

1 AN ACT concerning safety.

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

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

6 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

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

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

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

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

14 "Hazardous material" means a substance or material in a  
15 quantity and form determined by the United States Department  
16 of Transportation to be capable of posing an unreasonable risk  
17 to health and safety or property when transported in commerce;

18 "Knowingly" means a person has actual knowledge of the  
19 facts giving rise to the violation or a reasonable person  
20 acting in the circumstances and exercising due care would have  
21 such knowledge;

22 "Law Enforcement Officials" means the Illinois State  
23 Police or any duly authorized employees of a local

1 governmental agency who are primarily responsible for  
2 prevention or detection of crime and enforcement of the  
3 criminal code and the highway and traffic laws of this State or  
4 any political subdivision of such State;

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

8 "Person" means any natural person or individual,  
9 governmental body, firm, association, partnership,  
10 copartnership, joint venture, company, corporation, joint  
11 stock company, trust, estate or any other legal entity or  
12 their legal representative, agent or assigns;

13 "Transports" or "transportation" means any movement of  
14 property over the highway and any loading, unloading or  
15 storage incidental to such movement.

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

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.