

## **BILL ANALYSIS**

C.S.H.B. 1540  
By: Bonnen  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current federal law truckers are required to take periodic rest breaks. The engine is left idling to power the air conditioner or heater. Truckers traverse the entire state in temperatures that range from over 100 degrees to below freezing. Any restrictions placed on engine idling and consequently on use of air conditioning, would interfere with the federally mandated rest periods and the flow of goods across the state. C.S.H.B. 1540 prohibits the Texas Commission on Environmental Quality (TCEQ) from limiting idling when it is necessary to power a heater or air conditioner during a government-mandated rest period.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1540 amends the Health and Safety Code to restrict the TCEQ from prohibiting or limiting the idling of a motor vehicle when idling is necessary to power a heater or air condition while a driver is using the vehicle's sleeper berth for a government-mandated rest period. The bill defines "idling" as allowing an engine to run while the motor is not engaged in forward or reverse motion. These provisions expire on September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

Provides that the section of the Health and Safety Code added by the bill expires on September 1, 2007.