

The General Laws of Massachusetts

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PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 90. MOTOR VEHICLES AND AIRCRAFT

MOTOR VEHICLES

Chapter 90: Section 16A. Stopped motor vehicles; operation of engine; time limit; penalty

Section 16A. No person shall cause, suffer, allow or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. This section shall not apply to (a) vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof, or (b) vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available, or (c) vehicles engaged in an operation for which the engine power is necessary for an associate power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars for the first offense, nor more than five hundred dollars for each succeeding offense.

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PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 90. MOTOR VEHICLES AND AIRCRAFT

MOTOR VEHICLES

Chapter 90: Section 13. Safety precautions for proper operation and parking of vehicles and buses

Section 13. No person, when operating a motor vehicle, shall permit to be on or in the vehicle or on or about his person anything which may interfere with or impede the proper operation of the vehicle or any equipment by which the vehicle is operated or controlled, except that a person may operate a motor vehicle while using a citizens band radio or mobile telephone as long as one hand remains on the steering wheel at all times. No person having control or charge of a motor vehicle, except a person having control or charge of a police, fire or other emergency vehicle in the course of responding to an emergency or a person having control or charge of a motor vehicle while engaged in the delivery or acceptance of goods, wares or merchandise for which the vehicle's engine power is necessary for the loading or unloading of such goods, wares or merchandise, shall allow such vehicle to stand in any way and remain unattended without stopping the engine of said vehicle, effectively setting the brakes thereof or making it fast, and locking and removing the key from the locking device and from the vehicle. Whenever a bus having a seating capacity of more than seven passengers, a truck weighing, unloaded, more than four thousand pounds, or a tractor, trailer, semi-trailer or combination thereof, shall be parked on a way, on a grade sufficient to cause such vehicle to move of its own momentum, and is left unattended by the operator, one pair of adequate wheel safety chock blocks shall

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be securely placed against the rear wheels of such vehicle so as to prevent movement thereof. The provisions of the preceding sentence shall not apply to a vehicle equipped with positive spring-loaded air parking brakes. No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating such motor vehicle. Whoever operates a motorcycle on the ways of the commonwealth shall ride only upon the permanent and regular seat attached thereto, and he shall not carry any other person, nor allow any other person to ride, on such motorcycle unless it is designed to carry more than one person, in which case a passenger may ride upon the permanent and regular seat if such seat is designed for two persons, or upon another seat which is intended for a passenger and is firmly attached to the motorcycle to the rear of the operator if proper foot rests are provided for the passenger's use, or upon a seat which is intended for a passenger and is firmly attached to the motorcycle in a side car. No person shall operate a motor vehicle, commonly known as a pick-up truck, nor shall the owner permit it to be operated, for a distance more than five-miles, in excess of five-miles per hour, with persons under twelve years of age in the body of such truck, unless such truck is part of an official parade, or has affixed to it a legal "Owner Repair" or "Farm" license plate or a pick-up truck engaged in farming activities. No person, except firefighters or garbage collectors, or operators of fire trucks or garbage trucks, or employees of public utility companies, acting pursuant to and during the course of their duties, or such other persons exempted by regulation from the application of this section or by limited application by special permit granted by the selectmen in a town or of the city council in a city, shall hang onto the outside of, or the rear-end of any vehicle, and no person on a pedacycle, motorcycle, roller skates, sled, or any similar device, shall hold fast or attach the device to any moving vehicle, and no operator of a motor vehicle shall knowingly permit any person to hang onto or ride on the outside or rear-end of the vehicle or streetcar, or allow any person on a pedacycle, motorcycle, roller skates, sled, or any similar device, to hold fast or attach the device to the motor vehicle operated on any highway. No person or persons, except firefighters acting pursuant to their official duties, shall occupy a trailer or semi-trailer while such trailer or semi-trailer is being towed, pushed or drawn or is otherwise in motion upon any way. No person shall operate a motor vehicle while wearing headphones, unless said headphones are used for communication in connection with controlling the course or movement of said vehicle.

Lopez, Donna

ATTACHMENTS

From: Lopez, Donna
Sent: Wednesday, September 16, 2009 9:01 AM
To: Lopez, Donna
Subject: FW: illegal idling in Cambridge

From: Drury, Margaret
Sent: Tuesday, September 15, 2009 1:19 PM
To: Lopez, Donna
Subject: FW: illegal idling in Cambridge

D. Margaret Drury
Cambridge City Clerk
Cambridge City Hall Room 103
795 Massachusetts Ave
Cambridge MA 02139
(617) 349-4260

Please note that City Hall is open Monday 8:30 a.m.- 8 p.m.; Tuesday - Thursday 8:30 a.m.- 6 p.m.; Friday 8:30 a.m. - 12 noon.

From: Kontos, Andrea D [mailto:kontos@bu.edu]
Sent: Tuesday, September 15, 2009 12:44 PM
To: Drury, Margaret
Subject: illegal idling in Cambridge

I am not sure if I can make it to the meeting tonight but would like to register my thoughts. I live at 171 Magazine St., which is very close to the MircoCenter parking lot. Trucks idle here constantly. My husband has had to go to the parking lot on several occasions and wake up the sleeping drivers to tell them to turn off their engines. The noise disrupts our families sleep on a regular basis.

Thank you,
Andrea Kontos

Lopez, Donna

ATTACHMENT-D

From: Lopez, Donna
Sent: Wednesday, September 16, 2009 9:01 AM
To: Lopez, Donna
Subject: FW: testimony for Vehicle Idling Meeting On Tuesday, 15 September, 5:30 PM at City Hall

From: Drury, Margaret
Sent: Monday, September 14, 2009 10:10 AM
To: Lopez, Donna
Subject: FW: testimony for Vehicle Idling Meeting On Tuesday, 15 September, 5:30 PM at City Hall

D. Margaret Drury
Cambridge City Clerk
Cambridge City Hall Room 103
795 Massachusetts Ave
Cambridge MA 02139
(617) 349-4260

Please note that City Hall is open Monday 8:30 a.m.- 8 p.m.; Tuesday - Thursday 8:30 a.m.- 5 p.m.; Friday 8:30 a.m. - 12 noon.

From: Avi Green [mailto:avi@avigreen.org]
Sent: Monday, September 14, 2009 6:31 AM
To: Drury, Margaret; City Council
Subject: testimony for Vehicle Idling Meeting On Tuesday, 15 September, 5:30 PM at City Hall

Dear Clerk and Members of the Council,

I wish I could attend the hearing on Tuesday night. Please enter my testimony into your record.

The exhaust from idling cars and trucks is not just a smelly inconvenience. It is a contributor to global warming, and a threat to your health and mine. Auto exhaust releases carbon dioxide, carbon monoxide, and a host of fine particulate pollution that seeds itself in our lungs when we breathe it in. Particulates increase the likelihood of heart attacks, stroke, and lung disease in people who breathe them in. The pollution contributes to asthma. The worst hit are children, the elderly, and people in poor health.

Cars, trucks, and buses often idle in Cambridge. I often pass trucks that are idling in the parking lot of Harvest supermarket (which does not open for deliveries until at least 6) or by the Boston Sports Club on Essex St near Bishop Allen Drive when I pass at 5:30am. There are also sometimes school buses idling for long periods outside the Prospect Hill Academy on Essex St, even at times when they will not be loading children for a long time, which is particularly bad given the students and elderly housing in close proximity. Cars also idle on Tremont near where I live. I believe the problem is widespread.

If our city is to be a green leader -- and a healthy place to live -- we must be serious about reducing idling.

Idling should be subject to ticketing and anti-idling ordinances should be enforced. Many people don't know the harms associated with idling. For that reason, the City should incorporate educational materials about the issue into the city mailings and e-updates for both residents and businesses, repeating the message as regularly

as necessary.

Sincerely,

Avi Green
44 Tremont St #1
Cambridge, MA 02139
(617) 542-8683 x 207 work
(617) 997-6136 cell

Lopez, Donna

ATTACHMENTE

From: Lopez, Donna
Sent: Wednesday, September 16, 2009 9:01 AM
To: Lopez, Donna
Subject: FW: Comments on Idling in Cambridge
Attachments: IMG_1873.JPG

From: Drury, Margaret
Sent: Tuesday, September 15, 2009 3:09 PM
To: Lopez, Donna
Subject: FW: Comments on Idling in Cambridge

D. Margaret Drury
Cambridge City Clerk
Cambridge City Hall Room 103
795 Massachusetts Ave
Cambridge MA 02139
(617) 349-4260

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From: fleethill@aol.com [mailto:fleethill@aol.com]
Sent: Tuesday, September 15, 2009 3:07 PM
To: Davis, Henrietta; Drury, Margaret; Kelley, Craig
Cc: tstohlman@alum.mit.edu
Subject: Comments on Idling in Cambridge

I will not be able to attend the hearing tonight and wanted to send comments on the subject of idling, particularly as it is a very big subject in the neighborhood I reside in, which is directly abutting the Mt. Auburn Hospital.

In our neighborhood we experience a high frequency of idling vehicles that is associated with the hospital shuttle buses that serve the off campus employee parking and on our local streets, (Mount Auburn Street, Longfellow Road, Channing Street, and Lowell Street, and Trill and Gibson Streets to a lesser degree) that is primarily related to hospital visitors, deliveries, and medical vehicles. In both cases, the idling is a health issue, as well as a detriment to our general quality of living.

Multiple times every day we witness cars both legally and illegally parked on our local streets with drivers sitting for times up to 30-45 minutes, with motors running. Despite the fact that there is a new parking facility at the hospital, and that parking is discounted for the first 30 minutes, there are some people who refuse to park on the hospital grounds. Sometimes there are chair cars (transports for wheelchairs) parked with motors running, while the driver eats lunch or even takes a nap.

In the case of the shuttle buses, there are 570 employees from Mt. Auburn Hospital who are required to park on 4 lots that are located in west of the hospital in Watertown and Cambridge. Starting before 5am, and running until after 11pm, multiple large buses make constant runs back and forth to these lots. These buses do not ever turn off their engines. In today's world they are clunkers, old, noisy, polluting vehicles. We have raised this issue in our quarterly neighborhood discussions with the

hospital, and have not come to any good resolution that addresses the idling, or associated pollution and noise. Essentially, the expansion of the hospital on its limited campus area has resulted in this situation. In the short run, we would like to have the idling addressed, and in the long run, a fleet of noise-less hybrid or electric vehicles would be ideal.

There is some enforcement of illegal parking by non residents, usually no more than once a day. There is no enforcement of the idling limitation, and in fact, it is doubtful that most drivers even know of the statute. I have seen a very different situation in other Massachusetts communities, where signage makes the 5 minute limit obvious.

I urge that there be some meaningful action following this hearing that leads to a campaign to limit idling and create awareness of its health consequences, as well as the wasteful expenditure of petroleum fuel.

Belmont, MA has had an anti idling campaign for several years, so it might be useful to review their efforts. The police department has taken a leading role in this. Here is the pointer their police outreach: <http://www.belmontpd.org/Resources/PR/2008/antiidling.htm>

Another city group, Sustainable Belmont, has also coordinated stickers and signage, with a focus on schools.

I have also attached a photo of a no idling sign from Lenox, MA. to this email.

I appreciate your efforts on this matter.

Sincerely,

Fleet Hill
22 Longfellow Road
Cambridge, MA 02138