

Idling Vehicle Restriction Enforcement Procedure

Denver Municipal Code Sec. 4-43: Idling Restriction.

- (a) No person shall allow a vehicle to idle for more than five (5) minutes in any one-hour period unless:
- (1) The ambient outside air temperature has been less than twenty (20) degrees Fahrenheit for the previous twenty-four (24) hour period; or
 - (2) The ambient outside air temperature is less than ten (10) degrees Fahrenheit.
- (b) The idling restriction in subsection (a) shall not apply to emergency vehicles; to vehicles engaged in traffic operations; to vehicles which are being serviced; to vehicles that must idle to operate auxiliary equipment, including but not limited to pumps, compressors or refrigeration units; or to vehicles en route to a destination that are stopped by traffic congestion.
- (c) The idling restriction in subsection (a) applies to transportation vehicles, as defined in this subsection, except that the time during which transportation vehicles are actively loading or discharging passengers may not be included in the computation of the five (5) minutes provided for in subsection 4-43(a). A transportation vehicle shall be defined for purposes of this section to mean motor vehicles designed to transport a minimum of sixteen (16) persons.

(Ord. No. 330-90, 6-4-90; Ord. No. 683-08, § 15, 12-8-08)

DEALING WITH IDLING VEHICLES:

Emphasis should always be placed on getting drivers to voluntarily turn off their engines as a courtesy to others, for their own health, to protect air quality and the environment, and to save fuel (and money) in the process. Enforcement of the ordinance is considered a last resort to deal with belligerent or repeat offenders. **If a vehicle is idling excessively:**

1. Verbally request the driver to please turn off their engine. (Many drivers may have already been informed about the City ordinance and the CCC policy, but might need to be reminded.) Provide the fact sheet to the driver and **thank** them for their cooperation. **IMPORTANT:** We do not want to imply idling up to 5 minutes is acceptable; even a couple minutes of idling is usually unnecessary.
2. If the driver refuses or questions the request, and does not have a valid reason (such as needing to run equipment) explain that:
 - Exhaust from idling vehicles creates significant air quality problems around the CCC, which negatively impacts CCC visitors, staff, and neighbors—especially the school next door.
 - The City of Denver has an ordinance prohibiting idling, and the CCC has a policy of enforcing this rule.
3. If the driver continues to not comply, and the vehicle is observed idling more than 5 minutes, tell them you are going to write them a citation. (This is their last chance to comply.)
4. If the driver still refuses to cooperate and has been idling for over the allowed limit, fill out the violation report form and give the driver the carbon copy, and tell them that the violation will be reported to and dealt with by the City.

HOW VIOLATIONS REPORTS ARE PROCESSED:

- The violation report is submitted to the Denver Department of Environmental Health:
 - If it is a first offense, the vehicle owner will receive a warning letter from DEH.
 - If it is a repeat offense, a violation summons (ticket) can be issued and the vehicle owner must appear in court.
- In court the owner may plead guilty, not guilty, no contest, or discuss the ticket with the city attorney. The court will determine fines (up to \$999) or penalties. The security guard who issued the violation report may have to appear in court as a witness.
- If the owner does not appear in court as instructed in the summons, the court may choose to issue a bench warrant for the vehicle owner's arrest.