



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4959

by Rep. Anne Stava

SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-109.2 new

Amends the Illinois Vehicle Code. Prohibits a person from operating or causing to be operated on a highway in the course of the person's employment a vehicle owned by the person's employer: (1) with a cargo area loaded with construction material, when any portion of the load is falling, sifting, blowing, dropping or in any way escaping from the vehicle; or (2) with a tailgate transporting construction material unless the tailgate on the vehicle is in good working repair, good operating condition, and closes securely, with a cover or tarpaulin of sufficient size attached, so as to prevent any load, residue, or other material from escaping. Provides that if another person's vehicle is damaged due to a violation of the provision, the owner of the vehicle involved in the violation shall be responsible for compensating the other person in an amount equal to the amount needed to repair the other person's vehicle.

LRB104 18439 LNS 31881 b

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 15-109.2 as follows:

6 (625 ILCS 5/15-109.2 new)

7 Sec. 15-109.2. Covers or tarpaulins required for
8 construction loads.

9 (a) No person shall operate or cause to be operated on a
10 highway in the course of the person's employment a vehicle
11 owned by the person's employer, which may include the person
12 operating the vehicle if the person is self-employed, with a
13 cargo area loaded with construction material, when any portion
14 of the load is falling, sifting, blowing, dropping or in any
15 way escaping from the vehicle. No person shall operate or
16 cause to be operated on a highway in the course of the person's
17 employment a vehicle owned by the person's employer, which may
18 include the person operating the vehicle if the person is
19 self-employed, with a tailgate transporting construction
20 material unless the tailgate on the vehicle is in good working
21 repair, good operating condition, and closes securely, with a
22 cover or tarpaulin of sufficient size attached, so as to
23 prevent any load, residue, or other material from escaping.

1 (b) If another person's vehicle is damaged due to a
2 violation of subsection (a), the owner of the vehicle, which
3 may include the person operating the vehicle if the person is
4 self-employed, involved in the violation shall be responsible
5 for compensating the other person in an amount equal to the
6 amount needed to repair the other person's vehicle.