

CHAPTER 132

**GOVERNMENT - LOCAL**

**HOUSE BILL 24-1341**

BY REPRESENTATIVE(S) Marvin and Willford, Bacon, Boesenecker, Brown, Froelich, Hernandez, Kipp, Lindsay, Lindstedt, Mabrey, Parenti, Rutinel, Sirota, Valdez A., Vigil, Weissman; also SENATOR(S) Cutter, Hansen, Hinrichsen, Jaquez Lewis, Priola.

**AN ACT**

**CONCERNING THE STATE IDLING STANDARD, AND, IN CONNECTION THEREWITH, AUTHORIZING A LOCAL GOVERNMENT TO ENACT A RESOLUTION OR ORDINANCE CONCERNING IDLING THAT IS AT LEAST AS STRINGENT AS, BUT NOT LESS STRINGENT THAN, THE STATE STANDARD.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **amend** 42-14-101 as follows:

**42-14-101. Legislative declaration.** The general assembly hereby finds and determines that the operation of a motor vehicle in commerce has important statewide ramifications for commercial diesel vehicle operators because the transportation of people and property is not confined to one jurisdiction. Therefore, the general assembly hereby declares that idling standards are a matter of MIXED LOCAL AND statewide concern.

**SECTION 2.** In Colorado Revised Statutes, **amend** 42-14-103 as follows:

**42-14-103. Uniform standard - local governments.** (1) A local authority ~~shall not~~ **MAY** adopt or enact a resolution, ordinance, or other law concerning idling of a covered vehicle that is ~~more stringent, than~~ **AT LEAST AS STRINGENT AS, BUT NOT LESS STRINGENT THAN, THE STATE IDLING STANDARD SET FORTH IN this article ARTICLE 14.**

(2) **THE EXEMPTIONS SET FORTH IN SECTION 42-14-105 (2) APPLY TO ANY LOCAL RESOLUTION, ORDINANCE, OR ANY OTHER LAW CONCERNING THE IDLING STANDARD IN SECTION 42-14-105 (1).**

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**SECTION 3.** In Colorado Revised Statutes, 42-14-105, **amend** (2)(j) and (2)(k); and **add** (2)(l) as follows:

**42-14-105. Idling. (2) Exemptions.** Subsection (1) of this section does not apply to an idling, covered vehicle:

(j) When used to heat or cool a sleeper berth compartment during a rest or sleep period at a location where the vehicle is legally permitted to park and that is at least one thousand feet from residential housing, a school, a daycare facility, a hospital, a senior citizen center, or a medical outpatient facility providing primary, specialty, or respiratory care; ~~or~~

(k) When idling for up to twenty minutes in any sixty-minute period if the ambient temperature is less than ten degrees; OR

(l) FOR A CRITICAL SERVICE OR A UTILITY PROVIDER, WHEN PERFORMING THE FUNCTIONS OF THE PROVIDER'S DUTIES.

**SECTION 4. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 29, 2024