**Section 107.309 Stopping of Vehicles**

a) The State Police shall stop any vehicle when the State Police has reason to believe that an imminent hazard exists. "Imminent hazard," as used in this section, exists if there is a likelihood that death, serious illness, or personal injury will occur prior to the completion of a formal proceeding initiated to abate the risk of such harm.

b) If the State Police stop a vehicle pursuant to 92 Ill. Adm. Code 171.2(c), the State Police shall prevent the further movement of the hazardous materials and shall tag the vehicle carrying the hazardous material so as to place the vehicle out of service until such time as the imminent danger observed is abated.

c) Whenever the State Police stop and inspect any motor vehicle for any violation of the Act or IHMTR and identify violations that trigger placing the hazardous material shipment out-of-service under the "North American Uniform Out-of-Service Criteria," the State Police shall prevent the further movement of the hazardous material and shall issue an out-of-service order by tagging the hazardous material shipment so as to place it out-of-service until such time as the unsafe condition is corrected and the shipment complies with the IHMTR. North American Uniform Hazardous Materials Out-of-Service Criteria include but are not limited to:

1) Transporting hazardous materials not accompanied by a shipping paper that indicates hazardous materials are being transported;

2) Fifty percent or more of required placards for a hazard class are missing or any placards misrepresent the hazardous materials being transported;

3) Transporting hazardous materials in a bulk packaging not authorized for the material being transported; and

4) Hazardous materials leaking from a package. (North American Uniform Out-of-Service Criteria, Commercial Vehicle Safety Alliance Operations Manual, April 1, 1998)

d) Whenever the State Police stop a vehicle and the driver or operator of the vehicle is able to properly abate the existing danger, the vehicle shall be permitted to continue in service; however, the State Police shall notify the Director of the matter and the Director shall notify the employer of the driver or operator and the owner or lessor of the vehicle if the owner or lessor is not the employer.

(Source: Amended at 22 Ill. Reg. 5708, effective March 4, 1998)