



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1364

Introduced 2/21/2007, by Rep. Mike Boland

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/8-1-19 new  
30 ILCS 805/8.31 new

Amends the Illinois Municipal Code. Beginning on the effective date of the amendatory Act, requires all gasoline-powered vehicles purchased from municipal funds to be flexible fuel vehicles. Beginning July 1, 2008, requires all gasoline-powered vehicles purchased from municipal funds to be flexible fuel or fuel efficient hybrid vehicles. Provides that, beginning on the effective date of the amendatory Act, any vehicle purchased from municipal funds that is fueled by diesel fuel must be certified by the manufacturer to run on 5% biodiesel (B5) fuel. Authorizes the corporate authorities to exempt certain vehicle classes from these requirements based on intended use or other reasonable considerations. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the State.

LRB095 09198 HLH 29391 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by adding  
5 Section 8-1-19 as follows:

6 (65 ILCS 5/8-1-19 new)

7 Sec. 8-1-19. Purchase of motor vehicles.

8 (a) Beginning on the effective date of this amendatory Act  
9 of the 95th General Assembly, all gasoline-powered vehicles  
10 purchased from municipal funds must be flexible fuel vehicles.  
11 Beginning July 1, 2008, all gasoline-powered vehicles  
12 purchased from municipal funds must be flexible fuel or fuel  
13 efficient hybrid vehicles. For purposes of this Section,  
14 "flexible fuel vehicles" are automobiles or light trucks that  
15 operate on either gasoline or E-85 (85% ethanol, 15% gasoline)  
16 fuel and "fuel efficient hybrid vehicles" are automobiles or  
17 light trucks that use a gasoline or diesel engine and an  
18 electric motor to provide power and gain at least a 20%  
19 increase in combined US-EPA city-highway fuel economy over the  
20 equivalent or most-similar conventionally-powered model.

21 (b) On and after the effective date of this amendatory Act  
22 of the 95th General Assembly, any vehicle purchased from  
23 municipal funds that is fueled by diesel fuel must be certified

1 by the manufacturer to run on 5% biodiesel (B5) fuel.

2 (c) The corporate authorities may determine that certain  
3 vehicle procurements are exempt from this Section based on  
4 intended use or other reasonable considerations such as health  
5 and safety of Illinois citizens.

6 (d) A home rule unit may not regulate the purchase of  
7 vehicles in a manner that is inconsistent with this Section.  
8 This Section is a limitation under subsection (i) of Section 6  
9 of Article VII of the Illinois Constitution on the concurrent  
10 exercise by home rule units of powers and functions exercised  
11 by the State.

12 Section 90. The State Mandates Act is amended by adding  
13 Section 8.31 as follows:

14 (30 ILCS 805/8.31 new)

15 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
16 of this Act, no reimbursement by the State is required for the  
17 implementation of any mandate created by this amendatory Act of  
18 the 95th General Assembly.