

Frequently Asked Questions Regulation for In-Use Off-Road Diesel-Fueled Fleets (Off-Road Regulation)

Written Idling Policy Guidelines FAQ Revised December 2015

Q – Why do I need to limit the idling of my off-road vehicles and develop an idling policy?

A – The Air Resources Board’s Regulation for In-Use Off-Road Diesel-Fueled Fleets (Off-Road Regulation) contains a limit on unnecessary idling. The Off-Road Regulation states: “No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes.” This limit applies to all off-road diesel vehicles subject to the regulation, unless the vehicle is idling for specific circumstances as defined in the regulation or a waiver granted. The idling limits are effective and enforceable as of **June 15, 2008**, when the regulation became effective under California law.

The Off-Road Regulation also requires that all medium and large fleets create a written idling policy that informs operators of the fleets’ vehicles that idling is limited to 5 consecutive minutes or less, and make the policy available to operators by **March 1, 2009**. For more information about whether your fleet qualifies as a medium or large fleet, please see section 2449(c)(24) of the final regulation order at <http://www.arb.ca.gov/msprog/ordiesel/reglanguage.htm>.

Q – Who is responsible for idling violations?

A – The vehicle owner is accountable for all idling violations, regardless of who was operating the vehicle at the time of the idling. For example, if an employee is operating a vehicle owned by a fleet owner, the fleet owner is responsible for ensuring the operator complies with the idling limits.

The exception to owner responsibility for idling is a rented or leased vehicle; in this case the responsibility is with the renter or lessee. The owner of such rented or leased vehicles must indicate in the rental agreement that the renter is responsible for complying with the idling limits. ARB recommends that rental agencies include language on a rental form, signed by the renter, that the renter understands and is responsible for meeting the idling limits.

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any ARB regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the In-Use Off-Road Diesel-Fueled Fleets Regulation.

Q – Who needs a written idling policy?

A – All medium and large fleets are required to develop a written idling policy that informs operators of the fleets' vehicles that idling is limited to 5 consecutive minutes or less, and make it available to operators by March 1, 2009. Small fleets are not required to maintain a written idling policy, but are accountable for meeting the idling limits. The definition of a small fleet from section 2449(c)(24)(C) of the Off-Road Regulation is:

“A fleet with total max [(maximum)] hp [(horsepower)] of less than or equal to 2,500 hp that is owned by a business, non-profit organization, or local municipality, or a local municipality fleet in a low population county irrespective of total max hp, a non-profit training center irrespective of total max hp, or a captive attainment area fleet irrespective of total max hp.”

Q – When is idling for more than 5 minutes allowed?

A – The idling limitations prevent unnecessary idling, not to limit the functions of a vehicle or business. If you find that the idling limits prevent you from accomplishing work or create a safety concern and you are not certain if the situation is covered by the idling exemptions listed below, please contact the DOORS hotline at (877) 59DOORS (1-877-593-6677) to discuss your circumstances.

The Off-Road Regulation explicitly grants exemptions to the idling limit for the following cases, and will consider other circumstances on a case-by-case basis:

- When it is necessary to complete work for which the vehicle was designed (e.g. concrete agitation, or for hydraulic power to a crane or fuel pump);
- When it is necessary for servicing¹, repairing, testing, or maintenance;
- When idling is required for safe operation of the vehicle, or for verifying that the vehicle is in safe operating condition;
- When warming a vehicle up to operating temperatures, as specified by the equipment manufacturer; and
- When queuing², such as when a line of off-road trucks forms to receive materials from an excavator.

Enforcement personnel have the discretion to make exceptions to the idling limitations when idling is necessary to provide heating or air conditioning to ensure the health and safety of the operators.

¹ The exemption for servicing includes idling necessary to regenerate exhaust filters which require the engine to be idled periodically to regenerate or burn off solids collected in the filter.

² Queuing does not include a vehicle waiting for materials or another vehicle to perform a function, such as a scraper waiting for a truck to deliver soil to complete a fill or a truck being loaded by an excavator, over a period of an hour.

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Q – What if I need to idle for more than 5 minutes for a reason not described above?

A – Fleet owners who believe they have a unique situation which qualifies their vehicles for a waiver from the idling limits may write a letter to ARB's Executive Officer detailing their circumstances and explaining why they should receive a waiver. If you have questions about what information should be included in your application for an idling waiver, please call the DOORS hotline at 877-59DOORS (877-593-6677). To submit an application for an idling waiver, send a written request to:

Executive Officer California Air Resources Board P.O. Box 2815 Sacramento, CA 95812 cc: John Kato, Manager Off-Road Implementation Section

ARB will respond, in writing, with a decision on whether the waiver is granted.

If ARB grants blanket waivers to specific vehicles or applications, notification will be posted on the Off-Road Regulation's homepage (www.arb.ca.gov/ordiesel) to prevent multiple fleets from completing the waiver process for the exact same vehicle or function.

Q – What should the written idling policy include?

A – The written idling policy must inform the vehicle operator that idling is limited to 5 consecutive minutes or less.

ARB recommends the information below be included in the written policy, as well, to ensure the operators are aware of the requirements and limits of the idling policy. Shown below is an example of language that could be included. Many fleets may need to expand upon the examples shown here to address their specific circumstances.

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- A description of the idling limits and an employer point of contact to handle operator questions relating to idling:

No vehicle or engine subject to the In-Use Off-Road Diesel-Fueled Fleets (Off-Road Regulation) may idle for more than 5 consecutive minutes. The idling limits took effect on June 15, 2008, the day that the Off-Road Regulation became effective under California law.

Please contact _____ at _____ for more information if this policy is unclear or you have additional questions.

- A list of applicable off-road vehicles in the fleet as practical or applicable vehicle types used by the fleet owner. In either case, the fleet owner should provide enough information to ensure the operators understand which vehicles are subject to the idling limits.
- Non-compliance reporting information so concerned operators may report:

To report non-compliant off-road diesel vehicles, call 877-59DOORS (877-593-6677), or fill out a form online at https://ssl.arb.ca.gov/ssldoors/doors_reporting/complaint.php

- The regulation language relating to idling, and how to look up the Off-Road Regulation:

No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes. Idling of a vehicle owned by a rental company is the responsibility of the renter or lessee, and the rental agreement should so indicate. The idling limit does not apply to:

1. idling when queuing,
2. idling to verify that the vehicle is in safe operating condition,
3. idling for testing, servicing, repairing or diagnostic purposes,
4. idling necessary to accomplish work for which the vehicle was designed (such as operating a crane),
5. idling required to bring the machine system to operating temperature, and
6. idling necessary to ensure safe operation of the vehicle.

The off-road diesel homepage is on ARB's website at www.arb.ca.gov/ordiesel and contains links to the regulation language, fact sheets, and reporting forms. The idling limits listed in the final regulation order section 2449(d)(2).

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- Additional information detailing when it is acceptable to exceed the idling limit. For example, the following language could be included, as applicable:

Idling when waiting in line allowed. (Idling to wait for other vehicles or materials not allowed.)

Idling to accomplish secondary functions, such as concrete agitation, load hoisting, fuel pump operation, or other necessary functions allowed.

Idling to keep equipment (including equipment windows) clear of ice and snow allowed.

Idling to provide air conditioning or heat to ensure the health and safety of the operator allowed.

Idling to test, maintain, or repair a vehicle, or VDECS installed on the vehicle, allowed.

Idling to warm up a vehicle to operating temperature as specific by the manufacturer allowed.

- A description of the penalties for an idling violation, as assessed by ARB enforcement staff:

The ARB enforcement advisory for idling is available online from ARB's website at: www.arb.ca.gov/enf/advs/advs377.pdf

The enforcement advisory describes the method by which the idling policy is enforced by ARB and states that penalties of up to \$10,000 per day may be assessed for violations.

- If ARB has issued a waiver for an engine model or vehicle type used by the fleet, a fleet might want to include this information in the written policy, as well.

ARB also recommends that fleets develop procedures for:

- Training and informing fleet staff about the idling policy,
- Identifying fleet-specific needs for its operators, such as language or reading needs (e.g. instructions in Spanish, or a class that goes over the idling limits for operators who cannot read the idling policy).
- Maintaining and updating the written idling policy.
- Locations where the policy kept or displayed.
- Designating any signs or labels in the vehicle including their meaning, which inform the operator of the idling limits.
- Any corrective actions taken against the operator, by the fleet or employer, for violation of the idling policy.
- Any additional idling requirements that apply, such as local or project-specific limits, if applicable.

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Q – Where should the idling policy be kept?

A – ARB recommends that fleet owners consider keeping either the policy or a sticker or placard with the vehicle to ensure that all operators are aware of the idling limits. At least, vehicle owners must make the written idling policy available to operators.

Q – Do I need an idling sticker or label?

A – Fleet owners may wish to place stickers or labels in the vehicles that indicate that the idling limits apply to the vehicle. Although not required by the Off-Road Regulation, it is encouraged by ARB to ensure that vehicle operators are reminded of the policy while in the field. Shown below is one example of an idling policy sticker:

Sample Idling Sticker



Q – Who can I contact if I have questions about the idling limits or the written idling policy?

A – If you have questions about vehicle applicability, limits, written idling policy, or other concerns, please contact ARB's DOORS Hotline at 1-877-59DOORS (1-877-593-6677), or by email at doors@arb.ca.gov.

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