- 1 AMENDMENT TO SENATE BILL 2132
- 2 AMENDMENT NO. \_\_\_\_. Amend Senate Bill 2132 by replacing
- 3 everything after the enacting clause with the following:
- 4 "Section 5. The Illinois Vehicle Code is amended by
- 5 changing Section 15-109.1 as follows:
- 6 (625 ILCS 5/15-109.1) (from Ch. 95 1/2, par. 15-109.1)
- 7 Sec. 15-109.1. Covers or tarpaulins required for certain
- 8 loads.
- 9 (a) No person shall operate or cause to be operated, on
- 10 a highway, any second division vehicle loaded with dirt,
- 11 aggregate, garbage, refuse, or other similar material, when
- 12 any portion of the load is falling, sifting, blowing,
- dropping or in any way escaping from the vehicle.
- 14 (b) No person shall operate or cause to be operated, on
- a highway, any second division vehicle having a gross vehicle
- 16 weight rating of 8,000 pounds or more loaded with dirt,
- 17 aggregate, garbage, refuse, or other similar material in or
- on any part of the vehicle other than in the cargo area. In
- 19 addition, no person shall operate on any highway, such
- vehicle unless the tailgate on the vehicle is in good repair
- 21 and operating condition and closes securely so as to prevent
- 22 any load, residue, or other material from escaping.

1 (b-1) No person shall operate or cause to be operated on any interstate highway in this State a road tractor or truck 2 3 tractor pulling a transfer trailer loaded with garbage, 4 refuse, or other similar material unless the transfer trailer 5 is secured while transporting the materials with a tarpaulin or other cover sufficient to prevent any portion of the 6 materials from falling, blowing, dropping, or otherwise 7 escaping from the transfer trailer. The transfer trailer 8 9 must be equipped with a solid metal plate that is at least 36 10 inches wide, is at least 3/8 of an inch thick, is located 11 inside the rear tailgate at the top of the trailer extending 12 from one side to the other, and is permanently closed by being welded to the side walls of the transfer trailer. When 13 the operator of the road tractor or truck tractor uses a mesh 14 15 tarpaulin that is strapped by hand over the material in the 16 transfer trailer, the tarpaulin must be (i) secured to the 17 front end of the transfer trailer, (ii) secured by at least 10 straps on each side of the transfer trailer, and (iii) 18 secured by at least 3 straps along the rear of the transfer 19 trailer. The person operating the road tractor or truck 20 tractor pulling the transfer trailer is responsible for 21 meeting the requirements of this subsection (b-1) and is 22 subject to the penalties in subsection (f) for any violation 23 24 of this subsection (b-1). As used in this subsection (b-1), "transfer trailer" 25 means a semitrailer that is at least 36 feet in length and 26 27 has an open top. 28

- (c) This Section shall not apply to the operation of highway maintenance vehicles engaged in removing snow and ice from the roadway, nor to implements of husbandry or other farm vehicles while transporting agricultural products to or from the original place of production.
- 33 (d) For the purpose of this Section "aggregate" shall 34 include all ores, minerals, sand, gravel, shale, coal, clay,

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- limestone or any other ore or mineral which may be mined.
- 2 (e) Notwithstanding any other penalty, whenever a police
- 3 officer determines that the operator of a vehicle is in
- 4 violation of this Section, as evidenced by the issuance of a
- 5 citation for a violation of Section 15-109.1 of this Code, or
- 6 where a police officer determines that a dangerous condition
- 7 exists whereby any portion of the load may fall, sift, blow,
- 8 drop, or in any way escape or fall from the vehicle, the
- 9 police officer shall require the operator to stop the vehicle
- 10 in a suitable place and keep such vehicle stationary until
- 11 the load has either been reduced, secured, or covered with a
- 12 cover or tarpaulin of sufficient size to prevent any further
- 13 violation of this Section.
- 14 (f) Any violation of the provisions of this Section
- shall be a petty offense punishable by a fine not to exceed
- 16 \$250.
- 17 (Source: P.A. 91-858, eff. 1-1-01.)".