



Filed: 2/8/2006

09400HB4782ham001

LRB094 18830 DRH 55351 a

1 AMENDMENT TO HOUSE BILL 4782

2 AMENDMENT NO. _____. Amend House Bill 4782 by replacing
3 everything after the enacting clause with the following:

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

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

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

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

24 (2) the motor vehicle idles while forced to remain

1 motionless because of on-highway traffic, an official
2 traffic control device or signal, or at the direction of a
3 law enforcement official;

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

7 (4) a police, fire, ambulance, public safety,
8 military, other emergency or law enforcement motor
9 vehicle, or any motor vehicle used in an emergency
10 capacity, idles while in an emergency or training mode and
11 not for the convenience of the vehicle operator;

12 (5) the primary propulsion engine idles for
13 maintenance, servicing, repairing, or diagnostic purposes
14 if idling is necessary for such activity;

15 (6) a motor vehicle idles as part of a government
16 inspection to verify that all equipment is in good working
17 order, provided idling is required as part of the
18 inspection;

19 (7) when idling of the motor vehicle is required to
20 operate auxiliary equipment to accomplish the intended use
21 of the vehicle (such as loading, unloading, mixing, or
22 processing cargo; controlling cargo temperature;
23 construction operations; lumbering operations; oil or gas
24 well servicing; or farming operations), provided that this
25 exemption does not apply when the vehicle is idling solely
26 for cabin comfort or to operate non-essential equipment
27 such as air conditioning, heating, microwave ovens, or
28 televisions;

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

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

1 (10) if the motor vehicle has a sleeping berth, when
2 the operator is occupying the vehicle during a rest or
3 sleep period and idling of the vehicle is required to
4 operate air conditioning or heating;

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

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

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

15 (14) the motor vehicle is an implement of husbandry
16 exempt from registration under subdivision A(2) of Section
17 3-402 of this Code.

18 (d) A person that operates a motor vehicle operating on
19 diesel fuel in an affected area may not cause or allow the
20 motor vehicle to idle for a period greater than 30 minutes
21 while waiting to weigh, load or unload.

22 (e) This Section does not prohibit the operation of an
23 auxiliary power unit or generator set as an alternative to
24 idling the main engine of a motor vehicle operating on diesel
25 fuel

26 (f) This Section does not apply to the owner of a motor
27 vehicle rented or leased to another entity or person operating
28 the vehicle.

29 (g) If a motor vehicle is operated in violation of this
30 Section, the operator of the motor vehicle shall be deemed
31 guilty of the violation, and the operator may be prosecuted for
32 the violation. Any person convicted of any violation of this
33 Section is guilty of a petty offense and shall be fined \$50 for
34 the first conviction and \$150 for a second or subsequent

1 conviction within any 12 month period.

2 Section 99. Effective date. This Act takes effect July 1,
3 2006.".