

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) As used in this Section, "affected areas" means the
13 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
14 St. Clair, and Monroe and the townships of Aux Sable and Goose
15 Lake in Grundy County and the township of Oswego in Kendall
16 County.

17 (c) A person that operates a motor vehicle operating on
18 diesel fuel in an affected area may not cause or allow the
19 motor vehicle, when it is not in motion, to idle for more than
20 a total of 10 minutes within any 60 minute period, except under
21 the following circumstances:

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

24 (2) the motor vehicle idles while forced to remain
25 motionless because of on-highway traffic, an official
26 traffic control device or signal, or at the direction of a
27 law enforcement official;

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

31 (4) a police, fire, ambulance, public safety, other
32 emergency or law enforcement motor vehicle, or any motor

1 vehicle used in an emergency capacity, idles while in an
2 emergency or training mode and not for the convenience of
3 the vehicle operator;

4 (5) the primary propulsion engine idles for
5 maintenance, servicing, repairing, or diagnostic purposes
6 if idling is necessary for such activity;

7 (6) a motor vehicle idles as part of a government
8 inspection to verify that all equipment is in good working
9 order, provided idling is required as part of the
10 inspection;

11 (7) when idling of the motor vehicle is required to
12 operate auxiliary equipment to accomplish the intended use
13 of the vehicle (such as loading, unloading, mixing, or
14 processing cargo; controlling cargo temperature;
15 construction operations; lumbering operations; oil or gas
16 well servicing; or farming operations), provided that this
17 exemption does not apply when the vehicle is idling solely
18 for cabin comfort or to operate non-essential equipment
19 such as air conditioning, heating, microwave ovens, or
20 televisions;

21 (8) an armored motor vehicle idles when a person
22 remains inside the vehicle to guard the contents, or while
23 the vehicle is being loaded or unloaded;

24 (9) a bus idles a maximum of 15 minutes in any 60
25 minute period to maintain passenger comfort while
26 non-driver passengers are on board;

27 (10) if the motor vehicle has a sleeping berth, when
28 the operator is occupying the vehicle during a rest or
29 sleep period and idling of the vehicle is required to
30 operate air conditioning or heating;

31 (11) when the motor vehicle idles due to mechanical
32 difficulties over which the operator has no control;

33 (12) the motor vehicle is used as airport ground
34 support equipment, including, but not limited to, motor
35 vehicles operated on the air side of the airport terminal
36 to service or supply aircraft;

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

5 (14) the motor vehicle is an implement of husbandry
6 exempt from registration under subdivision A(2) of Section
7 3-402 of this Code;

8 (15) the motor vehicle is owned by an electric utility
9 and is operated for electricity generation or hydraulic
10 pressure to power equipment necessary in the restoration,
11 repair, modification or installation of electric utility
12 service; or

13 (16) the outdoor temperature is less than 32 degrees
14 Fahrenheit or greater than 80 degrees Fahrenheit.

15 (d) When the outdoor temperature is 32 degrees Fahrenheit
16 or higher and 80 degrees Fahrenheit or lower, a person who
17 operates a motor vehicle operating on diesel fuel in an
18 affected area may not cause or allow the motor vehicle to idle
19 for a period greater than 30 minutes in any 60 minute period
20 while waiting to weigh, load, or unload cargo or freight,
21 unless the vehicle is in a line of vehicles that regularly and
22 periodically moves forward.

23 (e) This Section does not prohibit the operation of an
24 auxiliary power unit or generator set as an alternative to
25 idling the main engine of a motor vehicle operating on diesel
26 fuel.

27 (f) This Section does not apply to the owner of a motor
28 vehicle rented or leased to another entity or person operating
29 the vehicle.

30 (g) Any person convicted of any violation of this Section
31 is guilty of a petty offense and shall be fined \$50 for the
32 first conviction and \$150 for a second or subsequent conviction
33 within any 12 month period.

34 Section 99. Effective date. This Act takes effect July 1,
35 2006.