



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3679

Introduced 1/6/2015, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18c-7402.3 new

Amends the Illinois Vehicle Code. Provides that no rail carrier shall cause, suffer, allow, or permit the unnecessary foreseeable idling of a diesel locomotive within 1,000 feet of a residence, business, school, or hospital for a continuous period of time longer than 30 minutes in a manner such as to cause or contribute to a condition of air pollution. Provides that the prohibition does not apply to diesel locomotives in rail yards or locomotives being serviced, provided that idling is essential to the proper repair of the locomotive. Provides that any rail carrier that violates the new provisions is guilty of a petty offense and subject to a fine of not less than \$200 nor more than \$500 if the duration of the idling is in excess of 30 minutes but no longer than 35 minutes. Provides that if the duration of the idling exceeds 35 minutes, the violation is a business offense and the following fines shall be imposed: (1) if the duration of the idling is in excess of 35 minutes but no longer than 40 minutes, \$500; (2) if the duration of the idling is in excess of 40 minutes but no longer than 45 minutes, \$700; (3) if the duration of the idling is in excess of 45 minutes, but no longer than 50 minutes, \$900; (4) if the duration of the idling is in excess of 50 minutes but no longer than 55 minutes, \$1,000; or (5) if the duration of the idling is in excess of 55 minutes, \$1,000 plus an additional \$500 for each 5 minutes of idling in excess of 55 minutes of idling.

LRB098 22917 MGM 61867 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by adding
5 Section 18c-7402.3 as follows:

6 (625 ILCS 5/18c-7402.3 new)

7 Sec. 18c-7402.3. Diesel locomotive excessive idling.

8 (a) No rail carrier shall cause, suffer, allow, or permit
9 the unnecessary foreseeable idling of a diesel locomotive
10 within 1,000 feet of a residence, business, school, or hospital
11 for a continuous period of time longer than 30 minutes in a
12 manner such as to cause or contribute to a condition of air
13 pollution.

14 (b) This Section does not apply to diesel locomotives in
15 rail yards or locomotives being serviced, provided that idling
16 is essential to the proper repair of the locomotive.

17 (c) Any rail carrier that violates subsection (a) of this
18 Section is guilty of a petty offense and subject to a fine of
19 not less than \$200 nor more than \$500 if the duration of the
20 idling is in excess of 30 minutes but no longer than 35
21 minutes. If the duration of the idling exceeds 35 minutes, the
22 violation is a business offense and the following fines shall
23 be imposed:

1 (1) if the duration of the idling is in excess of 35
2 minutes but no longer than 40 minutes, \$500;

3 (2) if the duration of the idling is in excess of 40
4 minutes but no longer than 45 minutes, \$700;

5 (3) if the duration of the idling is in excess of 45
6 minutes, but no longer than 50 minutes, \$900;

7 (4) if the duration of the idling is in excess of 50
8 minutes but no longer than 55 minutes, \$1,000; or

9 (5) if the duration of the idling is in excess of 55
10 minutes, \$1,000 plus an additional \$500 for each 5 minutes
11 of idling in excess of 55 minutes of idling.