

§ 7:27-14.3 General prohibitions

(a) No person shall cause, suffer, allow, or permit the engine of a diesel-powered motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion, except:

1. A motor vehicle that has been stopped for three or more hours may idle for up to 15 consecutive minutes when the ambient temperature is below 25 degrees Fahrenheit; and

2. A diesel bus while it is actively discharging or picking up passengers may idle for 15 consecutive minutes in a 60-minute period.

(b) The provisions of (a) above shall not apply to:

1. Any motor vehicle idling in traffic, or a motor vehicle other than a school bus idling in a queue of motor vehicles, that are intermittently motionless and moving because the progress of the motor vehicles in the traffic or the queue has been stopped or slowed by the congestion of traffic on the roadway or by other conditions over which the driver of the idling motor vehicle has no control;

2. A motor vehicle whose primary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion. This use includes, but is not limited to, operating lift gate pumps and controlling cargo temperature. This exemption does not apply to passenger compartment heating or passenger compartment air conditioning;

3. A motor vehicle being or waiting to be examined by a State or Federal motor vehicle inspector;

4. Vehicles that are actively performing emergency services. Examples include fire vehicles, police vehicles, public utility vehicles, military tactical vehicles and snow removal vehicles, during the time that such vehicles are actively performing emergency services;

5. A motor vehicle while it is being repaired or serviced, provided that operation of the engine is essential to the proper repair or service;

6. On or before April 30, 2011, a motor vehicle, manufactured with a sleeper berth, while it is being used, in a non-residentially zoned area, by the vehicle's operator for sleeping or resting, unless the vehicle is equipped with a functional auxiliary power system designed in whole or in part to maintain cabin or sleeper berth comfort or to mitigate cold weather start-up difficulties;

7. Beginning May 1, 2011, a vehicle equipped with a sleeper berth, which vehicle is equipped with a model year 2007 or newer engine, or has been retrofitted with a diesel particulate filter that is connected and properly functioning; or

8. The operation of technology designed to reduce engine idling, such as auxiliary or alternate power units (APUs), generator sets, and bunk heaters, provided the vehicle's main engine is not operating.

(c) Beginning May 1, 2008, no person shall cause, suffer, allow, or permit the engine of a diesel-powered motor vehicle to idle for more than three consecutive minutes when that vehicle

is parked in a parking space with available electrification technology.

(d) In no case shall the provisions of (a) and (b) above relieve any person from compliance with [N.J.A.C. 7:27-5](#), Prohibition of Air Pollution, or any other applicable local, State or Federal law.

(e) No person shall cause, suffer, allow or permit any emission control apparatus or element of design installed on any diesel-powered motor vehicle or diesel engine to be disconnected, detached, deactivated, or in any other way rendered inoperable or less effective, in respect to limiting or controlling emissions than it was designed to be by the original equipment or vehicle manufacturer, except for the purposes of diagnostics, maintenance, repair or replacement and only for the duration of such operations.

HISTORY

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R.1970 d.148, eff. June 19, 1971.

See: 2 N.J.R. 54(c), 3 N.J.R. 4(a).

Amended by R.1985 d.1, effective January 21, 1985 (operative July 1, 1985).

See: 16 N.J.R. 2888, 17 N.J.R. 189(b).

Section recodified to 14.2 and this section repealed.

New Rule, R.1985 d.610, effective December 2, 1985 (operative May 5, 1986).

See: 16 N.J.R. 2886(a), 17 N.J.R. 2887(a).

Amended by R.1997 d.393, effective September 15, 1997 (operative October 7, 1997).

See: 29 N.J.R. 971(a), 29 N.J.R. 4108(a).

In (b)1, substituted “diesel bus” for “autobus”; in (b)8, added “, unless the vehicle ... start-up difficulties”; and added (c) and (d).

Amended by R.2007 d.201, effective July 2, 2007.

See: 38 N.J.R. 3728(b), 39 N.J.R. 2531(a).

Rewrote the section.