

## Clean Air Network Briefing Paper on the

### Motor Vehicle Idling (FIXED PENALTY) Bill

#### Introduction

Idling engines do harm to public health and air quality. In order to improve the situation, the HKSAR government has introduced the Motor Vehicle Idling (FIXED PENALTY) Bill to Legco on 28th April 2010. The aim of the bill is to reduce cases of idling engines through legislation and to modify behavior and attitudes of Hong Kong drivers.

In Hong Kong, drivers idle their engines for different reasons. For example, for comfort in the summer heat; to avoid restarting the vehicle because of the perception of engine wear and tear. But they do not realize that idling their engines harms public health a lot. If we compare the harm to public health from idling to the benefits resulting from restricting this behavior, it's obvious that drivers should give up some convenience for the greater good.

#### Content of the Legislation

The Government suggests that we follow Canada's practice to provide a grace period of three-in-sixty-minutes to drivers of all motor vehicles. The government has granted exemptions to taxis and minibuses to take account of operational needs and the health of individual drivers. The full bill is attached here for your easy reference.

#### Idling engines harm our health

Idling engines can be a significant component of roadside emissions. Public health research shows that roadside pollution is dangerous to health in the following ways:

- After 20 minutes of high roadside pollution, there are arterial changes;
- After 2 hours exposure to high roadside pollution, heart rate will increase;
- Increased risk of heart attack or stroke on days of high roadside pollution;
- Increased risk of deep vein thrombosis or blood clots in the legs;
- Increased incidence of asthma, bronchitis;
- Reduced effectiveness of asthma inhalers;
- Lowered immunity
- Causes young children to wheeze and cough;
- Unborn children & pregnant women: premature birth, lower birthweight, lower IQ and



impaired lung development;

Elderly: long-term exposure doubles risk of contracting pneumonia

#### Idling harms drivers' health

Idling vehicles suffer from less ventilation inside the vehicle leading to a toxic buildup of pollutants (Source: EPA school bus idling research, 2004);

Drivers who work closely to diesel are more likely to develop lung cancer; (Source: America Cancer Society news, 2002);

The air quality inside idling vehicles is worse than when they are in transit (Source: Natural Resources Defense Council press release, 2007).

#### Arguments in favor of the ordinance —

The main aim of the legislation is to modify behavior and attitudes of Hong Kong drivers, to make the Hong Kong public more mindful of roadside emissions in general.

It is roadside pollution which affects human beings the most. Hong Kong's roadside pollution is actually the heart of the problem. Banning idling engines is therefore one of the most obvious things the Government should do to improve public health. Remember, idling is dangerous not only to pedestrians but to drivers.

Compared to the replacement of the oldest most polluting commercial diesel vehicles, banning idling engines is an expedient measure, with immediate results.

Several countries at the same level of development as Hong Kong have already restricted idling: 15 states in the US plus Japan, Taiwan, England, France, Germany, and Italy. Therefore we can see that idling engine ban is a trend in the world, and we have enough foreign examples for the government to carry out this legislation in Hong Kong.

#### Arguments against the ordinance —

1. Under the proposed law, taxis have been granted an exemption: the first 5 taxis at a taxi stand need not turn off their engines. But taxi drivers argue that taxi queues at stands can be very large. If the exemption only applies to the first five taxis at a taxi stand, it means that, from the 6th taxi onwards, all the drivers will be suffering.



COUNTERARGUMENT: Obviously, the Government had to choose a cut-off point, which would be reasonable in light of the typical taxi queue length. The 5-taxi limit is reasonable in 90% of cases. Laws must be made on the basis of the average, normal situation, not the exception.

2. The taxi union staged a demonstration of what it would be like in a real-life situation at a long taxi queue. In a queue of 30 taxis, they showed that it would require stopping and starting the engine 10 times in order not to violate the law. The taxi drivers claim that such stops and starts cause significant battery wear and tear.

COUNTERARGUMENT: According to research done by the US EPA on school buses, running an engine at low speed (idling) causes twice the wear on internal parts compared to driving at regular speed. Both idling and restarting vehicles can damage the internal parts of a car. Therefore, it's best to just turn the car off, which, at least, benefits the public's air quality.

3. Some people suggest that it is difficult to carry out the three-in-sixty-minutes grace period, as the timing of the 3-minute grace period is subject to human error and interpretation.

COUNTERARGUMENT: there are three main arguments:

-The police will err on the side of NOT issuing a ticket unless the offense has been properly timed. In general, we rely on the police to exercise discretion in numerous situations, e.g., spot checks on the street for identification papers.

-Other jurisdictions have effectively enforced a similar regime, e.g, in Canada, law enforcement officers issued 80 idling tickets within a year.

-Finally, the effectiveness of the legislation is not solely dependent on how many offenders are ticketed, but on a change in drivers' behavior. If drivers idle less, as a general matter, because they are attentive to this new law, the law's intention and purpose will have been served.

4. The Hong Kong climate makes an anti-idling law suitable. In the summer, the temperatures inside a taxi can exceed 30 degrees, potentially affecting drivers' health.



COUNTERARGUMENT: Japan and Singapore have similar idling engine legislation despite hot, wet climates. Next, ALL drivers, not just one class, such as taxi drivers, are affected. This is the cost of saving public health, especially the health of pregnant women, the elderly and children.

Attachments for additional reading:

- Press Release of introduction of Motor Vehicle Idling (Fixed Penalty) Bill,  
<http://www.info.gov.hk/gia/general/201004/15/P201004150143.htm>
- Legislative Council Brief  
[http://www.legco.gov.hk/yr09-10/english/bills/brief/b24\\_brf.pdf](http://www.legco.gov.hk/yr09-10/english/bills/brief/b24_brf.pdf)
- National Idle-Reduction Campaign website,  
<http://www.epa.gov/otag/schoolbus/antiidling.htm#bkgrd>
- RTHK, 2010-04-25 City Forum "Banning of idling vehicles with running engines"  
(only with Cantonese)  
[http://www.rthk.org.hk/rthk/tv/city\\_forum/](http://www.rthk.org.hk/rthk/tv/city_forum/)
- EPA of USA, idling engine research on bus  
[http://www.epa.gov/region1/eco/diesel/pdfs/Diesel\\_truck\\_bus\\_CT.pdf](http://www.epa.gov/region1/eco/diesel/pdfs/Diesel_truck_bus_CT.pdf)
- EPA of USA, idling engine research in Northern States,  
<http://www.epa.gov/SmartwayLogistics/presentations/nescaum-041404.pdf>
- ACS :: EPA Reports Diesel Exhaust Linked To Lung Cancer,  
[http://www.cancer.org/docroot/NWS/content/NWS\\_1\\_1x\\_EPA\\_Reports\\_Diesel\\_Linked\\_To\\_Lung\\_Cancer.asp](http://www.cancer.org/docroot/NWS/content/NWS_1_1x_EPA_Reports_Diesel_Linked_To_Lung_Cancer.asp)
- NRDC: Press Release – Diesel Exhaust Poses Health Threat to Port Truck Drivers,  
<http://www.nrdc.org/media/2007/071204.asp>

