

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 changing  
5 Sections 11-1401 and 11-1429 and by adding Section 1-171.01d as  
6 follows:

7 (625 ILCS 5/1-171.01d new)

8 Sec. 1-171.01d. Remote starter system. Any device  
9 installed in a motor vehicle that allows the engine of the  
10 vehicle to be started by remote or radio control.

11 (625 ILCS 5/11-1401) (from Ch. 95 1/2, par. 11-1401)

12 Sec. 11-1401. Unattended motor vehicles. Except for a law  
13 enforcement officer or an operator of an authorized emergency  
14 vehicle performing his or her official duties, no ~~No~~ person  
15 driving or in charge of a motor vehicle shall permit it to  
16 stand unattended without first stopping the engine, locking the  
17 ignition, removing the key from the ignition, effectively  
18 setting the brake thereon and, when standing upon any  
19 perceptible grade, turning the front wheels to the curb or side  
20 of the highway. An unattended motor vehicle shall not include  
21 an unattended locked motor vehicle with the engine running  
22 after being started by a remote starter system.

1 (Source: P.A. 79-1069)

2 (625 ILCS 5/11-1429)

3 Sec. 11-1429. Excessive idling.

4 (a) The purpose of this law is to protect public health and  
5 the environment by reducing emissions while conserving fuel and  
6 maintaining adequate rest and safety of all drivers of diesel  
7 vehicles.

8 (b) 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 and the township of Oswego in Kendall  
12 County.

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

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

20 (2) the motor vehicle idles while forced to remain  
21 motionless because of on-highway traffic, an official  
22 traffic control device or signal, or at the direction of a  
23 law enforcement official;

24 (3) the motor vehicle idles when operating defrosters,  
25 heaters, air conditioners, or other equipment solely to

1 prevent a safety or health emergency;

2 (4) a police, fire, ambulance, public safety, other  
3 emergency or law enforcement motor vehicle, or any motor  
4 vehicle used in an emergency capacity, idles while in an  
5 emergency or training mode and not for the convenience of  
6 the vehicle operator;

7 (5) the primary propulsion engine idles for  
8 maintenance, servicing, repairing, or diagnostic purposes  
9 if idling is necessary for such activity;

10 (6) a motor vehicle idles as part of a government  
11 inspection to verify that all equipment is in good working  
12 order, provided idling is required as part of the  
13 inspection;

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

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

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

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

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

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

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

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

21           (15) the motor vehicle is owned by an electric utility  
22 and is operated for electricity generation or hydraulic  
23 pressure to power equipment necessary in the restoration,  
24 repair, modification or installation of electric utility  
25 service; ~~or~~

26           (16) the outdoor temperature is less than 32 degrees

1 Fahrenheit or greater than 80 degrees Fahrenheit; or ~~or~~  
2 (17) the motor vehicle idles while being operated by a  
3 remote starter system.

4 (d) When the outdoor temperature is 32 degrees Fahrenheit  
5 or higher and 80 degrees Fahrenheit or lower, a person who  
6 operates a motor vehicle operating on diesel fuel in an  
7 affected area may not cause or allow the motor vehicle to idle  
8 for a period greater than 30 minutes in any 60 minute period  
9 while waiting to weigh, load, or unload cargo or freight,  
10 unless the vehicle is in a line of vehicles that regularly and  
11 periodically moves forward.

12 (e) This Section does not prohibit the operation of an  
13 auxiliary power unit or generator set as an alternative to  
14 idling the main engine of a motor vehicle operating on diesel  
15 fuel.

16 (f) This Section does not apply to the owner of a motor  
17 vehicle rented or leased to another entity or person operating  
18 the vehicle.

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

23 (h) Fines; distribution. All fines and all penalties  
24 collected under this Section shall be deposited in the State  
25 Treasury and shall be distributed as follows: (i) \$50 for the  
26 first conviction and \$150 for a second or subsequent conviction

1 within any 12 month period under this Section shall be  
2 deposited into the State's General Revenue Fund; (ii) \$20 for  
3 the first conviction and \$262.50 for a second or subsequent  
4 conviction within any 12 month period under this Section shall  
5 be distributed to the law enforcement agency that issued the  
6 citation; and (iii) \$20 for the first conviction and \$87.50 for  
7 a second or subsequent conviction within any 12 month period  
8 under this Section shall be deposited into the Trucking  
9 Environmental and Education Fund.

10 (i) The Trucking Environmental and Education Fund is  
11 created as a special fund in the State Treasury. All money  
12 deposited into the Trucking Environmental and Education Fund  
13 shall be paid, subject to appropriation by the General  
14 Assembly, to the Illinois Environmental Protection Agency for  
15 the purpose of educating the trucking industry on air pollution  
16 and preventative measures specifically related to idling. Any  
17 interest earned on deposits into the Fund shall remain in the  
18 Fund and be used for the purposes set forth in this subsection.  
19 Notwithstanding any other law to the contrary, the Fund is not  
20 subject to administrative charges or charge-backs that would in  
21 any way transfer moneys from the Fund into any other fund of  
22 the State.

23 (Source: P.A. 96-576, eff. 8-18-09.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.