



NATIONAL ARMORED CAR ASSOCIATION, INC.

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Texas Commission on Environmental Quality
Commissioners' Offices

May 15, 2008

Mr. Buddy Garcia
Chairman
Texas Commission on Environmental Quality
MC 100
PO Box 13087
Austin, TX 78711-3087

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ASSIGNED TO: *Cheryl*

MAY 28 2008

DUE DATE: 6-9-08

Dear Commissioner Garcia:

The National Armored Car Association represents the nation's major cash in transit carriers. It has come to our attention that local governments in Texas are enforcing restrictions on the idling of vehicles under Section 114.512 of the Texas Administrative Code. We note that there are several exemptions from the mandate, but none appears to apply to armored cars.

For safety and security reasons, armored cars do not have windows that can be lowered. It is critical for drivers to have ventilation and be able to operate security systems, which requires the engine to be operated while deliveries are being made. If drivers are unable to operate the vehicle engine during extreme weather conditions, they will be tempted to open the door and put themselves and the public at risk.

The US Environmental Protection Agency recognized the security issues involved and adopted a model state idling law in April, 2006. Since that time, several states have adopted statutes including several provisions of the model, including an exemption for armored car crews while on delivery. The National Armored Car Association urges you to support adoption of regulations that would provide an exception from idling restrictions for armored cars as outlined in the model statute:

An armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded.

Discussion: While many would consider this a common sense exemption, like the emergency vehicle exemption above, many participants felt it was important to articulate these exemptions to ensure appropriate interpretation and enforcement by law enforcement officials.

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Commissioner Buddy Garcia

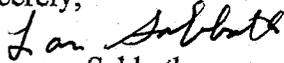
Page two

May 15, 2008

We urge adoption of the federal recommendations either by regulation, or if required, legislation.

Please contact me with any questions

Sincerely,



Lawrence Sabbath

Executive Director