



# City of Palo Alto

## City Council Staff Report

(ID # 9471)

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**Report Type: Action Items**

**Meeting Date: 7/30/2018**

**Summary Title: P&S Recommendation to Council - Anti-Idling Ordinance**

**Title: Policy and Services Committee Recommendation to Council to Adopt an Ordinance Adding Chapter 10.62 to Title 10 (Vehicles and Traffic) of the Municipal Code to Regulate Unnecessary Idling of Vehicles (Continued From April 2, 2018 and June 12, 2018)**

**From: City Manager**

**Lead Department: City Manager**

### **Recommended Motion**

The Policy and Services Committee recommends that Council adopt the attached ordinance (Attachment A) amending the Municipal Code to add Chapter 10.62 to Title 10 (Vehicles and Traffic) to regulate unnecessary idling of vehicles.

### **Background**

On August 28, 2017, the City Council discussed a Council Colleagues Memo from Vice Mayor Kniss and Council Members Filseth, Holman and Dubois, recommending the City develop an ordinance to implement Programs N5.2.1 and N5.2.2 in the Draft Comprehensive Plan and to support Healthy Cities, Healthy Communities Priority by requiring drivers to shut off their engines after two or three minutes of stationary idling if not in an active traffic path, noting exceptions.

The following motion was unanimously passed by Council 8-0 (Fine absent):

**MOTION AS AMENDED RESTATED:** Vice Mayor Kniss moved, seconded by Council Member Holman to direct Staff to return to the Policy and Services Committee with an Ordinance to implement Programs N5.2.1 and N5.2.2 in the Draft Comprehensive Plan and to support the Healthy Cities, Healthy Communities Council Priority by requiring drivers to shut off their engines after two or three minutes of stationary idling if not in an active traffic path, noting exceptions. The Ordinance would be patterned after ordinances adopted in Minneapolis, MN; Salt Lake City, UT; and Ann Arbor, MI.

### **Discussion**

On December 12, 2017, the Policy and Services Committee (Committee) discussed the

staff report and a draft Anti-Idling Ordinance prepared for discussion purposes ([Attachment B – P&S Staff Report](#)). The Committee was overall supportive of an effort to discourage extended vehicle idling, and the Committee discussed primarily exemptions to the ordinance and enforcement of the ordinance ([Attachment C – Transcript, Item 3, pp 15-31](#)).

The exemptions that staff brought forward for the Committee’s consideration were derived from other city anti-idling ordinances. The Committee recommends that all of the listed exemptions be included in the ordinance (Attachment A). They include emergency vehicles, refrigeration trucks and armored vehicles among other special circumstances where extended idling may be warranted.

Regarding enforcement, staff drafted several options for the Committee, ranging from emphasizing education and providing for no active enforcement, to escalating fines. Staff recommended that the ordinance primarily function as an education tool to help people understand and appreciate the issue, recognizing that formal enforcement would be challenging and of limited effectiveness. After some discussion the Committee voted 3-1 (Wolbach no) to include an enforcement component with the following fine amounts: \$0 (written warning) for the first violation, \$100 for the second violation and \$150 for the third violation. Councilmember Wolbach preferred the no enforcement option in recognition that enforcement would be very rare due to lack of resources and the impractical operational logistics that would be required to enforce idling time limits.

The Committee also discussed the need for education on the topic of extended idling, particularly collaborating with the Palo Alto Unified School District (PAUSD), as extended idling is frequently observed at school drop off and pick up times. The Committee discussed interest in PAUSD collaborating with students to help educate parents and caregivers understand the negative impacts of extended idling. Staff will share the ordinance with PAUSD and discuss with them how they might work with students to help with community education.

### **Resource Impact**

Adoption of an ordinance in itself will have limited resource impact. With the understanding that additional resources will not be available, enforcement will be a low priority for existing staff. If the City Council anticipates active enforcement of the ordinance, including tracking prior violations to implement an escalating fine structure, staff will need to return with an analysis of resources required.

### **Policy Implications**

The ordinance supports the Comprehensive Plan, Healthy City Healthy Community and Sustainability Climate Action Plans as related to the City’s carbon reduction efforts.

#### **Attachments:**

- Attachment A: Anti-Idle Draft Ordinance - 12.21.17 (post-committee)
- Attachment B: P&S Dec 2018 Anti Idling ID# 8704

- Attachment C: 12-12-17 P&S Action Minutes

Not Yet Approved

Ordinance No. \_\_\_\_\_

Ordinance of the Council of the City of Palo Alto Adding Chapter 10.62 to Title 10 (Vehicles and Traffic) of the Palo Alto Municipal Code to Regulate Unnecessary Idling of Vehicles.

ATTACHMENT A

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. The City Council finds and declares as follows:

A. Program N5.2.1 of the updated City of Palo Alto Comprehensive Plan instructs the city to “[p]romote understanding of the impacts of extended idling on air quality, for residents, auto-dependent businesses and schools.” Additionally, Program N5.2.1 of the updated Comprehensive Plan instructs the city to “[c]onsider adopting and enforcing penalties for drivers that idle for longer than 3-5 minutes.” This ordinance is intended to effectuate Policy N-5.2 and support behavior changes to reduce emissions of particulate matter and other air pollutants from automobiles.

B. Title 13, California Code of Regulations, section 2485 currently makes it unlawful for any diesel-fueled commercial vehicle weighing over 10,000 pounds and operating in California to idle for more than 5 minutes, subject to certain exceptions. Additionally, Title 13, California Code of Regulations, section 2480 requires that school busses and other school-serving busses turn off their engines when stopping at or within 100 feet of a public or private K-12 school, with idling permitted for only up to 30 seconds prior to departure. The California Air Resources Board is authorized to enforce these laws by issuing civil and/or criminal citations to vehicle owners and/or operators and penalties of at least \$300 per violation. These regulations do not preclude local governments from regulating vehicle idling more stringently or in a broader manner than the state does currently.

C. The unnecessary operation of internal combustion engines poses a number of public health concerns. In particular, airborne pollutants from engine emissions can cause or aggravate pulmonary diseases, including asthma, lung cancer, bronchitis, acute respiratory infections, and emphysema. In addition to public health concerns, idling engines also impose economic costs, including wasted energy, consumption of non-renewable resources, and costs related to medical care and lost productivity due to pollution-related illness. Idling engines also diminish citizens’ quality of life by generating noise, odor, and visible smog.

D. In addition to impacts on local community health and welfare, unnecessary idling contributes to environmental degradation in the Bay Area and more broadly by emitting greenhouse gases, hydrocarbons, nitrogen oxides, and particulate matter. Although technological advancements in internal combustion engines have reduced some of these impacts, increases in vehicle usage and the continued use of older vehicles has offset many of these technological benefits.

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E. The City of Palo Alto is committed to reducing greenhouse gas emissions from activities within the city. This commitment is demonstrated in part by the city's Sustainability and Climate Action Plan, which targets an 80-percent reduction in greenhouse gas emissions from 1990 levels by 2030. Additionally, Goal N-5 of the updated Comprehensive Plan demonstrates the city's commitment to developing local policies and working with BAAQMD to promote regional solutions to improve air quality in Palo Alto and throughout the Bay Area.

SECTION 2. Chapter 10.62 (Idling of Vehicles) of Title 10 (Vehicles and Traffic) is hereby added to read as follows:

Chapter 10.62 Idling of Vehicles

**10.62.010 Intent and Purpose.**

It is the intent and purpose of this chapter to discourage the Idling of Vehicle engines in the City of Palo Alto in order to protect public health, improve environmental conditions, conserve energy and resources, promote economic efficiency, and improve quality of life. This intent and purpose shall be effectuated through primarily educational means.

**10.62.020 Definitions.**

For the purposes of this chapter, these words shall have the following definitions:

(a) *Idle or Idling* means to operate a Vehicle's internal combustion engine while the Vehicle is stationary.

(b) *Vehicle* is defined as in California Vehicle Code section 670.

**10.62.030 Restriction of Vehicle Idling.**

(a) A Vehicle owner or a Vehicle operator shall not cause or permit the Vehicle to Idle on public property, in public rights of way, or on private property that is open to the general public within city limits for more than 3 consecutive minutes.

(b) Subsection (a) of this section shall not apply in any of the following circumstances:

(1) A Vehicle is forced to remain stationary because of an official traffic control device, direction of a law enforcement official, or any traffic conditions beyond the operator's control, including traffic congestion, railroad crossings, construction zones, security checkpoints, and vehicle queues for drive-through goods and services;

(2) Idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency for human or animal occupants, or

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to prevent the aggravation of a passenger's disability or health condition, but not merely to maintain the comfort of vehicle occupants;

(3) Idling is necessary to provide heat to an occupied Vehicle if the outside ambient temperature is below 40 degrees Fahrenheit, or Idling is necessary to provide cooling to an occupied vehicle if the outside temperature is more than 85 degrees Fahrenheit;

(4) Idling is necessary to power heaters or air conditioners to maintain the comfort of vehicle occupants while waiting for assistance when a vehicle is immobilized due to mechanical problems;

(5) An emergency or law enforcement vehicle, including police, fire, ambulance, public safety, military, or any vehicle being used in an emergency capacity, Idles in the course of or in preparation for emergency or law enforcement duties;

(6) An armored vehicle Idles while in the course of business;

(7) Idling is necessary to power auxiliary work equipment that is actively in use, including, but not limited to, cargo refrigeration units, waste collectors/compactors, lifts, winches, pumps, compressors, drills, mixers, and other safety and construction equipment. Auxiliary work equipment does not include equipment primarily intended for vehicle cabin comfort or occupancy, such as air conditioning, heating, radio, television, digital displays, or kitchen appliances;

(8) Idling is necessary for any Vehicle maintenance, service, repair, inspection, research and development, or diagnostics;

(9) An engine is operated in accordance with instructions from the Vehicle manufacturer for proper operation;

(10) Idling is necessary for a licensed private security provider to perform security duties;

(11) A Vehicle designed to carry 15 or more passengers Idles to maintain comfortable cabin temperatures while paying passengers are on board for up to 10 minutes prior to a scheduled embarkation; or

(12) Applicable federal, state, or local law requires Idling.

### **10.62.040 Enforcement.**

It is the responsibility of the members of the police department or such persons as assigned by the chief of police to enforce the provisions of this chapter through any appropriate action, including administrative citation, compliance order, criminal citation, civil injunctive

code enforcement, and/or written warnings. Any criminal citation issued under this chapter shall be designated as an infraction.

**10.62.050 Penalties.**

The maximum penalty for a first violation of this chapter occurring within a calendar year shall be a written warning with no fine. The maximum fine shall be \$100.00 for a second violation and \$150.00 for a third and any subsequent violation of this chapter occurring within a calendar year.

SECTION 3. This chapter shall be in pilot status until June 1, 2019. Before the end of the pilot period, staff will return to Council to review the program, make any necessary adjustments, and consider this chapter for permanent adoption, subject to amendment from time to time as deemed appropriate. Unless Council acts to extend the pilot period or make permanent this chapter before June 1, 2019, this chapter, as it may from time to time be amended, shall be deemed approved on a continuing basis on that date.

SECTION 4. If any section, subsection, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the ordinance. The Council hereby declares that it should have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15308 of the CEQA Guidelines, as an action taken for the protection of the environment.

SECTION 6. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Not Yet Approved

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

APPROVED:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Director of Administrative Services





# City of Palo Alto

## Policy and Services Committee Staff Report

(ID # 8704)

**Report Type:** Action Items

**Meeting Date:** 12/12/2017

**Summary Title:** Review draft Anti-Idling Ordinance

**Title:** Discussion and Recommendation to Council Regarding Anti-Idling Ordinance

**From:** City Manager

**Lead Department:** City Manager

### **Recommendation**

Staff recommends that the Policy and Services Committee review the draft anti-idling ordinance, provide feedback on identified policy issues including exceptions and enforcement, and consider recommending the ordinance to Council for approval.

### **Background**

On August 28, 2017 the City Council discussed a Council Colleagues Memo from Vice Mayor Kniss and Council Members Filseth, Holman and Dubois, recommending the City develop an ordinance to implement Programs N5.2.1 and N5.2.2 in the Draft Comprehensive Plan and to support Healthy Cities, Healthy Communities Priority by requiring drivers to shut off their engines after two or three minutes of stationary idling if not in an active traffic path, noting exceptions.

The following motion was unanimously passed by Council 8:0 Fine absent:

MOTION AS AMENDED RESTATED: Vice Mayor Kniss moved, seconded by Council Member Holman to direct Staff to return to the Policy and Services Committee with an Ordinance to implement Programs N5.2.1 and N5.2.2 in the Draft Comprehensive Plan and to support the Healthy Cities, Healthy Communities Council Priority by requiring drivers to shut off their engines after two or three minutes of stationary idling if not in an active traffic path, noting exceptions. The Ordinance would be patterned after city ordinances adopted in Minneapolis, MN; Salt Lake City, UT; and Ann Arbor, MI.

### **Discussion**

City staff reviewed the Colleagues Memo and a number of Anti-Idling Ordinances from

other cities and counties including Minneapolis, Salt Lake City, Ann Arbor, Auburn and Placer County. Staff prepared a draft ordinance for the Committee to discuss and consider for Council approval (Attachment B).

Staff is supportive of the goal that residents, workers and visitors should be more conscious of the harmful impact of long time idling on the environment. Staff understands and supports an attempt to reduce long time idling behavior, recognizing it would be good for the community, and consistent with our Healthy City, Comprehensive Plan and Sustainability and Climate Action Plan goals.

Staff also believes that this ordinance should primarily function as an education tool to help people understand and appreciate the issue. Formal enforcement activity will be challenging and of limited effectiveness. If the Committee chooses to recommend an ordinance to Council, it should do so with a realistic understanding of the enforcement constraints. Code enforcement and police officers will rarely be available to respond to complaints of violations due to limited resources and the need to prioritize other health and safety issues. And even when resources are available, violations typically would not be ongoing when enforcement officers arrive at the scene, making formal enforcement activity difficult. Experience with other similar mandates has shown that enforcement is resource-intensive and of limited effectiveness. This can contribute to some citizens' feelings of frustration toward local government.

Staff discussed internally whether there is value and merit in an ordinance that states explicitly that enforcement mechanisms and resources will not be deployed. This is a point of discussion for the Committee. Is an ordinance the most appropriate tool to attempt to influence extended idling behavior? Perhaps a targeted education campaign, as resources allow, supported by a strong Council resolution is more fitting? Staff is not recommending this alternative, but raises it for discussion purposes. Neither are we recommending a responsive enforcement program if an ordinance is recommended.

There are a number of exceptions in the draft ordinance. Cities that have anti-idling ordinances differ in the exceptions they include. Staff included all relevant exceptions from the examples we consulted, as a starting point. We seek the Committee's direction in this area, as well.

### **Timeline**

Staff will bring the Policy and Services recommendation to Council early in 2018.

### **Resource Impact**

It is important to note that this initiative arrived on the "City's plate" so to speak, unplanned and out of step with the City workplan. In addition, the staff report identifies the challenges associated with enforcement.

Adoption of an ordinance in itself will have limited resource impact. Depending on the

Committee and Council's direction, additional resources may needed for education, signs and informational material, and enforcement. As indicated above, the requirements associated with these choices needs to be a key focus of the Committee's discussion.

**Policy Implications**

The draft ordinance supports the Comprehensive Plan, Healthy City Healthy Community and Sustainability Climate Action Plans as related to our city's carbon reduction efforts.

**Attachments:**

- Attachment A: ID# 8409 Colleagues Memo Vehicle Idling
- Attachment B: Anti-Idle Draft Ordinance - 11.30.17



# City of Palo Alto

## COLLEAGUES MEMO

**DATE:** August 28, 2017

**TO:** City Council Members

**FROM:** Council Member Filseth, Council Member Holman, Council Member DuBois, Council Member Kniss

**SUBJECT:** COLLEAGUES MEMO FROM COUNCIL MEMBERS DUBOIS, FILSETH, HOLMAN, AND VICE MAYOR KNISS REGARDING AN ANTI-IDLING ORDINANCE (AIO)

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### Goals:

The City's S/CAP plan calls for a reduction in citywide CO<sub>2</sub>-equivalent emissions of 224,600 tons by 2030, of which 111,900 tons are expected to come from mobility<sup>1</sup>. Emissions from stationary idling of cars, trucks and buses are one source of these emissions, and according to some studies the average US city emits about 13 tons of carbon each day, just from idling.

- An anti-idling ordinance would additionally support the Council's Healthy Cities, Healthy Communities Priority and, as stated in State Resolution 160, emission from idling vehicles "is linked to asthma, decreased lung function, cardiac disease, cancer, and other serious health problems."<sup>2</sup>
- The Bay Area Air Quality Management District states that inhaling particulate matter resulting from idling can aggravate asthma, cause coughing or difficult breathing, decrease lung function, exacerbate cardiovascular problems, lead to chronic bronchitis.<sup>3</sup>

A city ordinance requiring drivers to shut off their engines after the more feasible of two or three minutes of stationary idling would make a modest but measurable contribution to our 80-30 goal and improved health conditions at a low cost.

We further understand that some exceptions are necessary for public safety and possibly for some specific health conditions. Examples include:

- Fire trucks when responding to emergency calls
- Police vehicles when responding to emergency situations
- Public Works vehicles under certain specific and detailed conditions listed in City Fleet Policies & Procedures
- Possibly some particular health conditions

**Background and Discussion:**

Idling vehicles in Palo Alto produce an estimated 6.2 tons of CO<sub>2</sub>-equivalent emissions per year (see Appendix A: DOE). Some of this is short-duration idling done by vehicles at intersections; such as waiting for a stoplight to change, or in stop-and-go traffic. However, other idling is done at curbsides, such as by vehicles waiting to pick up passengers or deliver goods, and may last 10 minutes or more; tech-employee and tourist buses, have been observed to idle for even longer. Perhaps the greatest contributors to CO<sub>2</sub> emissions due to idling are construction vehicles that idle for long periods of time while in queue to make deliveries or pick up excavation dirt, for instance because they often use diesel fuel

There is not a good reason for such extended curbside idling. Modern vehicle engines do not suffer wear and tear from simply being turned on and off, and now use very little fuel in start-up. Some cars now automatically turn-off and on when idling. The efficiency tradeoff between keeping a car idling vs restarting it has largely disappeared.

The S/CAP 80-30 goal calls for the City to reduce transportation emissions by 117,900 tons between now and 2030. An Anti-Idling Ordinance (AIO) would target extended curbside idling and construction idling, and would likely reduce City emissions by 600-1200 tons per year, or .5-1% of the 2030 goal. This is a modest amount to be sure, yet still measurable; and the expense and effort would be low. And it would still be the equivalent of permanently taking 120-240 cars off the road/year.

Furthermore, there are other benefits; for example, reducing auto fumes outside schools, where considerable idling is done by parents waiting to pick up kids will create a healthier environment for children and adults.

The primary costs would likely be: posting signs in idle-rich places such as schools, truck delivery stops, and employee-bus stops; community education and outreach to promote awareness of the problem and the ordinance; and any ongoing enforcement costs. The first two of these are likely to be modest. The third is unclear, but independent of enforcement, even just signs and education are likely to have at least some impact.

**Recommendation:**

Develop a City ordinance to implement Programs N5.2.1 and N5.2.2 in the Draft Comprehensive Plan and to support Healthy Cities, Healthy Communities Priority by requiring drivers to shut off their engines after two or three minutes of stationary idling if not in an active traffic path, noting exceptions. The ordinance would be

patterned after city ordinances adopted in Minneapolis, Salt Lake City, and Ann Arbor.

**Staff Impact:**

While adoption of a new ordinance itself would require minimal staff resources, the new ordinance would raise community expectations that more will be spent on the installation of signs and on enforcement of the new ordinance. Resource impacts will depend on the number of signs installed and on the type and level of enforcement that is desired. If no additional staff resources are added, efforts towards education, response to complaints, citation and prosecution would compete with other priorities of existing staff in Transportation, Code Enforcement, the Police Department and the Attorneys Office. Since violations of the idling ordinance would be a lesser priority for enforcement than many other moving violations, there is likely to be limited or no enforcement without the addition of staff resources.

1. <http://www.cityofpaloalto.org/civicax/filebank/documents/51856>
2. [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160ACR160](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160ACR160)
3. [http://www.baaqmd.gov/~media/files/planning-and-research/planning-healthy-places/draft\\_planninghealthyplaces\\_marchworkshop-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/planning-healthy-places/draft_planninghealthyplaces_marchworkshop-pdf.pdf?la=en)

Appendix A: Potential GHG Impact of an Anti-Idling Ordinance in Palo Alto Appendix B: Background on Vehicle Idling (Idle Free Bay Area)

**Appendix A: Potential GHG Impact of an Anti-Idling Ordinance in Palo Alto**

E. Filseth, June 2017

While estimates of total nationwide idling emissions are available, little quantitative analysis is available on the direct impact of anti-idling ordinances (AIO) on reducing these emissions. Although a few idling studies have examined specific vehicle types such as police cars, an estimate for AIO impact on general auto emissions must rely on considerable guesswork.

1.0 Annual Vehicle Idling Emissions in Palo Alto - Estimate	Tons of CO2
Total US Annual Personal-Vehicle Emissions from Idling (1)	30,000,000
Population of USA	321,000,000
Population of Palo Alto	66,000
<b>Estimated Total Annual Palo Alto Idling Emissions (30M x population ratio)</b>	<b>6,168</b>

2.0 What Range of Possible Idling Reduction from an AIO?	% Reduction
A. Minneapolis Study on Police Car idling after ordinance adopted (2)	25%
B. Columbus, OH Study on Police Car idling after equipment install (3)	35%
C. Crown Delivery Services study after anti-idle policy established (4)	90%
D. American Transportation Research Inst. 2009 Trucking Study (5)	42%-78%
E. 2009 Survey by Vanderbilt University ("warming time" excluded) (6)	30%

F. Bottom-up Estimate for Palo Alto:

Avg # of stoplights per vehicle trip - guess	3
Avg idling minutes at each stoplight - guess	0.5
Avg # of in-traffic idling minutes per vehicle trip (ordinance won't affect)	1.5
% of vehicle trips which include an extended curbside idle - guess	5%
Avg minutes per extended-idle - guess	10
Avg Extended-Idle Minutes per vehicle trip (ordinance will affect)	0.5
Total Idle-Minutes per vehicle trip before Ordinance	2
% of Extended-Idle Minutes an ordinance would eliminate - guess	60.0%
# of Extended-Idle Minutes per vehicle trip an ordinance would eliminate	0.3
Total Idle-Minutes per vehicle trip after Ordinance	1.7
Net % Reduction in Idle-Minutes per Vehicle Trip	15.0%

**3.0 Estimated GHG Impact of an AIO in Palo Alto**

	Low	High
Annual idling emissions in Palo Alto (from 1.0 above)	6,168	6,168
<p><i>Estimating the actual % emissions reduction from an ordinance is difficult. Studies based on Police and delivery vehicles (2.0 A-D above) may not represent general auto transit (though one poll, 2.0 E, suggests they may). However, even if general auto transit savings were half that of Police and commercial vehicles, they might still reach 15% overall. 2.0 F above suggests 15% could indeed be achievable given reasonable assumptions. Therefore assume 10-20% range.</i></p>		
Estimated idling % reduction from an AIO	10%	20%
Estimated GHG reduction from an AIO (tons)	617	1,234
<b>% of City's SCAP Target Reduction of 117,900 tons from Transportation</b>	<b>0.52%</b>	<b>1.05%</b>

**4.0 References**

- 1 [https://www.afdc.energy.gov/uploads/publication/idling\\_personal\\_vehicles.pdf](https://www.afdc.energy.gov/uploads/publication/idling_personal_vehicles.pdf)
- 2 [http://aceee.org/files/pdf/case-studies/Minneapolis\\_Anti-Idling.pdf](http://aceee.org/files/pdf/case-studies/Minneapolis_Anti-Idling.pdf)
- 3 <http://www.assetworks.com/resource-items/city-of-columbus-gps-case-study/>
- 4 <https://www.geotab.com/wp-content/themes/geotab-template/resources/case-study/Anti-Idling-Program-Slashes-Fleet-Fuel-Costs.pdf>
- 5 <http://atri-online.org/research/results/ATRI1pagesummaryMIRTDemo.pdf>
- 6 <https://pdfs.semanticscholar.org/ea09/c74c727b6211097735d4e6a39ea961c0a63e.pdf>

**Appendix B: Background on Vehicle Idling**

Source: Idle Free Bay Area, 2017

<https://idlefreebayarea.org/about/>

**About Idling**

**Idling means** leaving a vehicle's engine running when it is parked or not in use.

***Idling happens while:***

- Waiting to pick someone up from school, sports practice or the library
- Sitting at a drive-through or car wash
- Checking email and voicemail – check *before* you start the car

***Myths about idling:***

- “I need to warm up my car.” Idling is NOT the best way to warm up your car – driving is
- “Shutting off and restarting my car is hard on the engine and uses more gas than if I leave it running.” Frequent restarting has little impact on engine components

***Top reasons to be idle free:***

- Save money –30 seconds of idling uses more fuel than restarting the engine
- Breathe easier – car exhaust can aggravate asthma and decrease lung function – especially in children
- Keep the sky blue – car exhaust is the #1 source of summertime [air pollution in the Bay Area](#)
- Reduce your carbon footprint

***How Idling Affects Your Health:***

The pollutants found in exhaust not only affect our environment, they also [affect our health](#). Particulate matter (PM) is the name for tiny particulates, such as soot, dust and dirt found in the air. When inhaled, these small particles travel into the lungs and sometimes into the bloodstream. [Inhaling PM can:](#)

- Aggravate asthma
- Cause coughing or difficult breathing
- Decrease lung function
- Exacerbate cardiovascular problems
- Lead to chronic bronchitis

**30-second Rule:** Turn off the car's engine if you'll be waiting for more than 30 seconds and help us all breathe easier.

**[Take the pledge!](#)**



Not Yet Approved

Ordinance No. \_\_\_\_\_

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The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. The City Council finds and declares as follows:

A. Program N5.2.1 of the updated City of Palo Alto Comprehensive Plan instructs the city to “[p]romote understanding of the impacts of extended idling on air quality, for residents, auto-dependent businesses and schools.” Additionally, Program N5.2.1 of the updated Comprehensive Plan instructs the city to “[c]onsider adopting and enforcing penalties for drivers that idle for longer than 3-5 minutes.” This ordinance is intended to effectuate Policy N.5.2 and support behavior changes to reduce emissions of particulate matter and other air pollutants from automobiles.

B. Title 13, California Code of Regulations, section 2485 currently makes it unlawful for any diesel-fueled commercial vehicle weighing over 10,000 pounds and operating in California to idle for more than 5 minutes, subject to certain exceptions. Additionally, Title 13, California Code of Regulations, section 2480 requires that school busses and other school-serving busses turn off their engines when stopping at or within 100 feet of a public or private K-12 school, with idling permitted for only up to 30 seconds prior to departure. The California Air Resources Board is authorized to enforce these laws by issuing civil and/or criminal citations to vehicle owners and/or operators and penalties of at least \$300 per violation. These regulations do not preclude local governments from regulating vehicle idling more stringently or in a broader manner than the state does currently.

C. The unnecessary operation of internal combustion engines poses a number of public health concerns. In particular, airborne pollutants from engine emissions can cause or aggravate pulmonary diseases, including asthma, lung cancer, bronchitis, acute respiratory infections, and emphysema. In addition to public health concerns, idling engines also impose economic costs, including wasted energy, consumption of non-renewable resources, and costs related to medical care and lost productivity due to pollution-related illness. Idling engines also diminish citizens’ quality of life by generating noise, odor, and visible smog.

D. In addition to impacts on local community health and welfare, unnecessary idling contributes to environmental degradation in the Bay Area and more broadly by emitting greenhouse gases, hydrocarbons, nitrogen oxides, and particulate matter. Although technological advancements in internal combustion engines have reduced some of these impacts, increases in vehicle usage and the continued use of older vehicles has offset many of these technological benefits.

E. The City of Palo Alto is committed to reducing greenhouse gas emissions from activities within the city. This commitment is demonstrated in part by the city's Sustainability and Climate Action Plan, which targets an 80-percent reduction in greenhouse gas emissions from 1990 levels by 2030. Additionally, Goal N-5 of the updated Comprehensive Plan demonstrates the city's commitment to developing local policies and working with BAAQMD to promote regional solutions to improve air quality in Palo Alto and throughout the Bay Area.

SECTION 2. Chapter 10.62 (Idling of Vehicles) of Title 10 (Vehicles and Traffic) is hereby added to read as follows:

#### Chapter 10.62 Idling of Vehicles

##### **10.62.010 Intent and Purpose.**

It is the intent and purpose of this chapter to discourage the idling of vehicle engines in the City of Palo Alto in order to protect public health, improve environmental conditions, conserve energy and resources, promote economic efficiency, and improve quality of life. This intent and purpose shall be effectuated through primarily educational means. [Optional: "Accordingly, the city shall not be authorized to enforce this chapter under Chapter 1.08 (Violations), 1.12 (Administrative Penalties – Citations), 1.16 (Administrative Compliance Orders), or by any criminal or civil means."]

##### **10.62.020 Definitions.**

For the purposes of this chapter, these words shall have the following definitions:

- (a) *Idle or Idling* means to operate a Vehicle's internal combustion engine while the Vehicle is stationary.
- (b) *Vehicle* is defined as in California Vehicle Code section 670.

##### **10.62.030 Restriction of Vehicle Idling.**

(a) A Vehicle owner or a Vehicle operator shall not cause or permit the Vehicle to Idle on public property, in public rights of way, or on private property that is open to the general public within city limits for more than 3 consecutive minutes.

(b) Subsection (a) of this section shall not apply in any of the following circumstances:

- (1) A Vehicle is forced to remain stationary because of an official traffic control device, direction of a law enforcement official, or any traffic conditions beyond the operator's control, including traffic congestion, railroad crossings, construction zones, security checkpoints, and vehicle queues for drive-through goods and services;

## Not Yet Approved

- (2) Idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency for human or animal occupants, or to prevent the aggravation of a passenger's disability or health condition, but not merely to maintain the comfort of vehicle occupants;
- (3) Idling is necessary to provide heat to an occupied Vehicle if the outside ambient temperature is below 40 degrees Fahrenheit, or Idling is necessary to provide cooling to an occupied vehicle if the outside temperature is more than 85 degrees Fahrenheit;
- (4) Idling is necessary to power heaters or air conditioners to maintain the comfort of vehicle occupants while waiting for assistance when a vehicle is immobilized due to mechanical problems;
- (5) An emergency or law enforcement vehicle, including police, fire, ambulance, public safety, military, or any vehicle being used in an emergency capacity, Idles in the course of or in preparation for emergency or law enforcement duties;
- (6) An armored vehicle Idles while in the course of business;
- (7) Idling is necessary to power auxiliary work equipment that is actively in use, including, but not limited to, cargo refrigeration units, waste collectors/compactors, lifts, winches, pumps, compressors, drills, mixers, and other safety and construction equipment. Auxiliary work equipment does not include equipment primarily intended for vehicle cabin comfort, such as air conditioning, heating, radio, television, digital displays, or kitchen appliances;
- (8) Idling is necessary for any Vehicle maintenance, service, repair, inspection, research and development, or diagnostics;
- (9) An engine is operated in accordance with instructions from the Vehicle manufacturer for proper operation;
- (10) Idling is necessary for a licensed private security provider to perform security duties;
- (11) A Vehicle designed to carry 15 or more passengers Idles to maintain comfortable cabin temperatures while paying passengers are on board for up to 10 minutes prior to a scheduled embarkation; or
- (12) Applicable federal, state, or local law requires Idling.

### **10.62.040 Enforcement.**

**[Four potential enforcement scenarios are included below, beginning with education and increasing in stringency.]**

**[Option 1 – Omit PAMC 10.62.040 entirely and include optional language in 10.62.010 above.]**

**[Option 2]**

Until such time as the City Council designates, by resolution, an intent to administratively enforce this chapter and includes this chapter in a revision to the city's Administrative Penalty Schedule, the city shall not be authorized to enforce this chapter under Chapter 1.08 (Violations), 1.12 (Administrative Penalties – Citations), 1.16 (Administrative Compliance Orders), or by any criminal or civil means. Upon passage of such a resolution or resolutions, enforcement of this chapter shall be available solely through the administrative mechanisms in Chapters 1.12 and 1.16 of this code, and/or written warnings.

**[Option 3]**

Enforcement of this chapter shall be available solely through the administrative mechanisms in Chapters 1.12 and 1.16 of this code, and/or written warnings. The maximum fine for a violation of this chapter shall be \$100.00 for a first violation, \$150.00 for a second violation, and \$200.00 for a third violation occurring within a calendar year.

**[Option 4]**

It is the responsibility of [“the Director of Planning & Community Environment, or his or her designee,” **OR** “the members of the police department or such persons as assigned by the chief of police”] to enforce the provisions of this chapter through any appropriate action, including administrative citation, compliance order, criminal citation [**note:** police officers only], or by civil injunctive code enforcement. The maximum fine for a violation of this chapter shall be \$300.00 for a first violation, \$450.00 for a second violation, and \$600.00 for a third violation occurring within a calendar year.

**SECTION 3.** If any section, subsection, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the ordinance. The Council hereby declares that it should have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 4.** The Council finds that this project is exempt from the provisions of the California Environmental Quality Act (“CEQA”), pursuant to Section 15308 of the CEQA Guidelines, as an action taken for the protection of the environment.

SECTION 5. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
[Planning Director and/or Police Chief]

\_\_\_\_\_  
Director of Administrative Services



# POLICY AND SERVICES COMMITTEE ACTION MINUTES

Special Meeting  
December 12, 2017

Chairperson Wolbach called the meeting to order at 6:07 P.M. in the Community Meeting Room, 250 Hamilton Avenue, Palo Alto, California.

Present: DuBois, Kniss, Kou, Wolbach (Chair)

Absent:

## Agenda Items

1. Review and Recommendation to the City Council of an Ordinance Amending Sections 4.42.190 (Taxi Meters) and 4.42.200 (Schedule of Rates, Display) of Chapter 4.42 of Title 4 (Business and License Regulations) of the Palo Alto Municipal Code to Allow Taxicab Service to be Prearranged by Mobile Device Application and Internet Online Service. This Action is Exempt Under Section 15061(b)(3) of the California Environmental Quality Act.

**MOTION:** Vice Mayor Kniss moved, seconded by Chair Wolbach to recommend the City Council adopt the proposed, revised Palo Alto Municipal Code Section 4.42 in order to allow taxicab service to be prearranged through a mobile device application and an internet online service.

**MOTION PASSED:** 4-0

At this time the Committee discussed Future Meetings and Agendas.

## Future Meetings and Agendas

At this time, the Committee heard Agenda Item Number 3.

3. Discussion and Recommendation to Council Regarding Anti-idling Ordinance.

# ACTION MINUTES

**MOTION:** Chair Wolbach moved, seconded by Council Member XX to recommend the City Council adopt the Staff Recommendation with Option 1 on the enforcement.

## **MOTION FAILED DUE TO THE LACK OF A SECOND**

**MOTION:** Council Member DuBois moved, seconded by Vice Mayor Kniss to recommend a modified Option 4, using the fine amounts indicated in Option 3.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to return to Council after a pilot period of one year for a status update.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to use the following fine amounts: \$0 (written warning) for the first violation, \$100 for the second violation and \$150 for the third violation.

**MOTION AS AMENDED RESTATED:** Council Member DuBois moved, seconded by Vice Mayor Kniss to recommend a modified Option 4, with the following fine amounts: \$0 (written warning) for the first violation, \$100 for the second violation and \$150 for the third violation; and direct Staff to return to the City Council after a pilot period of one year with a status update.

**MOTION AS AMENDED PASSED:** 3-1 Wolbach no

At this time, the Committee heard Agenda Item Number 2.

2. Discussion and Recommendations for 2018 City Council Priority Setting Process.

**MOTION:** Chair Wolbach moved, seconded by Council Member DuBois to recommend the City Council:

- A. Direct Staff to bring to the Retreat an updated version of the Priority Tally Sheet, with the removal of the Healthy Cities, Healthy Community Priority and including possible consolidation of items on the list; and

# ACTION MINUTES

- B. Encourage Council to pick only three priorities, that the priorities do not extend past a third year, give each priority equal importance and be specific about goals and not about policies; and
- C. Consider Housing, Transportation, Finance and Grade Separation as a starting point for the priorities.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "Make the National Citizen Survey available prior to Retreat."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "Direct Staff to bring last year's priorities to the Retreat."

**MOTION RESTATED:** Chair Wolbach moved, seconded by Council Member DuBois to recommend the City Council:

- A. Direct Staff to bring to the Retreat an updated version of the Priority Tally Sheet, with the removal of the Healthy Cities, Healthy Community Priority and including possible consolidation of items on the list; and
- B. Encourage Council to pick only three priorities, that the priorities do not extend past a third year, give each priority equal importance and be specific about goals and not about policies; and
- C. Consider Housing, Transportation, Finance and Grade Separation as a starting point for the priorities; and
- D. Make the National Citizen Survey available prior to the Retreat; and
- E. Direct Staff to bring last year's priorities to the Retreat.

**MOTION PASSED:** 4-0

ADJOURNMENT: Meeting adjourned at 7:51 P.M.