



Rep. Patrick Windhorst

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10200HB3881ham001

LRB102 11464 CPF 25169 a

1 AMENDMENT TO HOUSE BILL 3881

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3881 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Hazardous Materials  
5 Transportation Act is amended by changing Section 3 as  
6 follows:

7 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

8 Sec. 3. Unless the context otherwise clearly requires, as  
9 used in this Act:

10 "Commerce" means trade, traffic, commerce or  
11 transportation within the State;

12 "Department" means the Illinois Department of  
13 Transportation;

14 "Discharge" means leakage, seepage, or other release;

15 "Hazardous material" means a substance or material in a  
16 quantity and form determined by the United States Department

1 of Transportation to be capable of posing an unreasonable risk  
2 to health and safety or property when transported in commerce;

3 "Knowingly" means a person has actual knowledge of the  
4 facts giving rise to the violation or a reasonable person  
5 acting in the circumstances and exercising due care would have  
6 such knowledge;

7 "Law Enforcement Officials" means the Illinois State  
8 Police or any duly authorized employees of a local  
9 governmental agency who are primarily responsible for  
10 prevention or detection of crime and enforcement of the  
11 criminal code and the highway and traffic laws of this State or  
12 any political subdivision of such State;

13 "Local road" means any State or local highway except for  
14 (i) a highway with 4 or more lanes, or (ii) an interstate  
15 highway.

16 "Person" means any natural person or individual,  
17 governmental body, firm, association, partnership,  
18 copartnership, joint venture, company, corporation, joint  
19 stock company, trust, estate or any other legal entity or  
20 their legal representative, agent or assigns;

21 "Transports" or "transportation" means any movement of  
22 property over the highway and any loading, unloading or  
23 storage incidental to such movement.

24 (Source: P.A. 90-263, eff. 7-30-97.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".