that contain any portion of Area A (as defined by A.R.S. §49-541) to be in place by July 1, 2002, to restrict idling for no more than five minutes.

Whereas, the Pinal County Board of Supervisors finds that the legislature intended that the aforementioned requirement should apply only to heavy duty diesel vehicles over 14,000 pounds gross vehicle weight rating (GVWR), required to be registered under Arizona law, and designed to operate on public highways.

Whereas, A.R.S. § 11-251.01 provides that the Board of Supervisors may impose penalties for the violation of ordinances:

Now therefore, the Board of Supervisors of Pinal County hereby ordains it as follows:

A. Definitions

The following words and terms, when used in this ordinance shall have the following meanings.

1. **Gross Vehicle Weight Rating** means the maximum vehicle weight for which the vehicle is designed as established by the manufacturer. (AAC Rule 18-2-1001.36)
2. **Idling** means the operation of a diesel engine where the engine is not engaged in gear. The Federal definition of “curb-idle” means: (1) For manual transmission code light-duty trucks, the engine speed with the transmission in neutral or with the clutch disengaged and with the air conditioning system, if present, turned off. For automatic transmission code light-duty trucks, curb-idle means the engine speed with the automatic transmission in the “Park” position or “Neutral” and with the air conditioning system, if present, turned off; (2) For manual transmission code heavy-duty engines, the manufacturer’s recommended engine speed with the clutch disengaged. For automatic transmission code heavy-duty engines, curb idle means the manufacturer’s recommended engine speed with the automatic transmission in gear and the output shaft stalled.
3. **Primary Propulsion Engine** – Any engine for which the primary function is to provide mechanical power to propel or direct a vehicle, regardless of whether that power is applied directly to the propeller shaft or indirectly by way of an electrical system.
4. **Vehicle** means any device or combination of devices with a GVWR of more than 14,000 pounds that is required to be registered under Arizona law, and is designed to operate on public highways and powered by a diesel engine. This definition also incorporates by reference definitions provided for motor vehicle, vehicle, truck, truck tractor, vehicle transporter, motor carrier in AAC Rule 18-2-101(69), A.R.S. §44-1301, A.R.S. §49-541(16), A.R.S. §49-581, A.R.S. §28-101(29), A.R.S. §28-101(50), A.R.S. §28-101(50), A.R.S. §28-101(51), A.R.S. §28-101(52), A.R.S. §28-101(53), AAC Rule 17-4-435,

A.R.S. §28-5201. No definitions exist for “heavy duty motor vehicle” or “heavy duty diesel engine.”

- B. This ordinance is applicable to only those portions of Pinal County contained in Area A as defined in A.R.S. § 49-541.
- C. Except as provided in subsection E, no owner, lessee, physical operator or driver of a vehicle as defined in A (4) shall allow or permit the engine of such vehicle to be idling for more than five (5) consecutive minutes.
- D. A person who violates this ordinance is subject to a civil penalty of \$100 for the first violation and \$300 for a second or any subsequent violation. (The Attorney General’s Office interpretation is that A.R.S. Title 28 allows any law enforcement officer to enforce A.R.S. §11-877, which authorized this ordinance on private and/or public property).
- E. This ordinance shall **not** apply when:
 - 1. A vehicle is forced to remain motionless because of traffic or adverse weather conditions affecting the safe operation of the vehicle.
 - 2. A vehicle is being operated for emergency or law enforcement purposes.
 - 3. The primary propulsion engine of a vehicle is providing a power source necessary for mechanical operations other than propulsion and involves a power take off (PTO) mechanism, or other mechanical device performing the same function as a PTO and driven off the engine for loading and unloading cargo, mixing or processing cargo, controlling cargo temperature, or a mechanical extension to perform work functions.
 - 4. The primary propulsion engine of a vehicle is being operated at idle to conform to manufacturer’s warm up and cool down specifications, or for maintenance or diagnostic purposes.
 - 5. The primary propulsion engine of a vehicle is being operated to supply heat or air conditioning necessary for passenger comfort/safety in those vehicles operating for commercial passenger transportation or school purposes.
 - 6. The primary propulsion engine of a vehicle is being operated to supply heat or air conditioning necessary for driver comfort, safety or rest, while in the vehicle. Specifically for the purposes of the driver or co-driver being in compliance with U.S. and Arizona Department of Transportation regulations and the driver is in need of sleep or rest.