

RESOLUTION R2019 - 58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, PERTAINING TO PUBLIC HEALTH AND PROMOTING IDLE – FREE OPERATION OF MOTOR VEHICLES.

WHEREAS, air pollution is a public health and environmental concern in the State of Utah due to the detrimental effect poor air quality has on the health of citizens and the economic health of the State; and

WHEREAS, motor vehicles are a significant source of air pollution and idling a typical vehicle for longer than ten seconds consumes more fuel than restarting that vehicle, resulting in excessive emissions and wasted fuel; and

WHEREAS, idling vehicle emissions, when inhaled, may cause serious health conditions including increase rates of heart and lung diseases; and

WHEREAS, Governor Herbert issued the 12th Annual Governor’s declaration for Idle Free Utah in 2019, the State Legislature passed HB148 “Vehicle Idling Revisions”, and the Utah League of Cities and Towns, and at least ten individual cities have endorsed idle free practices by either resolution or ordinance; and

WHEREAS, the South Jordan City Council finds it in the best interest of the health, safety, and welfare of the residents to encourage the reduction of idling vehicles in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Idle Free South Jordan. Residents and visitors to the City of South Jordan are encouraged to reduce idling of vehicles by not idling a motor vehicle more than one minute with the following exceptions:

- The vehicle is forced to remain motionless on a public road because of traffic conditions.
- The vehicle is an emergency vehicle used in an emergency situation.
- Vehicle idling is necessary for auxiliary power for law enforcement equipment, refrigeration units, loading/unloading lifts, well drilling, and or farming.
- Vehicle idling is necessary for repair or inspection of the vehicle.
- The health or safety of a driver or passenger requires the vehicle to idle, including instances where the temperature is below 32 degrees or above 90 degrees Fahrenheit.

SECTION 2. Enforceability. The purpose of this Resolution is to encourage responsible reduction of idling vehicles and is not enforceable by citation or fine. Compliance is voluntary.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS 15 DAY OF October, 2019 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	<u>X</u>
Bradley Marlor	<u>X</u>	_____	_____	_____
Donald Shelton	<u>X</u>	_____	_____	_____
Tamara Zander	<u>X</u>	_____	_____	_____
Jason McGuire	<u>X</u>	_____	_____	_____

Mayor: *Dawn R. Ramsey*
Dawn R. Ramsey

Attest: *Anna M. Weiss*
City Recorder



Approved as to form:

[Signature]
Office of the City Attorney



Gary Richard Herbert

Governor

Declaration

Whereas, idling vehicles emit particulate matter and other pollutants that, when inhaled, are known to cause serious health problems, especially for children and sensitive populations;

Whereas, Utah had the first Idle Free campaign in the nation, and 2019 marks the twelfth anniversary of the Idle Free declaration issued by the governor of Utah;

Whereas, we seek to educate and promote workplace charging and Idle Free as key goals of Utah's Energy Action Plan;

Whereas, the Utah Clean Cities, along with all Utah School Districts, and the Utah State Board of Education developed and put into place a school bus idling reduction program, and elementary student education plan, informing youth and the general public about the benefits of reduced idling;

Whereas, the Utah State Board of Education trains more than 3,000 bus drivers annually on Idle Free bus operations and driver training;

Whereas, Utah public and private fleets have supported the efforts of Idle Free to the benefit of our communities by encouraging driver training and idle free fleets and using clean, advanced fuels;

Whereas, the grassroots Idle Free Education program developed by Utah Clean Cities, has grown with support from the Utah Legislature, including the Clean Air Caucus, Utah Clean Air Partnership, Breathe Utah, Utah Society for Environmental Education, and the State Health Department's Utah Asthma Program and Recess Guidance, and has reached more than 15,000 students across 450 schools;

Whereas, these efforts have resulted in four prominent school districts including Salt Lake City, Park City, Granite, and Canyons to be fully committed to 100 percent idle free campuses with extraordinary dedication to drop-off and pick-up zones where children are most vulnerable;

Whereas, nine Utah cities have been declared Idle Free including Alta, Cottonwood Heights, Draper City, Holladay, Logan, Murray, Park City, Salt Lake City, and Sandy by having Idle Free ordinances;

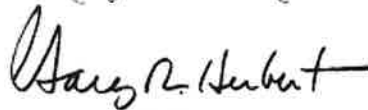
Whereas, we applaud the Zion National Park's Idle Free Education and their expanding Green Fleet program;

Whereas, we applaud the more than seventy mayors for their support of this important endeavor:

Aita, Harrie Sandoz	Hyrum, Stephanie Miller	Riverside, Norman Searle
Ballard, Robert Abernethie	Isis, Chris Hart	Riverton, Trent Stago
Bluffdale, Derek Timothy	Karnak, Matt McCormick	Rochester, Pam Leach
Bountiful, Randy Lewis	Kaysville, Katie Witt	Salt Lake City, Jackie Biskupski
Beech Canyon, Shiloh Syrett	La Verkin, Richard Haraha	Salt Lake County, Jenny Wilson
Cedar City, Maile Wilson Edwards	Layton, Scott Freitag	Sandy, Kurt Broadburn
Cedar Hills, Jeremy Kern	Lehi, Mark Johnson	Smithfield, Jeffery Barnes
Charleston, Brenda Kuzlewski	Logan, Holly Daines	South Jordan, Dawn Ramsey
Clearfield, Mark Shephard	Mayfield, John Christensen	South Ogden, Russell Porter
Coalville, Trevne Salama	Midvale, Robert Hale	South Salt Lake, Cherie Wood
Cottonwood Heights, Mike Peterson	Millersick, Jeff Silvestrini	Spanish Fork, Steve Leifson
Draper City, Troy Walker	Moab, Emily Nicholas	Springdale, Stanley J. Smith
Eagle Mountain, Tom Westmoreland	Murray City, D. Blair Camp	St. George, Jon Pike
Ephraim, Richard Squzzo	Myton, Kathleen Cooper	Sunset, Howard Mathon
Fayette Town, Brenda Laifson	North Logan, Danna Cunn	Syracuse, Mike Gailley
Forrum City, Adile Justice	North Salt Lake, Len Arace	Taylorsville, Kristie Overman
Garland City, Mike Lammhardt	Ogden, Mike Caldwell	Tooele, Debbie Winn
Georgetown, Brent Marshall	Orrin, Richard Brunst	Vernal, Dong Hammond
Hanksville, Kim Wilson	Park City, Andy Bertram	Washington City, Ken Neilson
Heber City, Kellon Packer	Pleasanton, Preston Griffiths	Washington Terrace, Mark Allen
Herriman, David Watts	Pleasant View, Leonard Call	West Jordan, Jim Riding
Highland City, Rud Mann	Prime, Michael Kouzanos	West Valley, Ron Bigelow
Holladay, Rob Daulte	Providence, John Deew	Woodcross City, Rick Eacush
Huntsville, John Brantall	Provo, Michelle Kaufman	

Now, therefore, I, Gary R. Herbert, Governor of the great State of Utah, do hereby declare September 2019 and the 2019-2020 Winter Season as

Idle Free in Utah



Gary R. Herbert
Governor

Resolution 2019-002

(A) Resolution on Improving Utah's Air Quality

(B) We, the members of the Utah League of Cities and Towns, find that:

Whereas, the leaders of Utah's cities and towns value the efficient use of our natural resources, our economic success, and public health;

Whereas, some areas in Utah suffer from periodic poor air quality, which is a serious public health concern and a detriment to our economic prosperity as a state;

Whereas, Utah's air quality has gradually improved in recent decades, but further improvement is needed given our enhanced knowledge about the detrimental impacts of air pollution on human health;

Whereas, Utah's periodic poor air quality also affects rural areas including visibility in our national parks through regional haze;

Whereas, while the state has taken significant steps in recent years to address air quality, including passing 12 air quality measures during the 2019 General Session, much more could be done at the federal, state, and local levels;

Whereas, ULCT supported HB 411 during the 2019 General Session, which provided cities with the ability to transition to 100% renewable energy without shifting costs to other customers;

Whereas, ULCT supported HB 148 during the 2019 General Session, which provided cities with greater enforcement over anti-idling ordinances;

Whereas, Utah's cities and towns recognize that our buildings and homes contribute nearly 40% of the harmful emissions that contribute to poor air quality and will soon surpass combustion engine vehicles as the leading contributor to air pollution in the state;

Whereas, Utah's cities and towns recognize that benchmarking energy efficiency of buildings and homes and increasing energy efficiency can result in direct benefits to municipal budgets; and

Whereas, Utah's cities and towns are home to over 90% of the state's population and have the ability to be innovative in finding solutions to the air quality and other environmental concerns that they face.

(C) Now, therefore, we the members of the Utah League of Cities and Towns resolve that:

1. Utah cities and towns support local government's ability to consider local action to address air quality, including but not limited to:
 - a. Enacting idle-free ordinances;

- b. Installing electric vehicle charging networks;
 - c. Encouraging energy efficiency in homes and businesses;
 - d. Encouraging and purchasing renewable energy sources where appropriate;
 - e. Considering non-combustion options for fleet vehicles and other city equipment;
 - f. Transportation planning and technology that increases access and connectivity without primarily relying on single-occupancy vehicles;
 - g. Planning our neighborhoods and communities to facilitate use of transit and active transportation options;
 - h. Exploring city functions that might be performed by employees via teleworking; and
 - i. Upgrading city buildings and facilities to comport with higher energy efficiency standards.
2. Utah cities and towns support enhanced federal and statewide action to address air quality, including but not limited to:
- a. Increased support for fiscally responsible, clean, renewable, and carbon-free energy;
 - b. State funding for public transit;
 - c. Creation of a statewide electric vehicle charging network;
 - d. Adoption of more energy-efficient building code standards;
 - e. Adoption of transparency requirements for building energy efficiency;
 - f. Investigation of how maintaining a minimum level of the Great Salt Lake might mitigate potential of harmful dust;
 - g. Stricter vehicle emissions testing; and
 - h. Support for federal enactment of clean car standards.

Submitted by:

Jeff Silvestrini, Millcreek City Mayor

September 9, 2019

1 **VEHICLE IDLING REVISIONS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Patrice M. Arent**

5 **Senate Sponsor: Curtis S. Bramble**

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to enforcement of a local authority's idling
10 restrictions to require at least one warning citation before imposition of a fine.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends provisions related to enforcement of a local authority's idling restrictions to
14 require at least one warning citation before imposition of a fine.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 41-6a-208, as last amended by Laws of Utah 2015, Chapter 461

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section 41-6a-208 is amended to read:

25 **41-6a-208. Regulatory powers of local highway authorities -- Traffic-control**
26 **device affecting state highway -- Necessity of erecting traffic-control devices.**

27 (1) As used in this section:

28 (a) (i) "Ground transportation vehicle" means a motor vehicle used for the

29 transportation of persons, used in ride or shared ride, on demand, or for hire transportation of
30 passengers or baggage over public highways.

31 (ii) "Ground transportation vehicle" includes a:

32 (A) shared ride vehicle;

33 (B) bus;

34 (C) courtesy vehicle;

35 (D) hotel vehicle;

36 (E) limousine;

37 (F) minibus;

38 (G) special transportation vehicle;

39 (H) specialty vehicle;

40 (I) taxicab;

41 (J) van; or

42 (K) trailer being towed by a ground transportation vehicle.

43 (b) "Idle" means the operation of a vehicle engine while the vehicle is stationary or not
44 in the act of performing work or its normal function.

45 (2) The provisions of this chapter do not prevent a local highway authority for a
46 highway under its jurisdiction and within the reasonable exercise of police power, from:

47 (a) regulating or prohibiting stopping, standing, or parking;

48 (b) regulating traffic by means of a peace officer or a traffic-control device;

49 (c) regulating or prohibiting processions or assemblages on a highway;

50 (d) designating particular highways or roadways for use by traffic moving in one
51 direction under Section 41-6a-709;

52 (e) establishing speed limits for vehicles in public parks, which supersede Section
53 41-6a-603 regarding speed limits;

54 (f) designating any highway as a through highway or designating any intersection or
55 junction of roadways as a stop or yield intersection or junction;

- 56 (g) restricting the use of a highway under Section 72-7-408;
- 57 (h) requiring the registration and inspection of bicycles, including requiring a
- 58 registration fee;
- 59 (i) regulating or prohibiting:
- 60 (i) certain turn movements of a vehicle; or
- 61 (ii) specified types of vehicles;
- 62 (j) altering or establishing speed limits under Section 41-6a-603;
- 63 (k) requiring written accident reports under Section 41-6a-403;
- 64 (l) designating no-passing zones under Section 41-6a-708;
- 65 (m) prohibiting or regulating the use of controlled-access highways by any class or
- 66 kind of traffic under Section 41-6a-715;
- 67 (n) prohibiting or regulating the use of heavily traveled streets by any class or kind of
- 68 traffic found to be incompatible with the normal and safe movement of traffic;
- 69 (o) establishing minimum speed limits under Subsection 41-6a-605(3);
- 70 (p) prohibiting pedestrians from crossing a highway in a business district or any
- 71 designated highway except in a crosswalk under Section 41-6a-1001;
- 72 (q) restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;
- 73 (r) regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;
- 74 (s) adopting and enforcing temporary or experimental ordinances as necessary to cover
- 75 emergencies or special conditions;
- 76 (t) prohibiting drivers of ambulances from exceeding maximum speed limits;
- 77 (u) adopting other traffic ordinances as specifically authorized by this chapter; or
- 78 (v) adopting an ordinance that requires a ground transportation vehicle to conform to
- 79 state safety standards and reasonable annual appearance requirements, in consultation with a
- 80 transportation advisory board of the local highway authority.
- 81 (3) A local highway authority may not:
- 82 (a) in accordance with Title 72, Chapter 3, Part 1, Highways in General, erect or

83 maintain any official traffic-control device at any location which regulates the traffic on a
84 highway not under the local highway authority's jurisdiction, unless written approval is
85 obtained from the highway authority having jurisdiction over the highway;

86 (b) prohibit or restrict the use of a cellular phone by the operator or passenger of a
87 motor vehicle;

88 (c) enact an ordinance that prohibits or restricts an owner or operator of a vehicle from
89 causing or permitting the vehicle's engine to idle unless the ordinance:

90 (i) is primarily educational;

91 (ii) provides that a person must be issued at least [~~three warning citations~~] one warning
92 citation before imposing a fine;

93 (iii) has the same fine structure as a parking violation;

94 (iv) provides for the safety of law enforcement personnel who enforce the ordinance;

95 and

96 (v) provides that the ordinance may be enforced on:

97 (A) public property; or

98 (B) private property that is open to the general public unless the private property
99 owner:

100 (I) has a private business that has a drive-through service as a component of the private
101 property owner's business operations and posts a sign provided by or acceptable to the local
102 highway authority informing its customers and the public of the local highway authority's time
103 limit for idling vehicle engines; or

104 (II) adopts an idle reduction education policy approved by the local highway authority;

105 (d) enact an ordinance that prohibits a vehicle from being licensed as a ground
106 transportation vehicle:

107 (i) if the vehicle to be licensed otherwise passes all state safety inspection requirements
108 established by the Utah Highway Patrol Division in accordance with Section 53-8-204; and

109 (ii) (A) based on the manufacture date of the vehicle; or

110 (B) based on the number of miles the vehicle has accumulated;

111 (e) enact an ordinance, regulation, rule, fee, or criminal or civil fine pertaining to a

112 registration violation under Section 41-1a-201 or a registration decal issued under Section

113 41-1a-402 that conflicts with or is more stringent than the registration requirements under Title

114 41, Motor Vehicles;

115 (f) enact an ordinance that:

116 (i) is inconsistent with the provisions of this chapter; or

117 (ii) prohibits the use of a bicycle on any public street or highway, except as allowed by

118 Section 41-6a-714, unless the local highway authority has:

119 (A) documented that the local highway authority has reviewed the safety history of the

120 highway and considered other reasonable alternatives, including signage and routes; and

121 (B) clearly marked a safe alternative route for the prohibited section of highway; or

122 (g) enact an ordinance, regulation, or rule that requires the owner or driver of a ground

123 transportation vehicle to maintain liability insurance coverage in an amount that is greater than

124 the minimum amount of liability coverage a transportation network company or transportation

125 network driver is required to maintain under Subsection 13-51-108(1)(b).

126 (4) An ordinance enacted under Subsection (2)(d), (e), (f), (g), (i), (j), (l), (m), (n), or

127 (q) is not effective until official traffic-control devices giving notice of the local traffic

128 ordinances are erected upon or at the entrances to the highway or part of it affected as is

129 appropriate.

130 (5) An ordinance enacted by a local highway authority that violates Subsection (3) is

131 not effective.