Appendix 2 to 1st draft to Middletown for Clean Energy, from J. Luard

Princeton Township Code

Sec. 11-31.8. Prohibition on idling of diesel powered motor vehicles on township streets.

Pursuant to N.J.A.C. 7:27-14.3, no person may cause, suffer, allow or permit the engine of a diesel powered motor vehicle to idle for more than three consecutive minutes on streets within the Township of Princeton, if the vehicle is not in motion with the following exceptions:

(a) The above provisions shall not apply:

(1) A diesel bus while it is discharging or picking up passengers;

(2) A motor vehicle stopped in a line of traffic;

(3) A motor vehicle whose primary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion, passenger compartment, heating or passenger compartment air-conditioning;

(4) A motor vehicle being, or waiting to be examined by a state or federal motor vehicle inspector;

(5) An emergency motor vehicle in an emergency situation;

(6) A motor vehicle is being repaired;

(7) A motor vehicle while it is being engaged in the process of connection or detachment of a trailer or of an exchange of trailer; or

(8) A motor vehicle manufactured with a sleeper berth while it is being used in a nonresidentially zoned area by the vehicle’s operator for sleeping or resting, unless the vehicle is equipped with a functions auxiliary power system designed in whole or in part to maintain cabin or sleeper berth comfort or to mitigate cold weather startup difficulties;

(9) A motor vehicle at the vehicle operator’s place of business where the motor vehicle is permanently assigned may idle for thirty consecutive minutes;

(10) A motor vehicle may idle for fifteen consecutive minutes when the vehicle engine has been stopped for three or more hours.

(b) Furthermore, no person shall cause, suffer, allow or permit any emission control apparatus or element of design installed on any diesel powered motor vehicle or diesel engine to be disconnected, detached, deactivated or in any other way rendered inoperable or less effective in respect to limiting or controlling emissions than it was designed to be by the original equipment or vehicle manufacturers, except for the purpose of diagnostics, maintenance, repair or replacement and only for the duration of such operation.

(Ord. No. 2004-9, § 1.)

Sec. 11-31.9 Idling of gasoline fueled motor vehicles on township streets.

Pursuant to N.J.A.C. 7:27-14.3, no person may cause, suffer allow or permit the engine of a gasoline fueled motor vehicle to idle for more than three consecutive minutes on streets within the Township of Princeton if the vehicle is not in motion with the following exceptions:

(a) The above provisions shall not apply to:

(1) Autobuses while discharging or picking up passengers;

(2) Motor vehicles stopped in a line of traffic;

(3) Motor vehicles whose primary and/or secondary power source is utilized in whole or in part for necessary and definitively prescribed mechanical operation other than propulsion, passenger compartment heating or air conditions;

(4) Motor vehicles being or waiting to be examined by state or federal motor vehicle inspectors;

(5) Emergency motor vehicles in an emergency situation;

(6) Motor vehicles while being repaired;

(7) Motor vehicles while engaged in the process of connection, detachment or exchange of trailers; or

(8) Motor vehicles manufactured with a sleeper berth while being used in a nonresidentially zoned area by the vehicle’s operator for sleeping or resting.

(Ord. No. 2004-9, § 2.)

Sec. 11-31.10. Penalty.

Any person who operated a motor vehicle or owns a motor vehicle which he/she permits to be operated on Township streets in violation of sections 11-31.8 or 11-31.9 of this Code shall be liable for a minimum penalty of a fine of not less than one hundred dollars and not more than one thousand dollars. In addition, any person violating sections 11-31.8 and 11-31.9 may be subject to imprisonment not exceeding ninety days or may be required to perform community service for a period not exceeding ninety days, all in accordance with section 1-6 of said Code. Any person who is convicted of violating sections 11-31.8 and 11-31.9 within one year of the date of a previous violation of the same provision and who was fined for that previous violation shall be sentenced by the court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum penalty set forth herein, but shall be calculated separately from the fine imposed for violation of sections 11-31.8 and 11-31.9.

(Ord. No. 2004-9, § 3.)