

1-1 By: Fraser S.B. No. 493
1-2 (In the Senate - Filed February 1, 2011; February 14, 2011,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 16, 2011, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 16, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the idling of motor vehicles.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter B, Chapter 382, Health and Safety
1-11 Code, is amended by adding Section 382.0191 to read as follows:

1-12 Sec. 382.0191. IDLING OF MOTOR VEHICLE. (a) In this
1-13 section, "idling" means allowing an engine to run while the motor
1-14 vehicle is not engaged in forward or reverse motion.

1-15 (b) The commission may not prohibit or limit the idling of
1-16 any motor vehicle with a gross vehicle weight rating greater than
1-17 8,500 pounds that is equipped with a 2008 or subsequent model year
1-18 heavy-duty diesel engine that has been certified by the United
1-19 States Environmental Protection Agency or another state
1-20 environmental agency to emit no more than 30 grams of nitrogen
1-21 oxides emissions per hour when idling.

1-22 SECTION 2. Subchapter Z, Chapter 622, Transportation Code,
1-23 is amended by adding Section 622.955 to read as follows:

1-24 Sec. 622.955. INCREASE OF MAXIMUM WEIGHT FOR VEHICLES WITH
1-25 IDLE REDUCTION SYSTEMS. (a) For purposes of this section, "idle
1-26 reduction system" means a system that provides heating, cooling, or
1-27 electrical service to a commercial vehicle's sleeper berth for the
1-28 purpose of reducing the idling of a motor vehicle.

1-29 (b) Notwithstanding any provision to the contrary, the
1-30 maximum gross vehicle weight limit and axle weight limit for any
1-31 vehicle or combination of vehicles equipped with an idle reduction
1-32 system shall be increased by an amount necessary to compensate for
1-33 the additional weight of the idle reduction system.

1-34 (c) The weight increase under Subsection (b) may not be
1-35 greater than 400 pounds.

1-36 (d) On request by an appropriate law enforcement officer or
1-37 an official of an appropriate regulatory agency, the vehicle
1-38 operator shall provide proof that:

1-39 (1) the idle reduction technology is fully functional
1-40 at all times; and

1-41 (2) the weight increase is not used for any purpose
1-42 other than the use of an idle reduction system.

1-43 SECTION 3. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2011.

1-48 * * * * *