



## STAFF REPORT

**Meeting Date:** September 23, 2014  
**To:** Honorable Mayor & City Council  
**From:** Aaron Kunz, AICP, Deputy Director of Transportation  
**Subject:** Request by Mayor Bosse for the City Council to Consider the City's Ability to Regulate Commercial Vehicle Idling.

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### INTRODUCTION

This reports transmits a request by Mayor Bosse for the City Council to consider further regulation of commercial vehicle idling.

### DISCUSSION

In response to resident concerns about idling commercial vehicles (limousines, town cars and tour buses), Mayor Bosse requested that staff explore the City's ability to regulate vehicle idling. The California Air Resources Board has established statewide regulations to address the idling of diesel-fueled commercial motor vehicles exceeding 10,000 lbs. and school buses. These State regulations do not apply to any vehicles other than diesel-fueled commercial motor vehicles or school buses.

City staff has identified examples of a number of cities in California that regulate idling of vehicles for certain time periods, for example:

- Fountain Valley does not allow motor vehicles to idle more than ten minutes between the hours of 10 p.m. and 7 a.m. "if the engine or motor noise disturbs the peace or quiet of any residential neighborhood or causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area."
- Palm Desert does not allow vehicles to idle in or adjacent to residential areas for longer than 15 minutes.
- Cupertino does not allow motor vehicles to idle for more than three minutes in any one location in any hour in "an area other than the public right-of-way" unless the City's standard noise limits are met or the vehicle is being used for emergency services.

Other cities, like Sacramento, regulate the idling of vehicles that exceed a certain weight.

A city may enact an ordinance restricting vehicle engine idling for the purpose of controlling or mitigating vehicle emissions (so long as the city adopts more stringent engine idling requirements than are imposed by the State) or if the city seeks to abate a nuisance. Under its police powers, a city also may regulate vehicle idling for the purpose of limiting noise pollution and neighborhood disturbances.

Currently, the Beverly Hills Municipal Code addresses idling in two separate sections:

**7-2-209: TOUR BUS ENGINE OPERATION IN LOADING AND STAGING ZONES:** It shall be unlawful for the engine of a tour bus to operate while the tour bus is parked in a tour bus loading or staging zone.

**7-3-118: PARKING OF LIMOUSINES IN RESIDENTIAL ZONES PROHIBITED:** No person shall stop, park or leave standing any limousine on any street within a residential zone, except for the immediate loading and unloading of passengers.

If the City Council wishes to pursue a modification to the Municipal Code to further regulate vehicle idling, staff would return to the City Council with a proposed ordinance and method of enforcement.

**RECOMMENDATION**

Staff seeks direction from the City Council regarding an amendment to the Municipal Code to regulate vehicle idling.

  
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Susan Healy Keene, AICP  
Director, Community Development