

1 AN ACT in relation to vehicles.

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
5 changing Section 15-109.1 as follows:

6 (625 ILCS 5/15-109.1) (from Ch. 95 1/2, par. 15-109.1)

7 Sec. 15-109.1. Covers or tarpaulins required for certain
8 loads.

9 (a) No person shall operate or cause to be operated, on
10 a highway, any second division vehicle loaded with dirt,
11 aggregate, garbage, refuse, or other similar material, when
12 any portion of the load is falling, sifting, blowing,
13 dropping or in any way escaping from the vehicle.

14 (b) No person shall operate or cause to be operated, on
15 a highway, any second division vehicle having a gross vehicle
16 weight rating of 8,000 pounds or more loaded with dirt,
17 aggregate, garbage, refuse, or other similar material in or
18 on any part of the vehicle other than in the cargo area. In
19 addition, no person shall operate on any highway, such
20 vehicle unless the tailgate on the vehicle is in good repair
21 and operating condition and closes securely so as to prevent
22 any load, residue, or other material from escaping.

23 (c) This Section does shall not apply to the operation
24 of highway maintenance vehicles engaged in removing snow and
25 ice from the roadway, nor to implements of husbandry or other
26 farm vehicles while transporting agricultural products to or
27 from the original place of production.

28 (d) For the purpose of this Section "aggregate" shall
29 include all ores, minerals, sand, gravel, shale, coal, clay,
30 limestone or any other ore or mineral which may be mined.

31 (e) Notwithstanding any other penalty, whenever a police

1 officer determines that the operator of a vehicle is in
2 violation of this Section, as evidenced by the issuance of a
3 citation for a violation of Section 15-109.1 of this Code, or
4 where a police officer determines that a dangerous condition
5 exists whereby any portion of the load may fall, sift, blow,
6 drop, or in any way escape or fall from the vehicle, the
7 police officer shall require the operator to stop the vehicle
8 in a suitable place and keep such vehicle stationary until
9 the load has either been reduced, secured, or covered with a
10 cover or tarpaulin of sufficient size to prevent any further
11 violation of this Section.

12 (f) Any violation of the provisions of this Section
13 shall be a petty offense punishable by a fine not to exceed
14 \$250.

15 (Source: P.A. 91-858, eff. 1-1-01.)