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**TO:** Law Amendments Committee

**From:** Tamara Lorincz, Representative and Member of the Sierra Club of Canada-Atlantic Chapter

**Date:** December 2, 2010

**Re:** Bill No. 114: An Act to Require an Anti-idling Policy for the Government of Nova Scotia and Public Passenger Vehicles

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**Bio:**

I am here today as a long-time member and representative of the Sierra Club of Canada – Atlantic Chapter and a mother. I would like to add that I was the former Executive Director of the Nova Scotia Environmental Network and the former coordinator of the Sustainability Education in Nova Scotia for Everyone Working Group. I sat on the Minister's Round Table for the Environment and Sustainable Prosperity from 2008-2010. I am also the co-founder of the East Coast Environmental Law Association and the Atlantic Canada Sustainability Initiative and currently sit on Ecojustice Canada's board. The issues of anti-idling, fuel efficiency and climate change are issues that I have been dealing with in these roles for many years.

As a mother with two young boys, I am very concerned about children's health and well-being. I sit on the Parent-Teacher Association of Burton-Ettinger Elementary School and the Nova Scotia Network for Early Child Development Advisory Committee. Idling, air pollution and children's health are concerns for these committees as well.

Last year, I worked with St. Joseph's Child Care Centres to introduce an anti-idling program at their day care centres in the Halifax. Signage was put up, parents and staff received information, and presentations were given by Clean Nova Scotia's DriveWiser coordinator.

**Introduction:**

At the outset, we, the Sierra Club, would like to applaud the Minister of Environment for introducing this bill. Nova Scotia is showing leadership for being the first province to take action on idling in this way in the country. It is also timely with the Intergovernmental Panel on Climate Change Conference of the Parties COP 16 meeting that is taking place right now in Cancun, Mexico. Technologies such as the idle-stop devices, controls that can automatically turn off the car engine – have been a recurrent topic of discussion at IPCC meetings. And major car manufacturers, like Toyota, Mazda, and BMW, are incorporating this anti-idling technology in their new hybrid designs.

**Background to anti-idling legislation:**

In terms of anti-idling legislation in general, this Bill 114, which focuses on anti-idling policy development does not go as far as many municipalities across Canada have already gone by introducing idling prohibitions.

Let me quickly survey some of these key municipal idling control bylaws as they serve as the basis for our recommendations we think can be incorporated now this Bill.

Montreal was the first city to introduce an anti-idling bylaw in 1970 in Canada. Today there are over fifty municipalities in Quebec that have anti-idling bylaws that generally prohibit idling over 3 minutes and have enforcement measures. Three years ago, the Government of Quebec introduced an innovative funding program – Turn off Your Engine / Couper Le Moteur! - for municipalities to acquire funding based on their

population size to enact municipal anti-idling bylaws and related public education initiatives. Montreal police have already started to install idle-stop devices in their fleet.

In Ontario, many municipalities have anti-idling bylaws. Toronto introduced an idling control bylaw in 1996 and improvements to the bylaw are currently underway, due to the insistence of the Toronto Board of Health, including reducing the maximum idling limit from 3 minutes to only 1 minute and removing some exemptions.

In Nova Scotia, the Town of Kentville was the first Atlantic Canadian municipality to introduce an Idling Control bylaw prohibiting idling for more than 3 minutes with some exemptions and with a penalty of a "fine of not less than \$150.00 and not more than \$10,000." [Reference KENTVILLE IDLING CONTROL BYLAW CHAPTER # 77 6(a)]

The Government of Nova Scotia has an opportunity with this Bill to show even greater leadership on anti-idling by refining this bill and incorporating the recommendations that I will address now.

### **Recommendations for immediate improvement to the Act:**

#### **1. Add more consequences: climate change, smog and adverse health effects**

- Sierra Club would like to suggest an amendment to the first whereas clause "WHEREAS vehicle exhaust emissions are a source of air pollution" to "WHEREAS Vehicles emit pollutants that cause climate change, create smog and contribute to adverse health effects" –bylaws in other municipalities have included these other consequences of idling and the public should be made aware of these other consequences
- The City of Vaughan in Ontario, for example, has a bylaw with a clause that states that "idling causes adverse health effects including deleterious effects on respiratory health" (Reference City of Vaughan Bylaw No. 170-2004)
- So, making the links to health in this proposed legislation is critical as Nova Scotians have a disproportionately high rate of asthma and respiratory illnesses according to the Lung Association of Canada. By including our recommended clause, it will also connect back to the Environmental Goals and Sustainable Prosperity Act (EGSPA), which states "the health of the economy, the health of the environment and the health of the people of the Province are interconnected" [EGSPA 3(2)(a)]

#### **2. Make reference to the Climate Change Action Plan and transportation GHGs**

- Please consider adding a Whereas clause that reads something to the effect "AND WHEREAS the Government of Nova Scotia has adopted a Climate Change Action Plan to encourage fuel efficiency in the transportation sector" to connect back to the Climate Change Action Plan of 2009 and to reference the fact that transportation is the second-largest contributor to greenhouse gas (GHG) emissions and accounts for 25% of all emissions in the province – the public needs to be reminded that idling contributes to climate change and turning off their engine is an important action to take

#### **3. Expand the fleet – cover the entire provincial fleet and more sectors**

- There is also an opportunity to cover more vehicles – those in the provincial fleet no matter the number of seats, those that are licensed by the Utility and Review Board, day cares, school boards, municipalities, universities, colleges and delivery companies to put anti-idling policies in place on or before October 1, 2011.

#### **4. Enforcement and Penalties**

- Please consider an enforcement measure for not having the policy in place by the required date, such as a fine
- The Government could be creative with this Act and establish a limited Anti-Idling Public Education fund, on a smaller scale than that of Quebec where Nova Scotia organizations and municipalities

could access funding for anti-idling signage, communication material and capacity-building to promote anti-idling across the province

#### **5. Education and Funding**

- Please consider adding into the Act the provision that the Government of Nova Scotia itself will commit to launching an anti-idling public education program – there is currently very limited resources related to anti-idling on the Department of Environment's web site and anti-idling public education resources could be posted on the Department's Second Nature's web site and this public education program should be intergovernmental connecting from the Department's Air Quality group and Climate Change group, to the Departments of Transportation, Health Promotion & Protection and Education. EGSPA has a clause that refers to "establishing programs for public and community education and capacity-building" [EGSPA 7(1)(e)] – Bill 114 could also require that the Government launch an anti-idling public education program on or before October 1, 2011
- Anti-idling education should also be incorporated into driver's manuals and driver training as it is in Manitoba

#### **Conclusion: A second piece of legislation prohibiting idling is needed**

- Sierra Club would have preferred to see comprehensive anti-idling legislation that prohibits idling for all vehicles not just tour buses, transit buses and schools buses - we hope that this legislation is on the horizon
- With this bill in its current state - you are going to have this problem at schools, where the school bus shuts off its engine because of its new policy outside the school or not, but the problem remains with parents still idling. I know from firsthand experience with a child at a public elementary school here in the city– on Monday of this week the Stock Transportation school bus idled for 12 minutes outside the school next to the playground where the children congregate after school and parents were in their cars idling. Sierra Club's Environmental Education Coordinator works regularly with schools in HRM and has raised a similar concern about idling around schools – an obvious hot spot for idling
- We should remember that children breathe more rapidly and inhale more pollutants per pound of body weight than adults, and their lungs are still developing
- In future anti-idling legislation, fines should go into the Environmental Trust Fund something that is inadequately funded at approximately \$60,000 today but is required under the Environment Act – we need revenue streams for the Environmental Trust Fund and idling fines could be one source
- It should be pointed out that Nova Scotia failed to meet one of the EGSPA targets, adopting emissions standards for greenhouse gases and air pollutants from new motor vehicles, such as the standards adopted by the State of California by the year 2010 – so an idling prohibition legislation would partly fill that gap
- It is worth taking stronger action – a further step - by prohibiting idling because the costs for health care are increasing and because we are facing catastrophic climate change so we really need to quickly reduce GHGs and air pollutants

#### **REFERENCES**

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Thank you for your serious consideration of recommendations to improve the bill.

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