

Issues discussed in the ENFORCEMENT Break-Out session

Top 3 issues: Reflash, Smoking Vehicles, and Municipal Enforcement

Issue: Reflash

Background:

- Heavy duty diesel vehicles fuel savings resulted in increased NOx emissions
- EPA/engine manufacturer consent decree - manufacturers agreed to provide reflash free of charge upon engine overhaul
- engines not needing to be rebuilt as often
- reflashes not occurring due to rebuilds not happening as soon as people thought

Recommendations:

- voluntary incentives for manufacturers
- voluntary incentives from manufacturers to trucking companies
- possible TERP expansion to provide funds to cover incentives manufacturers offer to truckers
- A Statewide program

Action Plan:

- EPA – have manufacturers met the requirements they agreed to in the consent decree
- Public outreach to trucking companies
- Interstate issues complicate enforcement
- This is really federal enforcement (Note: CA is doing this)

Issue: Smoking Vehicles

Background:

- voluntary program, but state law to enforce exists
- if visible emissions > 10 sec., law enforcement may stop vehicle
- law enforcement has authority to enforce but does not
- low priority for officers, or they may not know of the law

Recommendations:

- training/education for Law Enforcement

Action Plan:

- training/education for Law Enforcement to understand they can enforce the state law

Sub Issue: Remote Sensing

Background:

- I&M Program of Texas has best remote sensing expertise in nation
- don't want to make mistakes, so cut points are at least 2X higher than usual
- vehicles must be really dirty to fail remote sensing
- problems with accuracy
- Identifying vehicles to come in for out of cycle tests
- If we're wrong, we have to pay

Recommendations:

- not much to do - difficult to beef up enforcement

Action Plan:

- Use the huge I/M database to learn and do more with data being collected
- Use this data to ID high emitters

Sub Issue: Barges

Background:

- fugitive emissions from cargo barges
- what regulations apply? We don't know

Recommendations:

- encourage barge owners to install vapor recovery systems
- use Smart Way Program

Action Plan:

- work with American Waterway Operators Organization
- talk with EPA about developing regulations for enforcement

Issue: Municipal Enforcement

Background:

- who has the authority to enforce idling restrictions?
- there is no State legislation on idling
- TCEQ has rule that allows Municipalities to adopt ordinances and enforce, but rule may not be strong enough
- some cities have passed idling rules, but no one enforces them

Recommendations:

- educate about aggressive driving through drivers ed – wasting fuel, polluting the air
- may need to make it clear who has authority to enforce
- provide LIRAP funds to officials to enforce idling rules
- possibly add legislation to Transportation Code

Action Plan:

- encourage legislative action