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09400HB2347ham001

LRB094 10642 DRH 43217 a

1 AMENDMENT TO HOUSE BILL 2347

2 AMENDMENT NO. _____. Amend House Bill 2347 by replacing
3 everything after the enacting clause with the following:

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) As used in this Section, "affected areas" means the
9 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
10 St. Clair, and Monroe and the townships of Aux Sable and Goose
11 Lake in Grundy County, the township of Oswego in Kendall
12 County, and the Baldwin Township in Randolph County.

13 (b) A person or entity that owns or operates a motor
14 vehicle operating on diesel fuel in an affected area may not
15 cause or allow the motor vehicle, when it is not in motion, to
16 idle for more than a total of 10 minutes within any 60 minute
17 period.

18 (c) This Section does not apply if:

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

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

24 (3) the motor vehicle is being used for emergency

1 purposes;

2 (4) operation of the motor vehicle's engine is
3 necessary to operate auxiliary equipment to accomplish the
4 intended use of the vehicle, such as loading, discharging,
5 mixing, or processing cargo, controlling cargo
6 temperature, construction operations, lumbering
7 operations, oil or gas well servicing, or production
8 agriculture as defined in Section 3-35 of the Use Tax Act;

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

11 (6) the outdoor temperature is less than 32 degrees
12 Fahrenheit;

13 (7) the motor vehicle was manufactured with a sleeping
14 berth, if the motor vehicle is located in an area not zoned
15 for residential use and is being used by the operator for
16 sleeping or resting, and the motor vehicle is not equipped
17 with an auxiliary power unit on the vehicle to provide for
18 operator safety;

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

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

27 (10) the motor vehicle is an implement of husbandry
28 exempt from registration under subdivision A(2) of Section
29 3-402 of this Code; or

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

32 (d) If a motor vehicle is operated in violation of this
33 Section, the owner or operator of the motor vehicle shall be
34 deemed guilty of the violation, and either the owner or the

1 operator may be prosecuted for the violation. Any person or
2 entity convicted of any violation of this Section is guilty of
3 a petty offense and shall be fined \$50 for the first conviction
4 and \$150 for a second or subsequent conviction within any 12
5 month period."