

REFERENCE TITLE: vehicle idling ordinances; technical correction

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

## **HB 2605**

Introduced by  
Representative Mason

AN ACT

AMENDING SECTION 11-876, ARIZONA REVISED STATUTES; RELATING TO COUNTY  
PLANNING AND ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-876, Arizona Revised Statutes, is amended to  
3 read:

4 11-876. Engine idling restrictions; exemptions; applicability;  
5 civil penalty; definition

6 A. By July 1, 2002, a county that contains any portion of area A as  
7 defined in section ~~49-451~~ 49-541 shall adopt, implement and enforce  
8 ordinances that place limits on the maximum idling time for engines that  
9 propel heavy-duty diesel vehicles with a gross vehicle weight rating of more  
10 than fourteen thousand pounds. The ordinances shall at least include  
11 exemptions for:

12 1. Certain types of vehicles, such as police, fire and other emergency  
13 vehicles.

14 2. Certain types of situations such as traffic delays or the need for  
15 a driver to sleep in the vehicle.

16 3. Certain types of equipment operations, such as refrigeration of  
17 cargo.

18 B. A county with a population of less than one million two hundred  
19 thousand persons shall adopt, implement and enforce the ordinances required  
20 by this section only for those portions of the county that are located in  
21 area A.

22 C. Any other county may adopt, implement and enforce ordinances that  
23 comply with this section.

24 D. A driver who violates an ordinance adopted pursuant to this section  
25 is subject to:

26 1. The imposition of a civil penalty of one hundred dollars for the  
27 first violation.

28 2. The imposition of a civil penalty of three hundred dollars for a  
29 second or any subsequent violation.

30 E. Ordinances adopted pursuant to this section may be enforced by a  
31 county control officer or any law enforcement officer who is authorized to  
32 enforce traffic laws. For violations of ordinances adopted pursuant to this  
33 section, an officer shall use a uniform civil ticket and complaint  
34 substantially similar to a uniform traffic ticket and complaint prescribed by  
35 the rules of procedure in civil traffic cases adopted by the supreme court.  
36 The officer may issue citations to persons who violate an ordinance adopted  
37 pursuant to this section.

38 F. In enforcing ordinances adopted pursuant to this section, a county  
39 control officer or authorized law enforcement officer shall only issue one  
40 citation per traffic stop or investigation of a driver whose vehicle exceeds  
41 the maximum idling limits established pursuant to this section.

42 G. For the purposes of this section, "idling" means the operation of  
43 an engine in the operating mode where the engine is not engaged in gear,  
44 where the engine operates at a speed at the revolutions per minute specified  
45 by the engine or vehicle manufacturer for when the accelerator is fully  
46 released and there is no load on the engine.