BUS4NYC – BANY, Bus Association of NY. FYI to NYCDEP 8.22.2025

Modern over the road buses are designed to have the climate control and air circulation systems running whenever the bus is occupied, or will soon be occupied by, drivers or passengers.

- The temperature within the interior passenger compartment is highly variable, given the large number of windows, the lack of insulation, and the metal superstructure of the bus.
- The windows don't open on the over-the-road buses. There is no way to regulate the temperature or circulate air on the buses if the HVAC system is not engaged, and there is no way to engage the HVAC system unless the engine is running.
- The passenger compartment of the bus is large, and it requires a significant amount of time to bring the bus to a 68-75° range, which can necessitate idling before passengers board the bus.
- The industry uses the same Prevost and MCI buses as MTA Bus Company and MTA MABSTOA uses to provide express bus service for residents of Brooklyn, the Bronx, Queens and Staten Island; in other services same New Flyer and others used by MTA NYC Transit. ***Those buses are serve the same riding public***.
- NYC BUS LANES are utilized by ALL Buses, Public and Private for Public Transport.

The climate control and air circulation systems are necessary to preserve passenger comfort and safety, and to comply with federal rules and standards.

- FMCSA rule 49 CFR § 374.313(a) requires over-the-road buses to be maintained at a "reasonable temperature." OSHA recommends workplaces to maintain a temperature between 68 and 76 degrees. (see, OSHA Technical Manual Section III(2)(V)). On especially hot or cold days, it is not possible to comply with these rules and recommendations without idling the vehicle.
- Our fleets often serve seniors and children. Generally, seniors and children are biologically less able to regulate their internal temperatures and are therefore more susceptible to chills, dehydration or heat exhaustion. We must take special care to provide for those passengers' health and safety.
- In addition, the air circulation system reduces the risk of airborne transmission of pathogens, which is especially important for people with compromised immune systems, especially children and seniors.

Auxiliary Power Units are not feasible for over the road applications in New York City.

- We have searched for, and been unable to find, any available Auxiliary Power Unit (APU) vendors which are powerful enough to power an over-the-road bus' climate control and air circulation systems.
- The APU/HVAC solutions that we are aware of have been used by entertainment coach buses. Those solutions essentially mount heat pump units to the roof of the bus, with additional equipment in the luggage compartment. The roof mounted heat pump units add 12-18 inches of height to the bus. This added height would make over-the-road buses too tall to enter Manhattan via the Holland Tunnel, Queens Midtown Tunnel, Lincoln Tunnel, Brooklyn Battery Tunnel, and many bridges and key corridors across the City.
- We note that although the APUs on the entertainment coach buses would enable the climate control and air circulation systems to function while the engine is off, and thereby comply with the anti-idling law, the APU itself burns diesel, and produces emissions that are similar

to a Tier 4 construction generator. Accordingly, we anticipate that, from an emissions perspective, the APUs that are available today would not actually appreciably reduce the amount of pollutants from the air.
- We continue to engage APU manufacturers in order to push them to develop new designs which add less height to the bus and enable our fleet to comply with vehicle height clearances.

Electrification is not feasible for over-the-road service
- There are no electric over-the-road buses available for purchase. Unlike transit buses, which operate on short, predictable routes that facilitate frequent charging, over-the-road buses travel long and variable distances. Also, electric buses would likely weigh too much for NYC bridges.
- These factors explain why NYC Transit has only electrified a tiny portion of their fleet, and hasn't electrified any of the express buses which travel from the outer-boroughs to Manhattan.

Improvements to the fleet to reduce engine idling
- We provide extensive training to bus operators to prevent idling. Our bus operators are trained to shut off the bus whenever possible, unless that idling is necessary to maintain a comfortable and safe climate on the bus. We inform bus operators that idling increases fuel costs and causes twice as much wear to engine parts as driving at regular speeds. We also inform bus operators of the dangers posed by emissions to public health, especially children and seniors. This training is provided to all newly hired bus operators, and periodically reinforced at staff meetings and through posters and other written materials.
- We use electronic logging devices to log idling, and identify bus operators who need to be reminded of our priority to reduce unnecessary idling.

Improvements to the fleet to reduce the impact of engine idling
- Our buses comply with all current federal and state emissions standards, including the latest EPA standards for Clean Diesel Technology.
- We have incorporated technologies in the bus to reduce emissions (e.g., diesel particulate filters).
- We have instituted an array of maintenance efforts, including but not limited to such as regular exhaust system inspections, frequent oil changes, the use of particular fuel blends and motor oils, etc, to reduce emissions and our motor coaches meet the latest EPA standards for Clean Diesel Technology.
- We also are founding members of the "NYC Bus Anti-Idling Best Practices Workgroup" where we share information about available technologies and practices that can be used to reduce the industry's carbon footprint.

PREVOST

October 28th, 2025

New York City Department of Environmental Protection
Bureau of Legal Affairs
59-17 Junction Boulevard
Flushing, NY 11373

SUBJECT: PREVOST COMMENTS IN SUPPORT OF THE SECTION 24-163 VARIANCE REQUEST SUBMITTED BY ACADEMY EXPRESS, L.L.C.

Dear Commissioner,

PREVOST, a century-old leader in North America's motorcoach manufacturing industry, seeks to provide guidance regarding engine idling regulation for motorcoaches in New York City following September 16 2025 variance request submitted by Academy.

Since 2024, PREVOST has undertaken substantial efforts to certify its entire product line to the stringent California Clean Idle standards. All coaches produced since then are equipped with this advanced technology, which achieves a 75% reduction in NOx emissions compared to the EPA Clean Idle certification.

Before 2024, the California Air Resources Board (CARB) required all new heavy-duty diesel engines from the model year 2008 onwards to include an automatic engine shutdown system that activates after 5 minutes of continuous idling with the parking brake engaged. To address security concerns and the shortcomings of this 5-minute idling limit, CARB has updated their regulations. **Now**, **utilizing advanced clean idle systems and technology, motorcoach can idle for up to 30 minutes before the automated shutdown process begins, all while adhering to the most stringent environmental standards.**

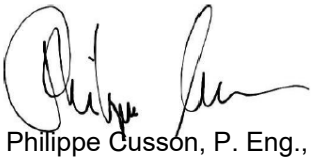
Concerning alternative aftermarket solutions, such as auxiliary power units (APUs), they do not offer the same reliability and emission performance as the main engine system certified with California Clean Idle standards. APUs are not subject to the same emission standards. According to EPA regulations, the diesel generators used in these aftermarket applications may emit 30 times more particulate matter and 16 times more NOx/NHMC than our CARB clean idle certified Volvo motorcoach engines. Additionally, aftermarket battery electric auxiliary rooftop air conditioning units can often cause the vehicle to become non-compliant with height regulations and may pose safety issues.

PREVOST is committed to innovation: we will very soon launch a 100% electric motorcoach with significant range. However, this technology will not, in the short term, be able to efficiently replace all vehicles applications. Also, the industry and PREVOST are actively working to electrify and hybridize the power supply for heating and ventilation systems in the near future, further reducing the need to use the main engine for these essential functions.

In conclusion, as a Volvo Group company, PREVOST prioritizes safety and sustainability. We believe that enforcing a regulation to eliminate engine idling after 3 minutes or less could lead to unsafe situations, as operators might attempt to bypass this rule, operating the vehicle with no other reason than avoid idling creating traffic congestion and pollution, as well as potentially endangering passengers depending on weather conditions. We consider the responsible use of engine idling in new vehicles certified to California Clean Idle standards to be the safest and most sustainable approach currently available. Additionally, we are committed to developing innovative solutions, such as electric vehicles and hybrid systems for powering ventilation, heating, and air conditioning, which will eventually eliminate the need for engine idling.

We remain at your disposal for any further information.

Yours sincerely,



Philippe Cusson, P. Eng., MBA
Vice-President Product Management, Strategic Planning and Regulatory Affairs
35, boulevard Gagnon
Sainte-Claire (QC) Canada
G0R 2V0

Attachment: PREVOST Q&A About Clean Idle Document

PREVOST
THE ULTIMATE EXPERIENCE

Q & A ABOUT CLEAN IDLE?

Engine Shutdown System

The California Air Resources Board (CARB) has implemented a requirement that new 2008 and subsequent model year (MY2008+) heavy-duty diesel engines must be equipped with an engine shutdown system that automatically shuts down the engine after 5 minutes of continuous idling operation with the parking brake engaged. Heavy duty diesel engines certified by CARB and used in buses from model year 2008 through 2023 are exempt from the engine shutdown system requirement. Model year 2024 and subsequent heavy duty diesel engines used in buses certified by CARB must comply with the engine shutdown system requirements in the California Code of Regulations (13 CCR § 1956.8). In lieu of the engine shutdown system requirements an engine may be certified to an optional NOx idling emissions standard.

CARB Certified Clean Idle

Heavy duty diesel engines certified to the optional NOx idling emissions standard utilize a combination of engine and emissions management to limit NOx emissions during extended idling. The engine will control various actuators such as the turbocharger, EGR valve, and injection timing as well as emissions aftertreatment to achieve a reduction in emission at idle. Low NOx Idle will only become active if the engine has reached sufficient coolant temperature.

The Low NOx Idle operation is active up to 1200rpm so all potential idle speeds will operate with reduced emissions. The vehicle and engine can operate indefinitely at the set low engine idle speed. As a means to protect the engine, the vehicle may limit the amount of time that is spent at higher idle speeds. When this occurs, the engine idle speed will automatically ramp down to the set low idle speed. This engine ramp down may occur after approximately 30 minutes of uninterrupted engine idling.

H-Series

X-Series

Certified Clean Idle Label

Diesel vehicles powered by an engine that has been certified to the optional low NOx idling emissions standard will display a label signifying its compliance. The Clean Idle Label when present will be located on the driver's side of the vehicle. The CARB Certified Clean Idle Label contains a picture of the state of California in the back ground to identify that the engine is certified by the California Air Resourced Board. The label design has additional features that prevent it from being tampered with or copied.

Can I idle anywhere if my vehicle is CARB Certified Clean Idle?

Numerous state and local laws exist that may limit a driver's ability to idle. Generally a diesel truck or bus that is CARB Certified Clean Idle will be allowed to idle in most areas and situations. Certain high risk locations may additionally restrict CARB Certified Clean Idle vehicles from idling. California prohibits diesel truck and buses from idling when at or near some restricted areas.

It is good idea to know the state and local laws governing idle in the areas you operate even if your vehicle is CARB Certified Clean Idle.

- Schools
- Homes
- Hospitals
- Senior facilities
- Childcare facilities

Within 100 feet of property line

What if a DOT inspector stops you for idling?

DOT inspectors are trained to identify vehicles that are CARB Certified Clean Idle by identifying a valid CARB Clean Idle Labels. Ensure your CARB Certified Clean Idle Label is visible and not damaged.

Can I get a replacement CARB Clean Idle Label?

The Clean Idle Label will come pre-installed on model year 2024 vehicles certified to CARB Clean Idle standards. If your Clean Idle Label becomes damaged or it becomes necessary to replace the window where the Label is installed, then you should contact Prevost parts and service for a replacement Clean Idle Label. All Clean Idle Labels are tamper proof and must come from the engine manufacturer. Clean Idle Labels are serialized and tracked with each vehicle.

Is there any other type of Certified Clean Idle vehicles?

Beginning with MY2024 vehicles, the U.S. EPA will certify vehicles to a Federal Clean Idle standard. If your vehicle already has a CARB Certified Clean Idle, you will not have a Federal Clean Idle Label. Many state and local laws will only accept a CARB Clean Idle Label to permit extended idling.

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Q&AAboutCleanIdle

Parts customer service Canada **1-800-463-8876**
Parts customer service United States **1-800-621-5519**

Service center locations go to **prevostcar.com**
to find locations, phone numbers & hours of operation

prevostcar.com

October 15, 2025

New York City Department of Environmental Protection
Bureau of Legal Affairs
59-17 Junction Boulevard
Flushing, NY 11373

Dear Commissioner Aggarwala:

The American Bus Association (ABA) appreciates the opportunity to submit comments to the New York City Department of Environmental Protection (DEP) regarding Academy Bus Lines' application for a variance from Section 24-163 of the New York City Pollution Control Code, which governs vehicle idling.

As the leading trade association representing North America's motorcoach, group travel, and tourism industries, the ABA calls on New York City to modernize its idling rules to protect passengers, support the city's economy, and reflect advances in clean vehicle technology.

In the immediate term, ABA strongly supports Academy Bus in its request for a variance from New York City's inconsistent and ineffective idling enforcement program. We further urge the City to extend similar relief to other interstate motorcoach operators facing identical operational challenges. Longer term, ABA encourages the City to adopt a balanced, science-based policy that protects clean air while keeping buses — and the city's visitors — moving safely and efficiently.

Academy Bus Lines seeks a variance from Section 24-163 of the New York City Pollution Control Code, which limits engine idling time. The company's application explains that modern motorcoach design requires the engine to operate whenever a bus is occupied or during preparations for passenger boarding because essential systems — including the vehicle's HVAC, air-brake, and safety systems — all depend on main engine power.

Academy Bus further notes that it has not identified any commercially available or technically viable Auxiliary Power Unit (APU) capable of powering these critical onboard systems. The lack of feasible APU alternatives makes compliance with current idling restrictions technically impossible without compromising passenger comfort, driver safety, or operational integrity.

The ABA concurs with Academy Bus's assessment and believes that granting the requested variance is both reasonable and consistent with public safety, environmental protection, and the economic interests of New York City.

The Importance of Motorcoaches to New York City

Motorcoaches are vital to New York City's transportation and tourism infrastructure. They move millions of visitors, students, and residents each year, while reducing traffic congestion by taking cars off the road. The motorcoach sector generates approximately $7.2 billion in annual economic activity, supports 36,450 jobs, provides $2.6 billion in wages, and contributes $1.5 billion in tax revenue to the City's economy.

These services directly benefit theaters, restaurants, museums, hotels, and other small businesses that depend on group travel. Restrictive or outdated idling policies threaten this economic ecosystem by discouraging operators from serving New York City.

The Current Idling Enforcement Program Is Unbalanced and Ineffective

New York City's Citizens Air Complaint Program has evolved into an enforcement system that disproportionately targets interstate motorcoach operators. Some carriers have received over 100 citations in a single day, totaling more than $120,000 in fines. The program's "bounty" structure—which rewards private citizens with 25 percent of collected fines—has created enforcement incentives unrelated to environmental outcomes. In 2024 alone, more than 100,000 citations were issued, and DEP intends to double that number in 2025.

This system undermines fairness, discourages responsible operators, and harms a transportation sector that already faces rising costs, tariff impacts, and a decline in international visitation. Excessive penalties on operators providing essential public transportation risk reducing access to the city and harming the broader tourism economy.

Need for Parity Among Passenger-Carrying Vehicles

Motorcoaches, transit buses, and school buses all carry passengers and share the same roads and lanes throughout the city. Yet only private motorcoaches face penalties for idling, while transit and school buses are exempt. School buses are permitted to idle indefinitely for passenger comfort, while motorcoaches carrying tourists or students are penalized for similar practices.

ABA urges DEP to establish regulatory parity between private motorcoaches and other passenger-carrying vehicles. This approach would align the City's idling policy with its congestion pricing framework, which recognizes that all passenger buses—public and private—serve essential mobility needs.

Motorcoaches as a Clean Transportation Solution

Motorcoaches are among the cleanest and most energy-efficient forms of passenger transportation available. A single 55-passenger coach can remove up to 35 cars from city streets, reducing both congestion and emissions.

Industry advancements over the past two decades have achieved a 98 percent reduction in nitrogen oxide emissions and a 50 percent reduction in particulate matter since 2000. Motorcoaches also produce less carbon dioxide per passenger-mile than air travel, rail, or private automobiles. These facts demonstrate that motorcoaches are an environmental asset, not a liability, for New York City.

Clean Idle Technology and Operational Necessity

Modern clean-diesel motorcoaches use advanced Clean Idle technology, which meets or exceeds federal emission standards even during idling. These systems reduce nitrogen oxide emissions nearly 50 percent below the strict federal Class 8 thresholds.

Limited idling remains operationally necessary to build air pressure for brake systems, maintain cabin temperature, and ensure HVAC and safety systems are functional before passengers board. In extreme weather, idling is critical to passenger comfort and driver alertness. Policies that ignore these operational realities compromise both safety and service reliability.

While the industry supports a long-term transition to zero-emission vehicles, current electric and APU technologies cannot yet meet operational needs for interstate and charter motorcoach service:

- Electric buses have limited range (~250 miles), minimal luggage capacity, and insufficient charging infrastructure in New York City.
- APUs cost approximately $30,000 per bus, often render vehicles too tall for city tunnels or bridges, and operate under outdated 2008 Tier 4 EPA standards, making them up to 30 times dirtier than modern diesel engines.
- No manufacturer currently produces a commercially viable APU capable of powering the full suite of onboard systems — as Academy Bus has demonstrated in its application.

Mandating the use of such inadequate technology would yield negligible environmental benefit while imposing excessive financial and operational burdens on small and medium-sized operators.

Academy Bus's application correctly concludes that no commercially viable APU currently exists to power the essential systems of a modern motorcoach safely or effectively.

Economic Consequences of Restricting Motorcoach Operations

Restricting motorcoach access to New York City would have significant negative consequences. In addition to the billions in annual economic activity, group travel supports Broadway theaters, restaurants, hotels, cultural institutions, and neighborhood businesses across the five boroughs.

If operators are forced to reduce service or avoid the city altogether, New York risks greater traffic congestion, higher emissions from private vehicles, and economic losses across its tourism and hospitality sectors. A fair, science-based idling policy will preserve these vital benefits while maintaining environmental progress.

Recommendations

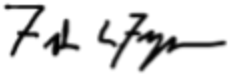
The ABA respectfully urges the DEP to:

1. Approve Academy Bus Lines' variance request under Section 24-163 of the Pollution Control Code.
2. Extend similar relief to other interstate motorcoach operators facing the same technological and operational challenges.
3. Reform the Citizens Air Complaint Program to remove bounty incentives and ensure balanced, fair enforcement.
4. Establish parity between private motorcoaches and other passenger-carrying vehicles such as school and transit buses.
5. Collaborate with industry experts to create a modern idling policy that reflects current technology, safety requirements, and environmental objectives.

The ABA strongly supports Academy Bus Lines' variance application and urges New York City to update its idling policies to reflect modern realities. Motorcoaches are cleaner, safer, and more efficient than ever before, and they remain indispensable to the City's tourism economy, transportation network, and environmental goals.

A balanced and science-based approach will protect public health, maintain environmental integrity, and ensure that New York City remains accessible, vibrant, and welcoming to visitors from around the world.

Respectfully submitted,



Fred Ferguson
President & CEO
American Bus Association