

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-80-095 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

9-80-095 Excessive standing of ~~diesel-powered~~ certain vehicles with the engine running.

(a) Excessive Standing Prohibited: ~~It~~ Except as otherwise provided in subsection (b) of this section, it shall be unlawful for any person who owns or operates any motor vehicle which is powered by ~~diesel fuel~~ an internal combustion engine to stand such vehicle with the engine running for more than a total of three minutes within any ~~sixty-minute~~ sixty-minute period.

(b) Exceptions: The prohibition ~~of~~ set forth in subsection (a) of this section shall not apply to:

(1) authorized: (i) emergency vehicles while in the course of providing services for which the vehicle is designed; or (ii) ~~and~~ vehicles that are operating equipment or devices used to prevent a safety or health emergency;

(2) vehicles used as airport support equipment, but only when the standing of such vehicles with the engine running is necessary for airport operations related to aircraft movements, airport safety, or airport security;

(3) vehicles or equipment standing with the engine running to operate auxiliary equipment that is required to accomplish the intended use of the vehicle, including, but not limited to, loading, unloading, mixing, controlling of cargo temperature, or operating necessary computer systems on a bus owned by a public transit authority, while in use and not for the convenience of the vehicle's operator;

(4) vehicles standing with the engine running for the purpose of service, repair, or government inspection, when such standing is required for such service, repair, or government inspection;

(5) vehicles standing in traffic;

(6) vehicles standing with the engine running to supply air conditioning when the outdoor temperature is greater than 80 degrees Fahrenheit or to supply heat when the outdoor temperature is less than 32 degrees Fahrenheit for the operator's or passengers' safety;

(7) the operation of an auxiliary power unit or generator set as an alternative to running the main engine of a motor vehicle operating on diesel fuel;

(8) vehicles standing with the engine running due to mechanical requirements or difficulties over which the operator of the vehicle has no control; ~~and~~

(9) vehicles standing due to the automatic regeneration of diesel particulate filters or pre-shutdown cooling required by the engine manufacture;

(10) public passenger vehicles, as defined in Chapter 9-4, including rideshare vehicles, when the standing of such vehicles with the engine running is necessary to accept or respond to

a call or request for service, solicit passengers as may be permitted under this Code, to accept payment for service, or as necessary to ensure the safety of the driver or any passengers;

(11) mobile food vehicles, as defined in Chapter 4-8, legally operating at any officially designated mobile food vehicle stand;

(12) vehicles actually and expeditiously being loaded or unloaded of passengers, merchandise, or other contents;

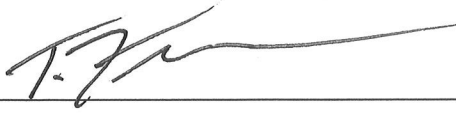
(13) vehicles engaged in the delivery of food and beverages; and

(14) vehicles used for any governmental purposes, but only when the standing of such vehicles with the engine running is necessary for such governmental purpose.

(c) *Penalty.* The operator or the registered owner of record of any vehicle standing in violation of this section shall be fined as subject to the fine set forth in section 9-100-020 of this Code, provided that, for the first violation of this section, the operator or registered owner of record of any vehicle standing in violation of this section shall be issued a warning notice, unless such vehicle is a diesel-powered vehicle, in which case, no such warning notice shall be required.

(d) *Enforcement.* Any police officer, traffic control aide, or other designated member of the police department Police Department, or any parking enforcement aide or other person designated by the city traffic compliance administrator City's Traffic Compliance Administrator, the commissioner of health, Commissioner of Health, or the commissioner of transportation Commissioner of Transportation shall have authority to enforce the provisions of this section.

SECTION 2. This ordinance shall take effect 10 days after passage and publication.



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