



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2265

Introduced 2/18/2009, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

65 ILCS 5/8-1-19 new
30 ILCS 805/8.33 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, 2009, 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.

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FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 96th General Assembly, all gasoline-powered vehicles
10 purchased from municipal funds must be flexible fuel vehicles.
11 Beginning July 1, 2009, 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 96th 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 8.33 as follows:

14 (30 ILCS 805/8.33 new)

15 Sec. 8.33. 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 96th General Assembly.