

**ILLINOIS STATE POLICE DIRECTIVE
ENF-042, HAZARDOUS MATERIALS ENFORCEMENT PROGRAM AND INCIDENT
RESPONSE**

RESCINDS: ENF-042, 2022-058, revised 02-18-2022.	REVISED: 01-03-2023 2023-038
RELATED DOCUMENTS: OPS-057, OPS-071, DOO Reference Manual	RELATED CALEA STANDARDS (6th Edition): 46.3.2, 61.1.5, 61.2.1, 61.2.2

I. POLICY

The Illinois State Police (ISP) will establish procedures for the enforcement of the Illinois Hazardous Materials Transportation Act.

II. AUTHORITY

430 ILCS 30/1, et seq., "Illinois Hazardous Materials Transportation Act"

III. DEFINITIONS

III.A. Hazardous Materials - substances or materials the United States (U.S.) Secretary of Transportation has determined are capable of posing an unreasonable risk to health, safety, and property when transported in commerce (see 49 Code of Federal Regulations (CFR) 171.8).

III.B. Hazardous Materials Incident - any release, intentional or unintentional, of a hazardous material from containment in any quantity from the following:

III.B.1. Vehicle (does not include fuel used to power the vehicle)

III.B.2. Fixed facility

III.B.3. Lost or unattended packages

NOTE: A hazardous materials incident could also include a release from railcar, aircraft, pipeline, or vessel. The ISP does not have regulatory authority over these modes, but will take action in accordance with paragraph V.B.

IV. RESPONSIBILITIES

Within the Department, ISP Commercial Vehicle Enforcement Officers (CVEOs) are solely responsible for hazardous materials transportation enforcement including package inspection.

V. PROCEDURES

V.A. Enforcement

V.A.1. Enforcement of the Illinois Hazardous Materials Transportation Act is performed in accordance with the Division of Patrol Reference Manual, department policy, and the Commercial Vehicle Safety Alliance.

V.A.2. Enforcement is documented by use of an Illinois Commercial Driver/Vehicle Inspection Report, form ISP 5-238, or a Vehicle Safety and Inspection Standards (VSIS) form in TraCS or equivalent software application that is disseminated as follows:

V.A.2.a. The driver receives one copy.

V.A.2.b. The officer/troop will retain one copy.

V.A.2.c. All other copies are forwarded to the Commercial Vehicle Section (CVS), where they are entered into the Federal Motor Carrier Management Information System and filed with one copy forwarded to the Illinois Department of Transportation (IDOT), Division of Traffic Safety.

V.B. Emergency Response

V.B.1. The nearest available CVEO will be contacted to respond to all hazardous materials incidents, regardless of handling agency or troop boundaries.

V.B.2. The CVEO will provide assistance as requested. The CVEO will complete:

V.B.2.a. An ICase report, or a Field Report, form ISP 5-48, or an Incident Report, form ISP 5-178, for all such responses.

V.B.2.b. A U.S. Department of Transportation Hazardous Materials Incident form 5800.1 in the event of an actual release. The CVEO will return the form 5800.1 to the CVS, which will forward the form to IDOT.

| Indicates new or revised items.

-End of Directive-