**Section 174.420 Deliveries from Portable Fuel Tanks and Tank Vehicles Restricted**

a) Dispensing or delivery of flammable or combustible motor vehicle fuels from tank vehicles, tank trucks, tank wagons or other portable tanks is prohibited except as follows:

1) Agricultural sites for agricultural purposes (farm use);

2) Construction sites for refueling construction equipment used only at the construction site (this exception does not apply to trucks or passenger cars that have license plates attached and may be driven to motor fuel dispensing facilities);

3) Sites used for the refueling of police, fire or emergency medical services vehicles or other vehicles that are owned, leased or operated by (or operated under contract with) the State, a unit of local government, a school district, or any agency of the State and that are not normally accessible to the public;

4) Sites permitted under the Environmental Protection Act [415 ILCS 5] as waste disposal sites, sanitary landfills, and municipal solid waste landfill units, but only for the fueling of off-road vehicles and equipment used at and for the operation of these sites;

5) Sites used for the parking, operation or maintenance of a commercial vehicle fleet, but only if the site is located in a county with 3,000,000 or more inhabitants or a county contiguous to a county with 3,000,000 or more inhabitants and the site is not normally accessible to the public; and

6) Airports for fueling of aircraft as defined in, and in compliance with, 41 Ill. Adm. Code 180.

b) Under no circumstances shall the exceptions listed in subsection (a) be construed to allow retail sales to the public from tank vehicles, tank trucks, tank wagons or other portable tanks. Dispensing or delivery of flammable or combustible motor vehicle fuels to or from tank vehicles for the purposes set forth in subsections (a)(1) through (a)(5) shall comply with Sections 174.440 and 174.450, except that a permit shall not be required for fueling pursuant to subsections (a)(1) through (a)(4).

c) Additional Exception to Ban on Mobile Fueling. In addition to the fueling described in subsections (a) and (b), when Class I or II liquids are to be transported for agriculture or construction as described in subsections (a)(1) and (a)(2), the party performing the fueling may also transport 119 gallons or less per vehicle subject to the following conditions:

1) Containers shall be tanks constructed of 18 gauge or heavier steel or equivalent gauge aluminum.

2) Tanks shall be securely fastened to prevent separation from the vehicle in the event of a collision.

3) Tanks shall be electrically bonded to the frame of the vehicle.

4) Tanks shall be protected against leakage or damage in the event of a turnover.

5) Tanks may not be drained by gravity. Only top mounted pumps designed and labeled for use with flammable and combustible liquids may be used to transfer Class I and II liquids from the tanks to other storage tanks or vehicle fuel tanks. No top mounted pump shall be higher than the highest point of the vehicle or permanently attached appurtenances (i.e., roll bars).

6) Flammable liquid petroleum products being transported on a single vehicle may not exceed 119 gallons.

7) Each tank is clearly labeled with the name of the product it contains in letters at least 2" in height with the letters to be white in color on a contrasting background, or placarded in accordance with Illinois Department of Transportation hazardous materials rules (92 Ill. Adm. Code 172).

8) Vehicles transporting regulated products under this subsection (c) shall also comply with the regulations of the Illinois Department of Transportation regarding that transport.

(Source: Amended at 42 Ill. Reg. 10435, effective October 13, 2018)