



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2347

Introduced 2/16/2005, by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1429 new

Amends the Illinois Vehicle Code. Provides that a vehicle using diesel fuel with a Gross Vehicle Weight Rating of more than 8,000 pounds may not have its engine idling for more than 3 minutes within any 60 minute period. Creates exemptions. Provides that a violation is a petty offense punishable by a fine of \$100 for a first offense and \$500 for a second or subsequent offense within any 12 month period. Provides that the provision applies on highways and elsewhere throughout the State.

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FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Section 11-1429 as follows:

6 (625 ILCS 5/11-1429 new)

7 Sec. 11-1429. Excessive idling.

8 (a) A person or entity that owns or operates a motor
9 vehicle operating on diesel fuel may not cause or allow the
10 motor vehicle, when it is not in motion, to idle for more than
11 a total of 3 minutes within any 60 minute period.

12 (b) This Section does not apply if:

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

15 (2) the motor vehicle is forced to remain motionless
16 because of traffic conditions over which the owner or
17 operator has no control;

18 (3) the motor vehicle is being used for emergency
19 purposes;

20 (4) operation of the motor vehicle's engine is
21 necessary to operate auxiliary equipment to accomplish the
22 intended use of the vehicle, such as loading, discharging,
23 mixing, or processing cargo, controlling cargo
24 temperature, construction operations, lumbering
25 operations, oil or gas well servicing, or farming
26 operations;

27 (5) operation of the motor vehicle is required for
28 maintenance or diagnostic purposes;

29 (6) the outdoor temperature is less than 0 degrees
30 Fahrenheit;

31 (7) the motor vehicle was manufactured with a sleeping
32 berth, if the motor vehicle is located in an area not zoned

1 for residential use and is being used by the operator for
2 sleeping or resting, and the motor vehicle is not equipped
3 with an auxiliary power unit on the vehicle to provide for
4 operator safety;

5 (8) the motor vehicle is used as airport ground support
6 equipment, including, but not limited to, motor vehicles
7 operated on the air side of the airport terminal to service
8 or supply aircraft;

9 (9) the motor vehicle is (i) a bus owned by a public
10 transit authority and (ii) being operated on a designated
11 bus route or on a street or highway between designated bus
12 routes for the provision of public transportation;

13 (10) the motor vehicle is an implement of husbandry
14 exempt from registration under subdivision A(2) of Section
15 3-402 of this Code; or

16 (11) the motor vehicle is a school bus undergoing a
17 pre-trip inspection.

18 (c) If a motor vehicle is operated in violation of this
19 Section, the owner or operator of the motor vehicle shall be
20 deemed guilty of the violation, and either the owner or the
21 operator may be prosecuted for the violation. Any person or
22 entity convicted of any violation of this Section is guilty of
23 a petty offense and shall be fined \$100 for the first
24 conviction and \$500 for a second or subsequent conviction
25 within any 12 month period.

26 (d) This Section applies upon highways and elsewhere
27 throughout the State.