



# City of San Antonio

## Agenda Memorandum

**File Number:**16-3428

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**Agenda Item Number:** 20.

**Agenda Date:** 6/30/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Office of Sustainability

**DEPARTMENT HEAD:** Douglas Melnick, Chief Sustainability Officer AICP CNU-A

**COUNCIL DISTRICTS IMPACTED:** City-Wide

### **SUBJECT:**

Anti-idling ordinance

### **SUMMARY:**

An Ordinance limiting the idling of heavy duty vehicles to five minutes within specific areas of San Antonio's city limits, allowing for exemptions of certain vehicles with an effective date of January 1, 2017.

### **BACKGROUND INFORMATION:**

The U.S. Environmental Protection Agency (EPA) released a more stringent “health-based” air pollution standard of 70 parts per billion on October 1, 2015. Air quality is a significant priority for City Council, as it has an impact on our community's public and economic health. Additionally, on October 9, 2013, Councilman Ray Lopez, District 6, issued a Council Consideration Request (CCR) for a comprehensive review of the City’s air quality efforts to ultimately develop a City of San Antonio air quality strategic plan.

The City of San Antonio in collaboration with Bexar County and the Alamo Area Council of Governments requested public input on the proposed vehicle idling limitation policy from March 4, 2016 to May 31, 2016. City staff has reached out to a variety of stakeholders including fleet owners and operators, Chambers of Commerce, environmental organizations, school districts and the San Antonio Manufacturer’s Association. Office of Sustainability staff has analyzed over 190 public comments - ninety-four percent of comments provided their support, three percent are indifferent and three percent are opposed. In May 2016, the proposed ordinance was reviewed by the Comprehensive Planning Committee and the Transportation Technology and Utilities Committee and was recommended for full Council consideration.

As of today, forty-four communities in Texas have adopted a policy limiting the idling of heavy duty vehicles, including Austin, Dallas, Houston, City of Leon Valley and Bexar County. This policy has received endorsement from the San Antonio Chamber of Commerce.

## **ISSUE:**

Based on research from consultants, Environ, as well as national best practices, the Office of Sustainability recommends limiting the idling of heavy duty vehicles to five minutes with an effective date of January 1, 2017.

These idling limits will lower nitrogen oxide emissions and other pollutants from fuel combustion as nitrogen oxide is a precursor to ground-level ozone formation. The policy will apply to sensitive areas: in a school zone, within 1,000 feet of a public school during its hours of operation, within 1,000 feet of a hospital, and in a residential area.

Exceptions to this policy exempts:

- vehicles under 14,000 pounds;
- vehicles certified as clean idle by the U.S Environmental Protection Agency;
- idling to provide air conditioning or heating necessary for health or safety;
- vehicles forced to remain motionless because of traffic conditions;
- military, national guard, reserve forces, emergency vehicles, law enforcement vehicles, vehicles providing a power source necessary for mechanical operation;
- passenger compartment heating or air conditioning, maintenance or diagnostic purposes, defrost a windshield, transportation or passenger transit operations (may idling for thirty minutes) and;
- airport ground support equipment.

Upon Council approval of this ordinance, City staff in coordination with Bexar County and the Alamo Area Council of Governments will provide anti-idling education and outreach to fleets, truck stops and other targeted areas. The ordinance will go into effect on January 1, 2017, no later than six months after adoption of this rule to allow fleet managers and fleet owners to adjust their operations to comply with the ordinance. Enforcement of this ordinance will be conducted with support from Center City Development Office Parking Enforcement, Parks and Recreation Department Police and the Health Department with ancillary support from Code Compliance and Police Department. Violations of this policy will result in a court citation not exceeding five hundred dollars (\$500.00). Each day's violation of this ordinance shall constitute a separate offense.

## **ALTERNATIVES:**

This request can be postponed or cancelled. The cancellation of this request would result in not adopting the vehicle idling limitation ordinance for heavy duty vehicles.

## **FISCAL IMPACT:**

This Ordinance limits the idling of heavy duty vehicles to five minutes with an effective date of January 1, 2017 and amends the fiscal year 2016 adopted budget to appropriate \$12,400.00 from the Energy Efficiency Fund balance for public outreach associated with the anti-idling ordinance. Fines related to enforcement will be deposited into the City's General Fund.

## **RECOMMENDATION:**

Staff recommends approval to limit the idling of heavy duty vehicles to five minutes with an effective date of January 1, 2017 and amends the fiscal year 2016 adopted budget to appropriate \$12,400.00 from the Energy Efficiency Fund balance for public outreach associated with the anti-idling ordinance.