

The Massachusetts Anti-Idling Law

Massachusetts General Law (MGL), Chapter 90, Section 16A, 310 Code of Massachusetts Regulation (CMR), Section 7.11 and MGL, Chapter 111, Sections 142A – 142M

The Statute, MGL, Chapter 90, 16A says:

“No person shall cause, suffer, allow, or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. This section shall not apply to:

- Vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof, or
- Vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available or,
- Vehicles engaged in an operation for which the engine power is necessary for an associated power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution.”

The Regulation, 310 CMR 7.11, tracks this language.

Note: the regulation applies to all motor vehicles.

Penalties

- Penalties can range from \$100(MGL Chapter 90, Section 16A) to as much as \$25,000 (MGL Chapter 111, Section 142A);
- Drivers and/or companies can be held responsible for paying the fine;
- Local police have the authority to enforce the law, as do health officials or other officials who hold enforcement authority.

The goal of the Massachusetts Anti-Idling law is to improve air quality by reducing unnecessary air pollution from idling vehicles. The law limits unnecessary engine idling to five minutes. Drivers sometime wonder when idling might be considered necessary. The following questions and answers are intended to help drivers determine when engine idling could be considered necessary and when they should shut the engines down.

Why is there an anti-idling law?

It's basic common sense: there is already too much pollution in the air. Massachusetts consistently has days when air pollution exceeds ozone standards.

Is all engine idling prohibited?

No. While the law does prohibit unnecessary idling, it also recognizes that there are times when idling is simply unavoidable and lists three specific exemptions: when an

engine is being repaired and operating the engine is necessary for the repair; when a vehicle is making deliveries and associated power is necessary; and when the engine is used to provide power to another device.

What are some examples of how the exemptions work?

The two more common situations facing most drivers are the exemptions allowed for making deliveries and to run a device that does not have its own power. Common sense will help drivers determine whether engine idling is necessary or not.

- *Deliveries:* School buses that must run their engines to operate flashing lights while picking up or dropping off passengers are a good example of necessary idling. State law requires the operation of flashing lights while loading and unloading children at school or on regular school bus routes. With no other power source to operate the lights other than running the engine, idling the engine is necessary.
- *Additional devices, or auxiliary power units:* Refrigerator units on trucks with perishable goods or vehicles operating special equipment, such as a lift on the back of a truck to move goods in and out of the truck or wheelchair lifts in buses or vans that may require engine power to operate are common examples of equipment that are operated with the engine power. Another example might include “bucket” trucks that allow a worker to reach wires on telephone poles or tree branches for trimming.

Are there other times when it’s OK to idle not listed in the law?

The law prohibits unnecessary idling, then lists three exemptions to that rule. So there are other times when idling is permitted as long as the idling is absolutely necessary.

For example, running the engine to operate the windshield defroster to clear a windshield of ice on an extremely cold day is a good example of necessary idling. It’s a safety problem if you cannot see where you’re going and if the windshield is not warm enough to melt snow and freezing rain while driving. Running the engine while actively clearing snow and ice off the vehicle and to warm the windshield and interior of the vehicle is necessary idling.

Our common sense also tells us that heaters and air conditioning units almost always bring the vehicle’s interior into a comfortable range in a short time. We also know that heaters and air conditioning units work faster when the vehicle is being driven, not when it is left idling. So most vehicles, most of the time, will reach a comfortable temperature within the first five minutes of driving. Some heavy vehicles, such as buses or trucks, may need some additional time to bring interior temperatures into a comfortable range.

What are a few examples of unnecessary idling?

- Sitting in your car in a parking lot with the engine on during mild or cool weather is unnecessary. The interior of your car will stay warm for 5 to 10 minutes on all but the coldest days.
- Leaving the vehicle running while unattended to let the heater warm it or the air conditioner cool it for extended periods of time is unnecessary idling (it is also in

violation of motor vehicle law). Five minutes should be the maximum amount of time unless weather conditions are extreme, and the engine should not be left running while the vehicle is unattended for any length of time.

- Operating devices not related to transporting passengers or goods. Letting the engine run for an hour or more to play a movie or to charge a cell phone causes unnecessary pollution, is a nuisance for others nearby and puts excessive wear and tear on the engine.

Am I causing more pollution by stopping and starting the engine?

No. Once the engine has warmed up, an idling engine causes more pollution by running than by stopping and starting up again. Studies indicate that the trade-off for light- and medium-duty gasoline powered vehicles is about 10 seconds (i.e. the vehicle will produce more pollution idling longer than 10 seconds than it will by shutting down and restarting the engine). The time trade-off on medium- and heavy-duty diesel engines is about 30 seconds.

Won't I wear out my starter if I keep stopping and starting the engine?

Fleet managers of companies with strict anti-idling policies report that they do not replace starters in their vehicles more frequently than vehicles that are left running for extended periods. In fact, more damage occurs to engines that are left idling over long periods of time.

Who would I complain to if I see a vehicle idling unnecessarily?

The best place to start is your local Board of Health. Other possibilities include local police, DEP or the EPA. Enforcement personnel cannot respond to every complaint about idling vehicles, and there are instances when it is not obvious why a vehicle needs to idle longer than five minutes.

But many of the complaints about excessive idling are about the same vehicles in the same locations routinely left idling, many times out of habit. For people living or working near those vehicles the exhaust that they are subjected to is not just a nuisance, it's a real health problem.

Where would I find copies of the law and regulation?

The law is Massachusetts General Law (MGL) Chapter 90, Section 16A and the regulation is 310 Code of Massachusetts Regulation (CMR) 7.11. The wording is the same for both the law and the regulation. Enforcement authority and fine structures differ somewhat between the law and the regulation.

Do the Anti-idling law and regulation apply to all vehicles?

The law and regulation apply to all motor vehicles. All motor vehicles contribute to air pollution and can create a nuisance if the exhaust is affecting others. Why should people be allowed to pollute the air unnecessarily?

Source: Massachusetts Department of Environmental Protection, 2007 Idling Reduction Toolkit.