



Sen. Bill Cunningham

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10100SB1256sam004

LRB101 08358 TAE 58829 a

1 AMENDMENT TO SENATE BILL 1256

2 AMENDMENT NO. _____. Amend Senate Bill 1256, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Section 11-1429 as follows:

7 (625 ILCS 5/11-1429)

8 Sec. 11-1429. Excessive idling.

9 (a) The purpose of this law is to protect public health and
10 the environment by reducing emissions while conserving fuel and
11 maintaining adequate rest and safety of all drivers of diesel
12 vehicles.

13 (b) As used in this Section, "affected areas" means the
14 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
15 St. Clair, and Monroe and the townships of Aux Sable and Goose
16 Lake in Grundy County and the township of Oswego in Kendall

1 County.

2 (c) A person that operates a motor vehicle operating on
3 diesel fuel in an affected area may not cause or allow the
4 motor vehicle, when it is not in motion, to idle for more than
5 a total of 10 minutes within any 60 minute period, except under
6 the following circumstances:

7 (1) the motor vehicle has a Gross Vehicle Weight Rating
8 of less than 8,000 pounds;

9 (2) the motor vehicle idles while forced to remain
10 motionless because of on-highway traffic, an official
11 traffic control device or signal, or at the direction of a
12 law enforcement official;

13 (3) the motor vehicle idles when operating defrosters,
14 heaters, air conditioners, or other equipment solely to
15 prevent a safety or health emergency;

16 (4) a police, fire, ambulance, public safety, other
17 emergency or law enforcement motor vehicle, or any motor
18 vehicle used in an emergency capacity, idles while in an
19 emergency or training mode and not for the convenience of
20 the vehicle operator;

21 (5) the primary propulsion engine idles for
22 maintenance, servicing, repairing, or diagnostic purposes
23 if idling is necessary for such activity;

24 (6) a motor vehicle idles as part of a government
25 inspection to verify that all equipment is in good working
26 order, provided idling is required as part of the

1 inspection;

2 (7) when idling of the motor vehicle is required to
3 operate auxiliary equipment to accomplish the intended use
4 of the vehicle (such as loading, unloading, mixing, or
5 processing cargo; controlling cargo temperature;
6 construction operations; lumbering operations; oil or gas
7 well servicing; or farming operations), provided that this
8 exemption does not apply when the vehicle is idling solely
9 for cabin comfort or to operate non-essential equipment
10 such as air conditioning, heating, microwave ovens, or
11 televisions;

12 (8) an armored motor vehicle idles when a person
13 remains inside the vehicle to guard the contents, or while
14 the vehicle is being loaded or unloaded;

15 (9) a bus idles a maximum of 15 minutes in any 60
16 minute period to maintain passenger comfort while
17 non-driver passengers are on board;

18 (10) if the motor vehicle has a sleeping berth, when
19 the operator is occupying the vehicle during a rest or
20 sleep period and idling of the vehicle is required to
21 operate air conditioning or heating;

22 (11) when the motor vehicle idles due to mechanical
23 difficulties over which the operator has no control;

24 (12) the motor vehicle is used as airport ground
25 support equipment, including, but not limited to, motor
26 vehicles operated on the air side of the airport terminal

1 to service or supply aircraft;

2 (13) the motor vehicle is (i) a bus owned by a public
3 transit authority and (ii) being operated on a designated
4 bus route or on a street or highway between designated bus
5 routes for the provision of public transportation;

6 (14) the motor vehicle is an implement of husbandry
7 exempt from registration under subdivision A(2) of Section
8 3-402 of this Code;

9 (15) the motor vehicle is owned by an electric utility
10 and is operated for electricity generation or hydraulic
11 pressure to power equipment necessary in the restoration,
12 repair, modification or installation of electric utility
13 service;

14 (16) the outdoor temperature is less than 32 degrees
15 Fahrenheit or greater than 80 degrees Fahrenheit; or

16 (17) the motor vehicle idles while being operated by a
17 remote starter system.

18 (d) When the outdoor temperature is 32 degrees Fahrenheit
19 or higher and 80 degrees Fahrenheit or lower, a person who
20 operates a motor vehicle operating on diesel fuel in an
21 affected area may not cause or allow the motor vehicle to idle
22 for a period greater than 30 minutes in any 60 minute period
23 while waiting to weigh, load, or unload cargo or freight,
24 unless the vehicle is in a line of vehicles that regularly and
25 periodically moves forward.

26 (e) This Section does not prohibit the operation of an

1 auxiliary power unit or generator set as an alternative to
2 idling the main engine of a motor vehicle operating on diesel
3 fuel.

4 (f) This Section does not apply to the owner of a motor
5 vehicle rented or leased to another entity or person operating
6 the vehicle.

7 (g) Any person convicted of any violation of this Section
8 is guilty of a petty offense and shall be fined \$90 for the
9 first conviction and \$500 for a second or subsequent conviction
10 within any 12 month period.

11 (h) Fines; distribution. All fines and all penalties
12 collected under this Section shall be deposited in the State
13 Treasury and shall be distributed as follows: (i) \$50 for the
14 first conviction and \$150 for a second or subsequent conviction
15 within any 12 month period under this Section shall be
16 deposited into the State's General Revenue Fund; (ii) \$20 for
17 the first conviction and \$262.50 for a second or subsequent
18 conviction within any 12 month period under this Section shall
19 be distributed to the law enforcement agency that issued the
20 citation; and (iii) \$20 for the first conviction and \$87.50 for
21 a second or subsequent conviction within any 12 month period
22 under this Section shall be deposited into the Trucking
23 Environmental and Education Fund.

24 (i) The Trucking Environmental and Education Fund is
25 created as a special fund in the State Treasury. All money
26 deposited into the Trucking Environmental and Education Fund

1 shall be paid, subject to appropriation by the General
2 Assembly, to the Illinois Environmental Protection Agency for
3 the purpose of educating the trucking industry on air pollution
4 and preventative measures specifically related to idling. Any
5 interest earned on deposits into the Fund shall remain in the
6 Fund and be used for the purposes set forth in this subsection.
7 Notwithstanding any other law to the contrary, the Fund is not
8 subject to administrative charges or charge-backs that would in
9 any way transfer moneys from the Fund into any other fund of
10 the State.

11 (j) Notwithstanding any other provision of this Section, a
12 person who operates a motor vehicle with a gross vehicle weight
13 rating of 8,000 pounds or more operating on diesel fuel on
14 property that (i) offers paid parking services to vehicle
15 owners, (ii) does not involve fuel dispensing, and (iii) is
16 located in an affected area within a county of over 3 million
17 residents but outside of a municipality of over 2 million
18 residents may not cause or allow the motor vehicle, when it is
19 not in motion, to idle for more than a total of 10 minutes
20 within any 60-minute period under any circumstances if the
21 vehicle is within 200 feet of a residential area. This Section
22 may be enforced by either the law enforcement agency having
23 jurisdiction over the residential area or the law enforcement
24 agency having jurisdiction over the property on which the
25 violation took place. This subsection does not apply to:

26 (1) school buses;

- 1 (2) waste hauling vehicles;
2 (3) facilities operated by the Department of
3 Transportation;
4 (4) vehicles owned by a public utility and operated to
5 power equipment necessary in the restoration, repair,
6 modification, or installation of a utility service; or
7 (5) ambulances.

8 (Source: P.A. 100-435, eff. 8-25-17.)".