



STAFF REPORT ACTION REQUIRED

Improving Toronto’s Idling Control Bylaw: Update

Date:	April 22, 2010
To:	Board of Health
From:	Medical Officer of Health
Wards:	All
Reference Number:	

SUMMARY

Toronto Public Health led a review of Toronto’s idling control bylaw to determine how it could be improved. The review considered the benefits of reducing idling of vehicles, idling control bylaws in other jurisdictions, reasons why people idle, and information gathered during stakeholder consultations.

Consultation with stakeholders indicated that the bylaw could be more effective if it was easier to understand and easier for the City to enforce. Suggestions for improvement included decreasing the allowed idling time, clarifying the language in the bylaw, removing some of the exemptions, and strengthening enforcement.

Reducing permitted idling time from three minutes to one minute would reduce emissions of greenhouse gases and air pollutants, and make the bylaw easier to enforce. A revised bylaw would also offer the opportunity to renew efforts to reduce idling in Toronto. Education and outreach could increase public knowledge about the impact of idling on greenhouse gas emissions and target specific areas or sectors which are a consistent source of complaints.

This report updates a report that was on the November 2009 Board of Health agenda by responding to the Board of Health’s request for additional information about enforcing the bylaw.

RECOMMENDATIONS

The Medical Officer of Health recommends that:

1. City Council grant authority to submit any bills required to amend Toronto Municipal Code Chapter 517, Idling of Vehicles and Boats, generally in accordance with

Attachment 1 to this report, subject to any necessary refinements as may be identified by the Medical Officer of Health, the General Manager of Transportation Services and the City Solicitor.

2. City Council forward this report to the Toronto Police Services Board and the Toronto Transit Commission for information.

Financial Impact

Changes to the idling control bylaw will require amendments to educational materials currently distributed by Transportation Services and Toronto Public Health. This includes pamphlets, web-based information, and signs. The total cost of updating the educational material is estimated at \$14,700.

Transportation Services will provide \$4,700 in their 2010 Operating Budget to cover sign revisions. The cost of updating other educational materials, estimated at \$10,000 will be equally split between Transportation Services and Toronto Public Health, and will be absorbed within their respective 2010 Operating Budgets.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

After considering the report, Air Pollution Burden of Illness from Traffic (http://www.toronto.ca/health/hphe/air_pollution_burden.htm) on November 12, 2007, the Board of Health requested the Medical Officer of Health to report on the availability of anti-idling technologies and feasibility of phasing in mandatory installation of such technology for all motor vehicle fleets operating in the City of Toronto. The Board of Health considered the report Feasibility of Mandatory Installation of Idle Reduction Technologies (<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-13978.pdf>) at its July 3, 2008 meeting. As a result, the Medical Officer of Health was asked to report on the implications of amending the City's idling control bylaw to reduce permitted idling from three minutes to ten seconds, and the possibility of towing vehicles where the idling is clearly continuing for long periods of time in order to keep air conditioning or heat on while entertainers or tour buses use the vehicles as mobile hotel rooms. On October 6, 2008 the City's Executive Committee asked staff to review the idling control bylaw with a view to deleting unnecessary exclusions for City and TTC vehicles (<http://www.toronto.ca/legdocs/mmis/2008/ex/decisions/2008-10-06-ex24-dd.pdf>).

The report "Improving Toronto's Idling Control Bylaw" (<http://www.toronto.ca/legdocs/mmis/2009/hl/bgrd/backgroundfile-25050.pdf>) was on the agenda for the November 16, 2009 Board of Health meeting. The report proposed revisions to the idling control bylaw and recommended that authority be granted to introduce the necessary bill in Council to amend Municipal Code Chapter 517, Idling of Vehicles and Boats, and to adopt the draft bylaw attached to the November report.

The Board of Health referred the report from the Medical Officer of Health and a letter (November 13, 2009) from Councillor Howard Moscoe related to the proposed idling bylaw revisions (<http://www.toronto.ca/legdocs/mmis/2009/hl/bgrd/backgroundfile-25289.pdf>), to the Medical Officer of Health for a further report to the Board of Health.

ISSUE BACKGROUND

Toronto's idling control bylaw was first passed in 1996 and according to Natural Resources Canada, it was the first stand-alone idling control bylaw in Canada. The current idling control bylaw dates from 1998, when a new bylaw was passed to expand the bylaw's application from the former City of Toronto to the amalgamated City of Toronto. The bylaw was developed in response to concerns that motor vehicles were contributing to unhealthy levels of air pollution in the City. The bylaw was designed to reduce vehicle emissions of air pollutants such as nitrogen dioxide and particulate matter which contribute to smog.

Municipal Code Chapter 517, Idling of Vehicles and Boats (the "bylaw"), currently limits idling to three minutes in any 60 minute period and allows exemptions under 13 specific situations. For example, exemptions address emergency vehicles, transit vehicles, extreme temperatures, and mobile workshops where the vehicle motor powers work-related equipment.

The bylaw is currently enforced by Transportation Services and the Toronto Police Service. Education and outreach activities to promote less idling and awareness of the bylaw are conducted by Transportation Services, Toronto Police Service and Toronto Public Health, and are considered an important component of the bylaw.

Reviewing the bylaw offers a chance to examine insights gained through eleven years of applying Municipal Code Chapter 517 in Toronto. This review responds to recent interest in improving the bylaw from several stakeholders including the public and several City committees. The review considered the benefits of the bylaw, stakeholder views about the best idling bylaw for Toronto, and idling bylaws which exist in other jurisdictions. A technical report available at <http://www.toronto.ca/health/hphe> provides more details on the findings of the review as well as the idling contribution to emissions.

This report was prepared in consultation with City Transportation Services, Legal Services, Fleet Services, the Toronto Transit Commission, and the Toronto Police Service.

COMMENTS

Idling occurs when a vehicle engine is operated but the engine is not in gear. Idling occurs in many places including roadways, truck stops and rest areas, bus terminals, restaurant drive-throughs, tourist attractions, company terminals or distribution centres, and schools.

Some drivers idle unnecessarily out of habit or convenience (e.g. while waiting for a passenger). Some people idle to provide heat or air conditioning in their vehicle. Idling

can also arise from false beliefs that starting and stopping the vehicle can cause wear and tear to the engine components, or that vehicles need to warm up before being driven. Similar reasons may lead boat operators to idle their engines while at anchor or at a dock.

The reasons that heavy-duty vehicles idle depend on their function and may be different from idling by personal vehicles. Long-haul truckers might idle their engines during rest periods such as overnight stops, and to provide temperature control and electricity for devices such as a television or refrigerator. Municipal vehicles might idle their engines in order to power auxiliary equipment, including safety lights and aerial lifts.

In many cases, technologies exist which can be used to reduce or eliminate the amount of idling by vehicles with auxiliary equipment. The Medical Officer of Health previously determined that it is not practical to mandate installation of these technologies for all vehicles in Toronto (<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-13978.pdf>). However, targeted education and pollution prevention materials including information about these technologies could increase their adoption by vehicle operators in Toronto.

Benefits of Toronto's Idling Control Bylaw

The idling control bylaw supports the *Climate Change Clean Air and Sustainable Energy Action Plan*, adopted by City Council in 2007. The plan commits Toronto to reducing greenhouse gas emissions by 80% from 1990 levels by 2050, and to reducing locally generated smog pollutants by 20% from 2004 levels by 2012.

When Toronto's current idling control bylaw was enacted in 1998, the importance of actions to reduce emissions of greenhouse gases was not widely recognized. Now, experts agree that the global climate is changing as a result of greenhouse gas emissions. In Toronto, climate change may lead to more weather events such as extreme heat, frequent freeze-thaw cycles, dry summers, dropping lake levels, and flooding. Potential health impacts may include increases in heat-related illness, air pollution-related health impacts, food-borne illnesses, and incidence of West Nile Virus and Lyme disease.

Reducing idling produces direct greenhouse gas emissions benefits. The amount of greenhouse gases emitted while vehicles idle depends directly on the amount of time spent idling, because carbon dioxide (CO₂) emissions are directly related to fuel consumption. For every litre of gasoline used, about 2.4 kg of CO₂ are produced; for every litre of diesel fuel consumed, about 2.7 kg of CO₂ are produced. The Clean Air Partnership estimated that idling in the GTA wastes 90 million litres of fuel each year, suggesting that over 215 million tonnes of CO₂ are emitted in the GTA each year as a result of idling. Assuming that vehicle ownership is distributed evenly across the GTA, Toronto's contribution could be 105 million tonnes of CO₂ each year as a result of idling.

Toronto's idling control bylaw was originally developed with a focus on improving air quality by reducing air pollution emissions from vehicles. Vehicle emissions are a source of pollutants such as nitrogen oxides and particulate matter that are known to affect cardiovascular and respiratory health. Vehicle exhaust also contains air toxics such as

formaldehyde and trace metals that have been linked to cancer and other chronic illnesses. Air pollution is a significant concern in Toronto, and Toronto Public Health estimates that traffic-related air pollution contributes to 440 deaths and 1700 hospitalizations in the City each year.

In the eleven years since the bylaw was enacted, emissions control technologies such as catalytic converters, exhaust gas recirculation, engine monitoring sensors, computer controls and feedback systems have substantially reduced the amount of pollutants that are emitted from tailpipes of many vehicles during idling. For vehicles with the most advanced technologies there is now some debate about whether turning off vehicles for very short times produces air quality benefits. This is because all vehicles emit a small amount of pollution each time they are turned on and off. However, there is general agreement that greenhouse gas emissions are reduced anytime a vehicle is turned off, both for new vehicles and older models.

Reducing idling as much as possible still offers clear air quality and health benefits for older gasoline vehicles and most diesel vehicles, such as commercial vehicles, coaches, school buses, and long-haul trucks. Diesel engines tend to emit more particulate matter (PM) and nitrogen oxides (NO_x) than gasoline engines. While emissions are being reduced in newer vehicles due to stricter emission limits mandated by the US EPA, diesel engines last a long time, meaning that older, less efficient technologies are still common in heavy-duty fleets. Researchers in Japan found that stopping the engine of diesel vehicles for short times of a few seconds up to a few minutes was consistently associated with lower NO_x emissions than leaving the engine running.

Reducing exposure to diesel exhaust may be especially beneficial, as diesel exhaust is particularly harmful to health. The complex mixture of particles and gases in diesel exhaust contains several hundred different organic and inorganic components, including many substances that have been designated as toxic chemicals. The United States Environmental Protection Agency concluded that health risks from exposure to diesel exhaust include acute and chronic respiratory effects. Multiple agencies, including the International Agency for Research on Cancer, have linked exposure to diesel exhaust with lung cancer and suggested links to other forms of cancer such as ovarian cancer.

Aspects of the Bylaw Under Review

Toronto Public Health (TPH) conducted stakeholder consultations about the existing bylaw to receive feedback from businesses, government, community organizations and residents on how the bylaw could be improved. Overall, Toronto's bylaw was felt to be a successful public awareness and education tool, and sets a good example which is being followed by many other Canadian communities.

Most stakeholders felt that the three-minute idling time limit was too long and led to unnecessary emissions of greenhouse gases and air pollution. While there was no consensus on what the time limit should be, many felt that one minute is reasonable. There was general consensus that the exemptions are too complicated and should be simplified to make them easier to understand and enforce. In particular, most people

agreed that the temperature exemption is difficult to enforce, and should be either removed or changed to refer to an outdoor temperature. Many stakeholders indicated a desire for more enforcement to strengthen the bylaw's effectiveness.

Most agreed that more education is needed. Some suggested targeting education to areas where idling is common, such as schools and bus terminals. Misconceptions about the need for vehicles to idle were viewed as a barrier for idle-reduction. Stakeholders also identified the importance of partnerships with school boards, organizations with large fleets, and other levels of government for promoting idle-reduction.

Proposed Changes to the Idling Control Bylaw

The following changes are proposed to the current bylaw:

- Decrease allowed idling time from three minutes to one minute;
- Replace exemption allowing transit vehicles to idle for 15 minutes while at stopovers or layovers with an exemption allowing them to idle only if there is some identified need (eg., for safety of operator or passenger);
- Eliminate current temperature exemption (which allows idling when the temperature inside a vehicle is greater than 27 °C or less than 5 °C).

The following sections describe substantive changes to the idling control bylaw in more detail. Attachment 2 outlines what the Municipal Code Chapter would look like once amended.

Allowable Idling Time

Currently, the idling control bylaw allows three minutes of idling in any 60-minute period.

Reducing idling time offers direct greenhouse gas emissions benefits. For older cars and heavy duty vehicles, reducing idling time will also decrease air pollution emissions. Transportation Services indicates that reducing the allowed idling time would also improve enforcement, as waiting for three minutes to issue a ticket is impractical - and drivers sometimes realize that they are being observed and either turn off their engines or drive away before enforcement action can be taken.

The Board of Health requested that the Medical Officer of Health consider the implications of reducing allowable idling time to ten seconds. Many stakeholders indicate that a ten second limit is not practical. Natural Resources Canada promotes a 1 minute limit as a national guideline for limiting idling time. Moving towards a consistent, nationally-recommended idling limit may aid enforcement and public education.

It is therefore recommended that the City of Toronto's allowable idling time be decreased to one minute of idling in any 60-minute period. The feasibility of a one-minute limit is supported by the existence of a one-minute idling limit in other jurisdictions including cities in Sweden and some U.S. municipalities. In Singapore and England, the legislation states that vehicle engines must be off when vehicles are stationary for any reason other

than being stopped in traffic. On April 14, 2009, the City of Burlington became the first municipality in Canada to adopt an idling control bylaw which limits idling to one minute.

An allowable idling time of one minute is feasible from a driver perspective, will facilitate enforcement, and will reduce emissions of greenhouse gases and air pollutants in Toronto.

Transit Exemptions

Currently, transit vehicles are exempt while they are at layovers or stopovers of up to 15 minutes, and when passengers are embarking or disembarking. Buses are heavy-duty vehicles, and there is a clear air quality and greenhouse gas emissions benefit to shutting them off as soon as possible when they are not in use. There is typically no need for buses to idle for a full 15 minutes when they are stationary.

However, limiting idling of transit vehicles to one minute at all times could cause emissions reductions devices on the buses to fail. The Toronto Transit Commission (TTC) vehicles are equipped with turbo-chargers to reduce emissions which need to cool at idle for a brief period (two to three minutes). Failure of a turbo-charger can result in extremely high emissions from the bus until the problem is detected and can cause oil to be released onto the ground. These failures result in undesirable releases of pollution and are associated with significant replacement costs. Additionally, TTC indicates that overall maintenance costs may increase with more frequent use of the diesel starter system and more frequent cycling of the starter batteries.

There are also instances where transit vehicles may need to idle for longer than two to three minutes at a stopover or layover location. For example, buses need to idle at isolated stopover locations at night in order to maintain visibility and for operator safety. In the winter, buses may need to idle to “de-fog” windows in order for the operator to be able to see. It is recommended that Toronto’s idling control bylaw revisions include removal of the reference to time in the definition of stopovers and layovers. However, transit vehicles must not idle solely for the comfort and convenience of the operator or passengers.

Eliminating the 15 minute provision ensures that buses are turned off as soon as possible once they are stopped. The proposed revision means that transit vehicles may only idle for reasons related to operator or passenger safety, or in order to protect emissions reduction devices from failure. TTC will ensure that the new bylaw will be incorporated into TTC procedures by updating their current Idling Rule to meet the new requirements. TTC plans to roll out the information through Corporate Notices and Safety Talks at the Divisions to ensure the operators are aware of the changes.

The transit vehicles exemption for passengers who are embarking or disembarking is essential for providing quality service. Buses need to remain on in this situation for several reasons, including for the bus doors to be operable, and for the destination sign at the front of the bus to be illuminated, so that passengers know where the bus is going.

Temperature Exemption

Currently, idling is permitted under Toronto bylaw when temperatures inside a vehicle are above 27° C or below 5° C. This exemption was intended to protect people from very hot temperatures which can arise in vehicles in the summertime or extreme cold in winter. However, the temperature exemption presents a significant challenge for enforcement. Because enforcement officers do not have right of entry into a vehicle, there is no way for them to assess the temperature inside vehicles. As well, enforcing officers are required to record outdoor temperatures when taking enforcement action, which adds to the per-vehicle time needed to carry out enforcement duties, and increases the complexity of issuing a warning or fine.

The temperature exemption also limits enforcement to only a few months of the year in the spring and fall, as winter temperatures are usually below 5° C and summer temperatures often exceed 27° C in Toronto. In the summer, it may promote idling on days when air quality is already likely to be poor. Air pollution is often poorest on days when temperatures are very high. Between 2004-2008 all but two of 67 heat alerts or extreme heat alerts coincided with a day when the air quality health index would have indicated a moderate or high risk to health. Permitting excessive idling on hot days could worsen the effects of poor air quality at a time when people may already be having difficulty coping with effects of air pollution. It is therefore recommended that Toronto's bylaw be amended to remove the temperature exemptions to improve enforcement and air quality.

For people who are vulnerable to extreme heat or who cannot leave their vehicle when temperatures are high (perhaps due to limited mobility), use of air conditioning is a recognized health-protective measure. A similar argument can be made for heating a vehicle during extreme cold. Stakeholders who transport elderly or vulnerable clients worry that if the temperature exemption was eliminated, they could not maintain a safe in-vehicle temperature when picking up or unloading elderly clients on hot days. Under Toronto's current bylaw, there is a mechanism already in place to protect people who may be especially vulnerable to heat. Currently, idling is permitted if a driver or passenger can produce a doctor's note certifying that medical reasons require that temperature or humidity be maintained within a certain range. It is recommended that this exemption be retained within the bylaw.

Many places with anti-idling legislation, including Singapore, Stockholm, Vancouver, and several American jurisdictions, do not provide temperature exemptions. Closer to Toronto, Pickering's bylaw was enacted without a temperature exemption, while Markham's and Burlington's bylaws were amended to remove temperature exemptions.

Simplicity of the Bylaw

Discussions with stakeholders, requests from across City government, and information gathered during consultation indicate that the bylaw could be more effective if it was easier to understand. The experiences of Transportation Services, Public Health, and TTC suggest that many people are confused about the application of the bylaw. For example:

- Complaints made using the hotline provided by Transportation Services often address circumstances where exemptions apply. Transportation Services can therefore not respond to the complaint, and the complainant is left feeling that the City is unable to resolve the issue;
- Many private bus operators contacted by Public Health appear to believe that they are completely exempt from the bylaw.

Adopting a revised bylaw provides an opportunity to renew efforts to promote less idling in Toronto. TPH would work with Transportation Services to develop new education and outreach materials that explain the idling bylaw in clear language and specifically address issues which are now recognized to be sources of confusion. These clear language resources would be made available to TTC, Fleet Services, private fleets, and the general public.

Enforcement

While the November 2009 report to the Board of Health touched on enforcement issues, a letter to the November 2009 Board of Health requested a detailed exploration of several options for enforcing the bylaw in Toronto. The following sections expand on the information previously provided.

Enforcement Issues

Transportation Services and Toronto Police Service enforce the bylaw. Enforcement includes complaint investigation and twice yearly week-long blitzes. When complaints are registered with Transportation Services, officers investigate and if needed follow-up with a warning letter to the owner of the vehicle. The vehicle owner is requested to cooperate by ceasing to idle their vehicle. Members of the Toronto Police Service enforce by-laws including the idling control by-law as part of their routine operations. Table 1 summarizes the number of tickets and summons issued by Transportation Services and Toronto Police Service over the past 5 years.

Table 1: Idling Enforcement Statistics 2005-2009

Year	Complaints	Warnings	Tickets	Summons
2005	56	345	86	4
2006	78	1003	80	0
2007	51	853	55	1
2008	94	269	70	4
2009 ¹	58	478	88	7

¹ Numbers may be an underestimate, as Toronto Police Service does not track complaints, warnings, or summons.

Act Governing the Idling Control Bylaw

Currently, the idling control bylaw is enforced under the Provincial Offences Act (POA). One suggestion was to enforce the bylaw under the Highway Traffic Act rather than the Provincial Offences Act. City Legal advised TPH that it is beyond the authority of Toronto City Council to amend the Highway Traffic Act. Only the Provincial Legislature can pass an amendment to make idling an offence under the Highway Traffic Act.

Enforcement Responsibility

The letter to the Board of Health recommended that idling be enforced by Toronto Police Services parking control officers. Toronto Police Services were willing to explore this idea if a legal investigation determined that the bylaw could be enforced under Part II of the Provincial Offences Act (POA) which deals with parking offences. Currently, the offence falls under Parts I and III of the POA.

While reviewing the bylaw, TPH staff communicated regularly with staff from City Legal and Toronto Police Services to explore the possibility of enforcing the idling bylaw as a Part II offence. This included two face-to-face meetings between Toronto Police Service and their legal counsel, City Legal, and TPH. Throughout the review, City Legal and the Toronto Police Service lawyers agreed that idling offences are properly enforced as Part I and Part III offences. Toronto Police Service is committed to continued enforcement of the idling control by-law through their routine operations.

Following November's request for additional information, City Legal staff revisited the matter. After reviewing the available information, they determined that the current approach to enforcing Toronto's bylaw is appropriate. Their conclusion is supported by the success of the current enforcement approach. The City of Toronto has issued 370 tickets over the past five years, with a prosecution success rate of 100%. City Legal recommends that the amendments proposed in the November 16 report to the Board of Health be adopted without any change to the bylaw wording or enforcement practice of using Part I and Part III to address illegal idling.

Using an Enforcement Protocol

The proposed updated bylaw includes twelve exemptions. The letter to the Board of Health requested that staff consider simplifying the bylaw "by removing all exemptions and building them into an formal enforcement protocol that would operate outside the bylaw and could be amended without the necessity of a bylaw change". A related suggestion was that "enforcement not be dependent upon the necessity to time a vehicle and that any reasonable leeway and exceptions be instead woven into the enforcement protocol".

While eliminating exemptions and creating an enforcement protocol outside the bylaw could reduce the length of the bylaw, it would reduce transparency and jeopardize enforceability.

City Legal staff advised TPH that prosecutions of the idling control bylaw have been successful because the conditions under which the bylaw applies are explicitly stated in the bylaw. The bylaw is publicly available and anyone can review it. Adopting an enforcement protocol that is not available to the public could lead to legal arguments that a person could not access sufficient information to know that their idling was illegal. Similarly, updating an enforcement protocol without publicly amending a bylaw creates uncertainty about what constitutes legal idling.

A review of other Canadian jurisdictions with idling control bylaws revealed that all of them include multiple exemptions. This reflects a general agreement that idling control bylaws need to be explicit and transparent.

Towing Idling Vehicles

The Medical Officer of Health was asked to explore the possibility of towing vehicles where the idling is clearly continuing for long periods of time in order to keep air conditioning or heat on while entertainers or tour buses use the vehicles as mobile hotel rooms. Staff at Transportation Services indicate that it is preferable to follow the standard procedure that is in place for any idling vehicle; that is, to approach the vehicle and issue a warning, fine, or summons. If the operator of the vehicle cannot be approached directly, the enforcing officer will record the licence plate number and Transportation Services will issue a Part III Summons or letter to the permit holder.

City Programs that Support an Amended Bylaw

In its *Primer for Canadian Municipalities on Developing and Enforcing Idling Control By-laws*, the Clean Air Partnership concluded that idling bylaws are most effective when they form part of a comprehensive anti-idling policy that includes education and fleet policies.

Public Education

Anti-idling educational materials produced by Public Health and Transportation Services are distributed to civic, community and recreational centres, day care facilities, public libraries, major car rental agencies, schools and driving schools. City of Toronto parking permits also include information on the idling bylaw. During twice-yearly idling control blitzes, Transportation Services enforcement staff, with support from Toronto Police Service officers, provide education and information about the idling control bylaw and the benefits of vehicle emissions reduction.

Currently, education and outreach is focussed on the air quality benefits of reduced idling. Amending the bylaw provides an opportunity to update the education materials to include information on the importance of mitigating greenhouse gas emissions. Providing information about the contribution of vehicle emissions to climate change also supports effort to encourage healthier, more sustainable approaches to travel in Toronto, such as walking and cycling.

Fleet Services

The City's Fleet Services Division actively promotes idle reduction through several initiatives. In the spring of 2007 they launched the "Idle-Free" campaign to reduce vehicle idling. Fleet Services also responds to complaints from the public about idling in city vehicles, and conducts spot checks for idling and safety.

Fleet Services also employs technological approaches to idle-reduction in all sectors of the fleet: cars, light trucks and heavy trucks. When cars are due for replacement, Fleet Services' policy is to replace them with hybrid vehicles or ultra-fuel-efficient cars. As of December 31, 2009, 560 vehicles in the City fleet were considered "green vehicles". This includes several cube vans which were installed with battery-operated heaters to enable vehicles to be heated without running the engine. Fleet Services initiated engine computer programming to shut heavy-duty vehicles down automatically after prescribed idling times. Based on 152 garbage packers programmed in 2008, approximately 52,000 litres of fuel were saved in four months. In 2009, Fleet Services expanded the successful trial of an anti-idling device that shuts light-duty vehicles off based on prescribed idle time intervals.

Toronto Transit Commission (TTC)

The Toronto Transit Commission (TTC) supports the idling bylaw by enforcing it in TTC vehicles and promoting educational materials to their drivers. In September 2008, TTC launched a two-month "Idle-Free" pilot project at one of their Divisions. An evaluation of the report indicated that the TTC move towards compliance through education, enforcement and monitoring, and addressing technological issues through the procurement of new vehicles in the future.

Many operators support reduced idling because it lessens their exposure to harmful pollutants while they are on the job. TTC responds to concerns about idling that are raised by employees by following up with the supervisors at the location of concern and highlighting the TTC idling rule.

TTC is committed to operator education. As part of their Environment course, TTC supervisors learn about air emissions and must complete a module on idling. Each year, TTC sends a notice to all employees reminding them of the TTC idling rule. During idling blitzes, TTC sends out reminders about the Idling rule. As well, TTC's Corporate Smog Plan stresses the importance of minimizing idling.

TTC has specific plans to update their internal idling rule and operator education and awareness activities to reflect the revised idling control bylaw. TTC is actively preparing an idling and smog program manual that will include information on air quality alerts and the updated idling bylaw. TTC plans to ensure awareness of the new bylaw and air quality and health issues by providing information to the operators at each bus station on designated Safety Days.

Implications of Amending the Bylaw

Any changes to the bylaw, and in particular, changes to the permitted idling time will require that any educational materials currently distributed by Transportation Services and Public Health be updated. This includes pamphlets, web-based information, and signs.

Transportation Services has a record of 689 idling signs posted in the community, with 145 of these on private property. Changing the permitted idling time to 1 minute would require Transportation Services to order stickers to cover the "3" on each signs, changing it to a "1". The cost of the stickers plus labour for installation is minimal, and will be absorbed within the Transportation Services 2010 operating budget.

Toronto Public Health and Transportation Services will collaborate to develop updated, clear language educational materials with input from key stakeholders. The cost for developing and printing these materials will be absorbed within the Toronto Public Health and Transportation Services 2010 operating budgets.

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SIGNATURE

Dr. David McKeown
Medical Officer of Health

ATTACHMENTS

Attachment 1: Amending Bylaw

Attachment 2: Proposed Idling Control Bylaw - DRAFT

Attachment 3: Improving Toronto's Idling Control Bylaw - Letter from Councillor
Howard Moscoe

<http://www.toronto.ca/legdocs/mmis/2009/hl/bgrd/backgroundfile-25289.pdf>

ATTACHMENT 1 – AMENDING BYLAW

Authority: Board of Health Committee Item , adopted by City of Toronto Council
on , 2010.
Enacted by Council:

CITY OF TORONTO

BY-LAW No. - 2010

To amend City of Toronto Municipal Code Chapter 517, Idling of Vehicles and Boats.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. City of Toronto Municipal Code Chapter 517, Idling of Vehicles and Boats, is amended by:
 - A. Deleting the phrase: "for a maximum of 15 minutes" from the definition of LAYOVER in § 517-1.
 - B. Deleting the phrase: "of a maximum of 15 minutes" from the definition of STOPOVER in § 517-1.
 - C. Deleting the phrase: "three minutes" from §§ 517-2A and inserting in lieu thereof the phrase: "one minute".
 - D. Deleting subsection (1) from §§ 517-2B and inserting in lieu thereof a new subsection (1) as follows:

"Police, fire or ambulance vehicles or police or fire boats engaged in operational activities or training activities, but not where idling is substantially for the convenience of one or more of the operator of or a passenger in the vehicle or boat;"
 - E. Deleting the word "and" from § 517-2B(2) and inserting in lieu thereof the word "or" and by deleting the period at the end of the sentence and replacing it with a semi-colon.
 - F. Deleting the period from the end of each of §§ 517-2B(3), (5), (6), and (7) and replacing it with a semi-colon.
 - G. Deleting subsection (4) from §§ 517-2B and inserting in lieu thereof a new subsection (4) as follows:

"Boats, unless the boat is at anchor or tied to a dock;"

- H. Deleting subsection (8) from §§ 517-2B and inserting in lieu thereof a new subsection (8) as follows:

"Vehicles or boats required to remain motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the operator of the vehicle or boat has no control;"

- I. Deleting from §§ 517-2B(9) after the word "parade" the word: "or" and inserting in lieu thereof the phrase: ", a" and deleting the period from the end of the subsection and inserting in lieu thereof a semi-colon.

- J. Deleting from §§ 517-2B(10) the phrase: "en route or in terminals." and inserting in lieu thereof a semi-colon.

- K. Deleting subsection (11) from §§ 517-2B and inserting in lieu thereof a new subsection (11) as follows:

"Transit vehicles while at a layover or stopover location, but not if the idling is substantially for the convenience of one or more of the operator of or a passenger in the vehicle; or"

- L. Deleting subsection (12) from §§ 517-2B and inserting in lieu thereof a new subsection (12) as follows:

"A vehicle or a boat transporting a person where a medical doctor certifies in writing that for medical reasons the person in the vehicle or the boat requires that temperature or humidity be maintained with a certain range."

- M. Deleting §§ 517-2B(13).

2. This by-law shall come into force 30 days after the date of approval by the Regional Senior Justice of the set fines required for the offences created by this by-law.

ENACTED AND PASSED this _____ day of _____, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

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ATTACHMENT 2 - Proposed Idling Control Bylaw

DRAFT

Chapter 517

IDLING OF VEHICLES AND BOATS

§ 517-1. Definitions.

§ 517-2. Restrictions on idling; exceptions.

§ 517-3. Offences.

[HISTORY: Adopted by the Council of the City of Toronto 1998-10-02 by By-law No. 673-1998. Amendments noted where applicable.]

GENERAL REFERENCES

Traffic and parking — See Ch. 950.

§ 517-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOAT — A ship or any other description of vessel not propelled by oars and includes a boat used exclusively for towing purposes, a water taxi and a boat used on water for living purposes.

IDLE — The operation of the engine of a boat or vehicle while the vehicle or boat is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle or boat, and “idling” has a corresponding meaning.

LAYOVER — A stopping point along a transit route used by transit vehicles to allow transit vehicles to adjust to service schedules.

MOBILE WORKSHOP:

A. A vehicle containing equipment that must be operated inside or in association with the vehicle; or

B. A vehicle serving as a facility for taking measurements or making observations operated by or on behalf of a municipality, public utility or police, fire or ambulance service.

OFFICIAL — A police officer, police cadet, municipal law enforcement officer or any person authorized to enforce this chapter.

STOPOVER — A scheduled delay at a transit vehicle terminal to allow transit vehicles to adjust to service schedules.

TRANSIT VEHICLE — Public transit vehicles, tour buses and motor coaches.

VEHICLE — A motor vehicle, trailer, traction engine, farm tractor or road-building machine as defined in the *Highway Traffic Act*² and any vehicle drawn, propelled or driven by any kind of non-muscular power, but does not include cars of electric or diesel electric railways running only upon rails.

§ 517-2. Restrictions on idling; exceptions.

- A. No person shall cause or permit a vehicle or boat to idle for more than one minute in a sixty-minute period.
- B. **[Amended 1999-5-12 by By-law No. 238-1999]** Subsection A does not apply to:
- (1) Police, fire or ambulance vehicles or police or fire boats engaged in operational activities or training activities, but not where idling is substantially for the convenience of one or more of the operator of or a passenger in the vehicle or boat;
 - (2) Vehicles or boats assisting in an emergency activity;
 - (3) Ferry boats operated by the City of Toronto or the Toronto Harbour Commissioners providing service to the Toronto Islands, including the Toronto Island Airport;
 - (4) Boats, unless the boat is at anchor or tied to a dock;
 - (5) Mobile workshops while they are in the course of being used for their basic function;
 - (6) Vehicles or boats where idling is required to repair the vehicle or boat or to prepare a vehicle or boat for service;
 - (7) Armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded;
 - (8) Vehicles or boats required to remain motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the operator of the vehicle or boat has no control;
 - (9) Vehicles or boats engaged in a parade, a race or any other event authorized by Council;
 - (10) Transit vehicles while passengers are embarking or disembarking;

² Editor's Note: See R.S.O. 1990, c. H.8.

(11) Transit vehicles while at a layover or stopover location, but not if the idling is substantially for the convenience of one or more of the operator or of a passenger in the vehicle; or

(12) A vehicle or a boat transporting a person where a medical doctor certifies in writing that for medical reasons the person in the vehicle or the boat requires that temperature or humidity be maintained within a certain range.

§ 517-3. Offences.

[Amended 1999-11-25 by By-law No. 746-1999]

Every person who contravenes any provision of this chapter is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*.³

³ Editor's Note: Under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence is liable to a fine of not more than \$5,000.