

EXHIBIT 3

SECTION 45: IDLING OF DIESEL POWERED MOTOR VEHICLES

45.1 APPLICABILITY

This vehicle idling restriction requirement applies to vehicles idling within Clark County, Nevada, that meet all of the following criteria:

- (a) *Are designed with a gross vehicle weight rating of more than 10,000 pounds;*
- (b) *Are required to be registered under Chapter 482.205 of the Nevada Revised Statutes (NRS);*
- (c) *Are designed to operate on public highways, and*
- (d) *Are powered by a diesel engine.*

45.2 DEFINITIONS

For the purposes of this section, the following definitions shall apply:

- (a) *“Combination of Devices” means the coupling of two or more pieces of equipment that consist of the device that contains the diesel engine and an attached piece of equipment, which includes but is not limited to a trailer, cement mixer, refrigeration unit, or automobile.*
- (b) *“Gross Vehicle Weight Rating” means the maximum vehicle weight for which the vehicle is designed, as established by the manufacturer.*
- (c) *“Idling” means the operation of a diesel engine when the engine is not engaged in gear.*
- (d) *“PTO” means a unit that provides power from a trailer or other equipment.*
- (e) *“Primary Propulsion Engine” means any engine whose primary function is to provide mechanical power to propel or direct a vehicle, regardless of whether that power is applied directly to the propeller shaft or indirectly by way of an electrical system.*
- (f) *“Truck Stop” means a place of business that provides services to drivers and their vehicles in which the service time may exceed one hour.*
- (g) *“Vehicle” means any device or combination of devices designed to operate on public highways and powered by a diesel engine.*

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45.3 REQUIREMENT

No owner or operator of a vehicle shall permit the primary propulsion engine of the vehicle to idle for more than 15 minutes per hour except as provided in Section 45.4.

45.4 EXEMPTIONS

- (a) This requirement shall not apply when:
- (1) A vehicle is forced to remain motionless because of traffic or adverse weather conditions affecting the safe operation of the vehicle.
 - (2) A vehicle is being operated for emergency or law enforcement purposes.
 - (3) The primary propulsion engine of a vehicle meets all of the following criteria:
 - (A) Is providing a power source necessary for mechanical operations other than propulsion.
 - (B) Is performing the same function as a Power Take Off (PTO).
 - (C) Is powered by the engine for any of the following purposes:
 - (i) Loading and unloading cargo and/or passengers;
 - (ii) Mixing or processing cargo;
 - (iii) Controlling cargo temperature; or
 - (iv) Providing a mechanical extension to perform work functions.
 - (4) The primary propulsion engine of a vehicle is being operated at idle to conform to the manufacturer's warm-up and cool-down specifications, for maintenance or diagnostic purposes, or by manufacturers engaging the engines in testing for research and development.
 - (5) The primary propulsion engine of a vehicle is being operated to supply heat or air conditioning necessary for passenger comfort/safety in vehicles operating for commercial passenger transportation or school purposes. If ambient temperatures

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exceed 75°F or fall below 50°F, passenger buses are allowed to idle.

- (6) The primary propulsion engine of the vehicle is a clean idle engine certified to generate less than 30 g/hr of NO_x emissions when idling.*
- (7) The vehicle is idling at truck stops or designated rest areas.*
- (8) The primary propulsion engine of a vehicle is being operated to comply with Title 49, Part 395 of the Code of Federal Regulations and NRS 706.682 and 706.692 (Nevada Department of Transportation regulations) referencing hours of service restrictions except within 1,000 feet of a residential area.*