



## 100TH GENERAL ASSEMBLY

### State of Illinois

### 2017 and 2018

### SB3267

Introduced 2/15/2018, by Sen. Elgie R. Sims, Jr.

#### SYNOPSIS AS INTRODUCED:

605 ILCS 5/5-701	from Ch. 121, par. 5-701
605 ILCS 5/5-701.4	from Ch. 121, par. 5-701.4
605 ILCS 5/5-701.6	from Ch. 121, par. 5-701.6
605 ILCS 5/5-701.7	from Ch. 121, par. 5-701.7
605 ILCS 5/5-701.8	from Ch. 121, par. 5-701.8
605 ILCS 5/5-701.13	from Ch. 121, par. 5-701.13
605 ILCS 5/5-701.18 new	

Amends the Illinois Highway Code. Provides that any county board in a county with a population of 1,000,000 or more inhabitants may also use any motor fuel tax money allotted to it for: (i) retiring bonds and paying obligations incurred for the purpose of constructing bicycle and pedestrian facilities, public transportation facilities, or freight rail facilities; (ii) paying the local or county's proportionate share of any federally eligible transportation project; or (iii) acquiring, constructing, maintaining, improving, or operating public or freight rail transportation facilities. Provides that motor fuel tax money may be used to conduct studies relating to: the operation of highways; bicycle and pedestrian facilities; public transportation facilities; and freight rail facilities. Provides that a county board may turn over a portion of the motor fuel tax funds allotted to it to the Regional Transportation Authority, the Suburban Bus Division of the Regional Transportation Authority, or the Commuter Rail Division of the Regional Transportation Authority.

LRB100 19580 LNS 34849 b

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 Highway Code is amended by changing  
5 Sections 5-701, 5-701.4, 5-701.6, 5-701.7, 5-701.8, and  
6 5-701.13 and by adding Section 5-701.18 as follows:

7 (605 ILCS 5/5-701) (from Ch. 121, par. 5-701)

8 Sec. 5-701. Money allotted from the Motor Fuel Tax Fund to  
9 the several counties as provided in Section 8 of the "Motor  
10 Fuel Tax Law", approved March 25, 1929, as now or hereafter  
11 amended, other than money allotted to counties for the use of  
12 road districts, shall be used only for one or more of the  
13 purposes stated in Sections 5-701.1 through 5-701.18 ~~5-701.16~~,  
14 as the several counties may desire.

15 (Source: P.A. 85-962.)

16 (605 ILCS 5/5-701.4) (from Ch. 121, par. 5-701.4)

17 Sec. 5-701.4. Any county board may also use any motor fuel  
18 tax money allotted to it or any part thereof for the purpose of  
19 retiring bonds and paying obligations incurred for the purpose  
20 of constructing State or county highways, the construction of  
21 which was under the supervision of and with the approval of the  
22 Department under the provisions of Section 5-403 of this Code

1 or similar provisions of prior law. The county board of a  
2 county with a population of 1,000,000 or more inhabitants may  
3 also use any motor fuel tax money allotted to it or any part  
4 thereof for the purpose of retiring bonds and paying  
5 obligations incurred for the purpose of constructing bicycle  
6 and pedestrian facilities, public transportation facilities,  
7 or freight rail facilities.

8 (Source: Laws 1959, p. 196.)

9 (605 ILCS 5/5-701.6) (from Ch. 121, par. 5-701.6)

10 Sec. 5-701.6. Any county board with the approval of the  
11 Department may also use motor fuel tax money allotted to it for  
12 the purpose of the payment for investigations requisite to  
13 determine the reasonably anticipated need for any of the work  
14 described in Sections 5-701.1 to 5-701.18 ~~5-701.5~~, inclusive,  
15 of this Code. Such investigations may include, but shall not be  
16 limited to, the making of traffic surveys, the study of  
17 transportation facilities, research concerning the development  
18 of the several areas within the county and contiguous territory  
19 as affected by growth and changes in population and economic  
20 activity and the collection and review of data relating to all  
21 factors affecting the judicious planning of construction,  
22 reconstruction, improvement, ~~and~~ maintenance, and operation  
23 of: highways; bicycle and pedestrian facilities; public  
24 transportation facilities; or freight rail facilities. The  
25 investigations for which any such payments are made may also be

1 conducted in cooperation with other counties, municipalities,  
2 the State of Illinois, the United States, other states of the  
3 United States, agencies of any such governments or other  
4 persons in pursuance of agreements to share the costs thereof  
5 and authority to enter into such agreements is hereby conferred  
6 upon counties.

7 (Source: Laws 1959, p. 196.)

8 (605 ILCS 5/5-701.7) (from Ch. 121, par. 5-701.7)

9 Sec. 5-701.7. (a) Any county board with the approval of the  
10 Department may also use motor fuel tax funds allotted to it to  
11 pay the local or county's share of the cost of projects on the  
12 federal aid urban and the federal aid secondary highway systems  
13 in the county constructed under the provisions of the Federal  
14 Aid Road Act. The county board is authorized to cooperate with  
15 the Department in selecting these systems of federal aid  
16 highways to be improved.

17 (b) Any county board with the approval of the Department  
18 may also use motor fuel tax funds allotted to it to pay the  
19 local or county's share of any project constructed under  
20 Section 3-104.3 of this Code.

21 (c) Any county board, with the approval of the Department,  
22 may also use motor fuel tax funds allotted to it, matching tax  
23 funds, or any other funds of the county for highways to pay the  
24 local or county's proportionate share of any federally eligible  
25 transportation project on, adjacent to, or intended to serve

1 county highways in the county. The county board of a county  
2 with a population of 1,000,000 or more inhabitants may also use  
3 motor fuel tax funds allotted to it to pay the local or  
4 county's proportionate share of any federally eligible  
5 transportation project.

6 (Source: P.A. 91-315, eff. 1-1-00.)

7 (605 ILCS 5/5-701.8) (from Ch. 121, par. 5-701.8)

8 Sec. 5-701.8. Any county board may also turn over a portion  
9 of the motor fuel tax funds allotted to it to: (a) a local Mass  
10 Transit District if the county created such District pursuant  
11 to the "Local Mass Transit District Act", approved July 21,  
12 1959, as now or hereafter amended;

13 (b) a local Transit Commission if such commission is  
14 created pursuant to Section 14-101 of The Public Utilities Act;  
15 ~~or~~

16 (c) the Chicago Transit Authority established pursuant to  
17 the "Metropolitan Transit Authority Act", approved April 12,  
18 1945, as now or hereafter amended; ~~or~~

19 (d) the Regional Transportation Authority established  
20 pursuant to the Regional Transportation Authority Act;

21 (e) the Suburban Bus Division of the Regional  
22 Transportation Authority established pursuant to the Regional  
23 Transportation Authority Act; or

24 (f) the Commuter Rail Division of the Regional  
25 Transportation Authority established pursuant to the Regional

1 Transportation Authority Act.

2 (Source: P.A. 85-1209.)

3 (605 ILCS 5/5-701.13) (from Ch. 121, par. 5-701.13)

4 Sec. 5-701.13. Motor fuel tax funds; counties over 500,000.

5 The county board of any county may also use motor fuel tax  
6 funds allotted to it for placing, erecting, and maintaining  
7 signs, or surface markings, or both to indicate officially  
8 designated bicycle routes along county highways. In addition,  
9 the county board of a county with a population over 500,000 may  
10 also use motor fuel tax funds allotted to it for the  
11 construction and maintenance of bicycle routes along county  
12 highways or along State highways by agreement with the  
13 Department. The county board of a county with a population of  
14 1,000,000 or more inhabitants may use motor fuel tax funds  
15 allotted to it for the acquisition, construction, and  
16 maintenance of any bicycle and pedestrian facilities.

17 (Source: P.A. 88-502; 88-676, eff. 12-14-94.)

18 (605 ILCS 5/5-701.18 new)

19 Sec. 5-701.18. Public and freight rail transportation  
20 facilities; counties over 1,000,000. The county board in a  
21 county of 1,000,000 or more inhabitants may also use motor fuel  
22 tax money allotted to it for the purpose of acquiring,  
23 constructing, maintaining, improving, or operating public or  
24 freight rail transportation facilities.