



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4782

Introduced 1/18/2006, 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 5 minutes within any 60 minute period. Creates exemptions. Provides that a person who operates a vehicle in violation of the provision is guilty of a petty offense punishable by a fine of \$50 for a first offense and \$150 for a second or subsequent offense within any 12 month period.

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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) The purpose of this law is to protect public health and
9 the environment by reducing emissions while conserving fuel and
10 maintaining adequate rest and safety of all drivers of diesel
11 vehicles.

12 (b) A person or entity that operates a motor vehicle
13 operating on diesel fuel may not cause or allow the motor
14 vehicle, when it is not in motion, to idle for more than a
15 total of 5 minutes within any 60 minute period.

16 (c) This Section does not apply if:

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

19 (2) the motor vehicle idles while forced to remain
20 motionless because of on-highway traffic, an official
21 traffic control device or signal, or at the direction of a
22 law enforcement official;

23 (3) the motor vehicle idles when operating defrosters,
24 heaters, air conditioners, or other equipment solely to
25 prevent a safety or health emergency;

26 (4) a police, fire, ambulance, public safety,
27 military, other emergency or law enforcement motor
28 vehicle, or any motor vehicle used in an emergency
29 capacity, idles while in an emergency or training mode and
30 not for the convenience of the vehicle operator;

31 (5) the primary propulsion engine idles for
32 maintenance, servicing, repairing, or diagnostic purposes

1 if idling is necessary for such activity;

2 (6) a vehicle idles as part of a government inspection
3 to verify that all equipment is in good working order,
4 provided idling is required as part of the inspection;

5 (7) idling of the primary propulsion engine is
6 necessary to power work related mechanical or electrical
7 operations other than propulsion (loading or unloading,
8 mixing or processing cargo, or straight truck
9 refrigeration). This exemption does not apply when idling
10 for cabin comfort or to operate nonessential on-board
11 equipment;

12 (8) an armored vehicle idles when a person remains
13 inside the vehicle to guard the contents, or while the
14 vehicle is being loaded or unloaded;

15 (9) a passenger bus idles a maximum of 15 minutes in
16 any 60 minute period to maintain passenger comfort while
17 non-driver passengers are on board.

18 (10) the outdoor temperature is less than 32 degrees
19 Fahrenheit;

20 (11) the motor vehicle was manufactured with a sleeping
21 berth, if the motor vehicle is located in an area not zoned
22 for residential use and is being used by the operator for
23 sleeping or resting, and the motor vehicle is not equipped
24 with an auxiliary power unit on the vehicle to provide for
25 operator safety;

26 (12) the motor vehicle is used as airport ground
27 support equipment, including, but not limited to, motor
28 vehicles operated on the air side of the airport terminal
29 to service or supply aircraft;

30 (13) the motor vehicle is (i) a bus owned by a public
31 transit authority and (ii) being operated on a designated
32 bus route or on a street or highway between designated bus
33 routes for the provision of public transportation; or

34 (14) the motor vehicle is an implement of husbandry
35 exempt from registration under subdivision A(2) of Section
36 3-402 of this Code.

1 (d) This Section does not apply to the owner of a motor
2 vehicle rented or leased to another entity or person operating
3 the vehicle.

4 (e) If a motor vehicle is operated in violation of this
5 Section, the operator of the motor vehicle shall be deemed
6 guilty of the violation, and the operator may be prosecuted for
7 the violation. Any person or entity convicted of any violation
8 of this Section is guilty of a petty offense and shall be fined
9 \$50 for the first conviction and \$150 for a second or
10 subsequent conviction within any 12 month period.