



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3721

Introduced 2/25/2009, by Rep. Renée Kosel

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-602.1
625 ILCS 5/11-505 rep.

Amends the Illinois Vehicle Code. Provides that the Department of Transportation may erect and maintain signs prohibiting excessive engine braking noise on interstate highways when multiple residences are immediately adjacent to the highway at a density of 2 per acre or more. Merges a provision of the Illinois Vehicle Code prohibiting a person from operating any motor vehicle in such a manner as to cause or allow to be emitted squealing, screeching or other such noise from the vehicle's tires due to rapid acceleration or excessive speed around corners or other such reason into another provision of the Illinois Vehicle Code prohibiting the driver of a commercial vehicle from operating or actuating any engine braking system that emits excessive noise.

LRB096 11432 AJT 21905 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing
5 Section 12-602.1 as follows:

6 (625 ILCS 5/12-602.1)

7 Sec. 12-602.1. Excessive engine braking and tire noise;
8 signs.

9 (a) A county or municipality may post signs that prohibit
10 the driver of a commercial vehicle, as defined in Section
11 1-111.8 of this Code, from operating or actuating any engine
12 braking system that emits excessive noise.

13 (b) The sign in subsection (a) shall state, "EXCESSIVE
14 ENGINE BRAKING NOISE PROHIBITED". The Department of
15 Transportation shall adopt rules providing for the erection and
16 placement of these signs. The Department may erect and maintain
17 these signs on interstate highways when multiple residences are
18 immediately adjacent to the highway at a density of 2 per acre
19 or more.

20 (b-5) No person shall operate any motor vehicle in such a
21 manner as to cause or allow to be emitted squealing,
22 screeching, or other such noise from the vehicle's tires due to
23 rapid acceleration or excessive speed around corners or other

1 such reason.

2 (c) Subsection (a) ~~This Section~~ does not apply to the use
3 of an engine braking system that has an adequate sound muffling
4 system in proper working order that prevents excessive noise.

5 (c-5) Subsection (b-5) shall not apply to the following
6 conditions:

7 (1) an authorized emergency vehicle, when responding
8 to an emergency call or when in the pursuit of an actual or
9 suspected violator;

10 (2) the emergency operation of a motor vehicle when
11 avoiding imminent danger; or

12 (3) any raceway, racing facility or other public event,
13 not part of a highway, sanctioned by the appropriate
14 governmental authority.

15 (d) It is a defense to subsection (a) ~~this Section~~ that the
16 driver used an engine braking system that emits excessive noise
17 in an emergency to avoid a collision with a person or another
18 vehicle on the highway.

19 (e) A violation of this Section is an equipment violation
20 punishable by a fine of \$75.

21 (Source: P.A. 94-756, eff. 1-1-07.)

22 (625 ILCS 5/11-505 rep.)

23 Section 10. The Illinois Vehicle Code is amended by
24 repealing Section 11-505.