



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1513

Introduced 2/7/2023, by Sen. Mike Porfirio

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18c-7402.3 new
625 ILCS 5/18c-7402.4 new

Amends the Illinois Commercial Transportation Law of the Illinois Vehicle Code. Provides that no rail carrier shall cause, suffer, allow, or permit the unnecessary foreseeable idling of a diesel locomotive within 1,000 feet of a residence, business, school, or hospital for a continuous period of time longer than 30 minutes in a manner such as to cause or contribute to a condition of air pollution. Provides that no rail carrier shall cause, suffer, allow, or permit an unnecessarily foreseeable delay, up to 10 minutes from its established schedule, in a manner such as to cause or contribute to unexpected delays on the road. Imposes a statutory fine for violating the provisions.

LRB103 28947 MXP 55333 b

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 Sections 18c-7402.3 and 18c-7402.4 as follows:

6 (625 ILCS 5/18c-7402.3 new)

7 Sec. 18c-7402.3. Diesel locomotive excessive idling.

8 (a) No rail carrier shall cause, suffer, allow, or permit
9 the unnecessary foreseeable idling of a diesel locomotive
10 within 1,000 feet of a residence, business, school, or
11 hospital for a continuous period of time longer than 30
12 minutes in a manner such as to cause or contribute to a
13 condition of air pollution.

14 (b) This Section does not apply to diesel locomotives in
15 rail yards or locomotives being serviced, so long as idling is
16 essential to the proper repair of the locomotive.

17 (c) Any rail carrier that violates subsection (a) is
18 guilty of a petty offense and subject to a fine of not less
19 than \$200 nor more than \$500 if the duration of the idling is
20 in excess of 30 minutes but no longer than 35 minutes. If the
21 duration of the idling exceeds 35 minutes, the violation is a
22 business offense and the following fines shall be imposed:

23 (1) if the duration of the idling is in excess of 35

1 minutes but not longer than 40 minutes, \$500;

2 (2) if the duration of the idling is in excess of 40
3 minutes but not longer than 45 minutes, \$700;

4 (3) if the duration of the idling is in excess of 45
5 minutes but not longer than 50 minutes, \$900;

6 (4) if the duration of the idling is in excess of 50
7 minutes but not longer than 55 minutes, \$1,000; or

8 (5) if the duration of the idling is in excess of 55
9 minutes, \$1,000 plus an additional \$500 for each 5 minutes
10 of idling in excess of 55 minutes of idling.

11 (625 ILCS 5/18c-7402.4 new)

12 Sec. 18c-7402.4. Diesel locomotive excessive delays.

13 (a) No rail carrier shall cause, suffer, allow, or permit
14 an unnecessarily foreseeable delay, up to 10 minutes from its
15 established schedule, in a manner such as to cause or
16 contribute to unexpected delays on the road.

17 (b) This Section does not apply to delays that are due to
18 weather or other unforeseeable circumstances.

19 (c) Any rail carrier that violates subsection (a) is
20 guilty of a petty offense and subject to a fine of not less
21 than \$200 nor more than \$500 if the duration of the delay is in
22 excess of 10 minutes but not longer than 15 minutes. If the
23 duration of the delay exceeds 15 minutes, the violation is a
24 business offense and the following fines shall be imposed:

25 (1) if the duration of the delay is in excess of 15

1 minutes but not longer than 20 minutes, \$500;
2 (2) if the duration of the delay is in excess of 20
3 minutes but not longer than 25 minutes, \$700;
4 (3) if the duration of the delay is in excess of 25
5 minutes, but not longer than 30 minutes, \$900;
6 (4) if the duration of the delay is in excess of 30
7 minutes but not longer than 45 minutes, \$1,000; or
8 (5) if the duration of the delay is in excess of 45
9 minutes, \$1,000 plus an additional \$500 for each 5 minutes
10 of delay in excess of 55 minutes of delay.