

Excel Sales & Service Inc. Idling Policy for Self-Propelled Off-Road Diesel Equipment in California (as of 6/15/2008)

This policy pertains to the Idling Limit for self-propelled off-road diesel vehicles and equipment in accordance with the Regulation for In-Use Off-Road Vehicles (California Code of Regulations Title 43, Article 4.8, Chapter 9, Section 2449), known as the "the Regulation". The Regulation and Idling Limit took effect June 15, 2008. This policy is applicable to both Excel employees and Excel's customers and will be available at each Excel PC and must be made available to equipment operators.

Summary of Idling Limit

No Self-Propelled Off-Road Equipment subject to the Regulation may idle for more than 5 consecutive minutes.

Self-Propelled Off-Road Equipment Subject to the Regulation and Idling Limit

Self-Propelled Off Road Equipment subject to the Regulation and Idling Limit includes any self-propelled diesel-fueled vehicle/equipment, 25 horsepower and up, that is not designed to be driven on the road. Each piece of Self-Propelled Off-Road Equipment subject to the Regulation should have an Equipment Identification Number (BIN) issued in accordance with the Regulation. The EIN will be indicated by a label affixed to the Self-Propelled Off-Road Equipment. In addition the EIN will be indicated on the rental contract, as will be the Idling Policy notification. The Idling Policy notification indicates the Customer is responsible for complying with the Idling Regulation.

The Regulation Language Related to Idling and How to Look Up the Idling Limit Language

The off-road diesel homepage is on ARB's website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.ritm> and contains links to the Regulation language, fact sheets, and reporting forms. The idling limits are listed in the final Regulation order on page 15, section 2449(d)(3)(A) ("Idling Requirement"). The specific Idling Limit language is as follows:

"No vehicles or engines subject to this regulation may idle for more than 5 consecutive minutes. Idling of a vehicle that is owned by a rental company is the responsibility of the renter or lessee, and the rental agreement should so indicate. The idling limit does NOT apply to:

1. Idling when queuing,
2. Idling to verify that the vehicle is in safe operating condition,
3. Idling for testing, servicing, repairing, or diagnostic purposes,
4. Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane),
5. Idling required to bring the machine system to operating temperature, as specified by the manufacturer, and
6. Idling necessary to ensure safe operation of the vehicle."

Exceptions to Idling Limit - When Is It Acceptable to Exceed the Idling Limit?

There are certain circumstances when it is acceptable to exceed the idling limit. These are:

- Idling when waiting in line is allowed. (Idling to wait for other vehicles or materials is not allowed.)
- Idling to accomplish secondary functions, such as concrete agitation, load hoisting, fuel pump operation, or other necessary functions is allowed.
- Idling to keep equipment (including equipment windows) clear of ice and snow is allowed.

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- Idling to provide air conditioning or heat to ensure the health and safety of the operator is allowed.
- Idling to test or repair a vehicle is allowed.
- Idling to warm up a vehicle to operating temperature as specified by the manufacturer is allowed.

Description of Penalties

The enforcement advisory describes the method by which the Idling Limit will be enforced by ARB staff, and states that penalties of up to \$10,000 per day, from the first day the Idling Limit was required until the violation is found, may be assessed. The ARB enforcement advisory for idling is available online from ARB's website at <http://www.arb.ca.gov/msprog/ordiesel/guidance/idling.pdf>.

Non-Compliance Reporting Information

To report off-road diesel vehicles that are violation the Idling Regulation, call 1-800-END-SMOG (1-800-363-7664), or fill out a form online at <http://www.arb.ca.gov/enf/complaints/icv.htm>.

Further Information

Please contact Michael Jacobson Excel's Environmental and Regulatory Compliance Manager at 951-676-0546 (mjacobson@excelsalesrentals.com) for more information or if you have additional questions.