

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 11-1429 as follows:

6 (625 ILCS 5/11-1429 new)

7 Sec. 11-1429. Excessive idling.

8 (a) As used in this Section, "affected areas" means the
9 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
10 St. Clair, and Monroe and the townships of Aux Sable and Goose
11 Lake in Grundy County, the township of Oswego in Kendall
12 County, and the Baldwin Township in Randolph County.

13 (b) A person or entity that owns or operates a motor
14 vehicle operating on diesel fuel in an affected area may not
15 cause or allow the motor vehicle, when it is not in motion, to
16 idle for more than a total of 10 minutes within any 60 minute
17 period.

18 (c) This Section does not apply if:

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

21 (2) the motor vehicle is forced to remain motionless
22 because of traffic conditions over which the owner or
23 operator has no control;

24 (3) the motor vehicle is being used for emergency
25 purposes;

26 (4) operation of the motor vehicle's engine is
27 necessary to operate auxiliary equipment to accomplish the
28 intended use of the vehicle, such as loading, discharging,
29 mixing, or processing cargo, controlling cargo
30 temperature, construction operations, lumbering
31 operations, oil or gas well servicing, or production
32 agriculture as defined in Section 3-35 of the Use Tax Act;

1 (5) operation of the motor vehicle is required for
2 maintenance, safety checks, or diagnostic purposes;

3 (6) the outdoor temperature is less than 32 degrees
4 Fahrenheit;

5 (7) the motor vehicle was manufactured with a sleeping
6 berth, if the motor vehicle is located in an area not zoned
7 for residential use and is being used by the operator for
8 sleeping or resting, and the motor vehicle is not equipped
9 with an auxiliary power unit on the vehicle to provide for
10 operator safety;

11 (8) the motor vehicle is used as airport ground support
12 equipment, including, but not limited to, motor vehicles
13 operated on the air side of the airport terminal to service
14 or supply aircraft;

15 (9) the motor vehicle is (i) a bus owned by a public
16 transit authority and (ii) being operated on a designated
17 bus route or on a street or highway between designated bus
18 routes for the provision of public transportation;

19 (10) the motor vehicle is an implement of husbandry
20 exempt from registration under subdivision A(2) of Section
21 3-402 of this Code; or

22 (11) the motor vehicle is a school bus.

23 (d) If a motor vehicle is operated in violation of this
24 Section, the owner or operator of the motor vehicle shall be
25 deemed guilty of the violation, and either the owner or the
26 operator may be prosecuted for the violation. Any person or
27 entity convicted of any violation of this Section is guilty of
28 a petty offense and shall be fined \$50 for the first conviction
29 and \$150 for a second or subsequent conviction within any 12
30 month period.