

Amend SB 12 on third reading by adding the following appropriately numbered SECTION to the bill, and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Sections 382.0191(b), (c), and (d), Health and Safety Code, are amended to read as follows:

(b) The commission may not prohibit or limit the idling of a motor vehicle when idling is necessary to power a heater or air conditioner while a driver is using the vehicle's sleeper berth for a government-mandated rest period. Idling is not necessary to power a heater or air conditioner if the vehicle is within two miles of a facility offering external heating and air conditioning connections at a time when those connections are available.

(c) No driver using the vehicle's sleeper berth may idle the vehicle in a residential area as defined by Section 244.001, Local Government Code, or in a school zone or within 1,000 feet of a hospital or a public school during its hours of operation. An offense under this subsection shall be punishable by a fine not to exceed \$500.

(d) This section expires September 1, 2009 [~~2007~~].