

ORDINANCE NO. 3786

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE CLEAN FLEET VEHICLE POLICY ADOPTED BY THE REGIONAL TRANSPORTATION COUNCIL THEREBY SETTING ACHIEVABLE GOALS AND PROVIDING WORKABLE SOLUTIONS TO IMPROVE AIR QUALITY IN THE DALLAS-FORT WORTH METROPOLITAN AREA.

WHEREAS, the Regional Transportation Council, comprised primarily of locally elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be a forum for cooperative decisions on transportation; and

WHEREAS, the Regional Transportation Council supports the adoption and implementation of a Clean Fleet Vehicle Policy by Resolution R05-07 which was resolved on October 13, 2005; and

WHEREAS, the Dallas-Fort Worth area is a federally designated nonattainment area for the pollutant ozone and air quality impacts the public health of the entire region; and

WHEREAS, the Regional Transportation Council is responsible for air quality conformity; and the Clean Air Act Amendments of 1990 require that in air quality nonattainment areas transportation plans and improvement programs conform to the applicable air quality implementation plan; and

WHEREAS, the City of Mesquite wants to set achievable goals and provide workable, cost effective solutions to improve the Dallas-Fort Worth Metropolitan Area air, and implement those measures as soon as practicable to improve air quality; and

WHEREAS, approximately 50 percent of the nitrogen oxide (NOx) emissions in the Dallas-Fort Worth nonattainment area come from on-road vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council of the City of Mesquite does hereby support the Clean Fleet Vehicle Policy adopted by the Regional Transportation Council by setting the following achievable goals and providing workable solutions to improve the air in the Dallas-Fort Worth Metropolitan area:

Sec. 1. Acquisition.

- 1.1 Vehicle acquisitions for fleet expansion or replacement of model year 2004 or newer vehicles shall be newest model year or engine standard only.

- 1.2 Vehicle acquisitions to replace model year 2003 or older vehicles must show at least a 25 percent reduction in Nitrogen Oxide (NO_x) emissions rate compared to the vehicle being replaced. (Waivers are possible when new technologies or achievements of the required emission reduction are not possible.)
- 1.3 Aftermarket technologies and conversions are acceptable for fleet expansion and fleet replacements.
 - 1.3.1 Aftermarket technologies and conversions must be Environment Protection Agency (EPA) and/or California Air Research Board (CARB) verified or certified or technology equivalent or better, as determined by the North Central Texas Council of Governments (NCTCOG) staff.
 - 1.3.2 Conversions must comply with the provisions of EPA Memorandum 1A and Addendum Revision (June 25, 1974 and June 1, 1998).

Sec. 2. Operations.

- 2.1 Vehicle idling is allowed only for safety, emergency response, vehicle maintenance, equipment activity, warm-up/operations in cold temperatures and manufacturer-recommended minimum idle/warm-up times.
- 2.2 Vehicles with the lowest NO_x emissions that are capable of performing the required operational demands should drive the most miles.
- 2.3 Fleet manager shall abide by latest refueling time/season guidance published by NCTCOG Air Quality Planning.
- 2.4 Non-emergency vehicles shall drive no more than the posted speed limit and avoid rapid acceleration.
- 2.5 All drivers shall be trained on air quality appropriate operational requirements.

Sec. 3. Maintenance.

- 3.1 Perform annual emission and safety inspections for all vehicles, even for vehicles with no state-mandated inspection requirement.
- 3.2 All vehicles with over 100,000 miles must have emission inspections every 25,000 miles thereafter.
- 3.3 Perform manufacturer's recommended maintenance.

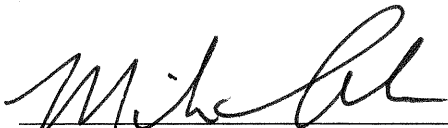
- 3.4 Participate in any diesel or other Texas Commission on Environmental Quality or NCTCOG inspection/maintenance program, including applicable test or pilot programs.

Sec. 4. Compliance Verification.

- 4.1 Public sector entity shall provide NCTCOG with an annual electronic update of fleet size and activity in a format established by NCTCOG.
- 4.2 The City of Mesquite acknowledges that entities not adopting and complying with the Clean Fleet Vehicle Policy and/or reporting requirements will not be eligible for future clean vehicle funding and RTC may assess the City of Mesquite's compliance when considering other RTC funding actions.


SECTION 2. That this ordinance shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 17th day of January, 2006.



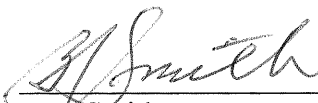
Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney