AMENDMENT TO HOUSE BILL 391

AMENDMENT NO. ______. Amend House Bill 391 by replacing everything after the enacting clause with the following:

"Article 1.

Section 1-1. Short title. This Article may be cited as the Illinois Works Jobs Program Act. References in this Article to "this Act" mean this Article.

Section 1-5. Findings. To ensure that all Illinois citizens have equal access to construction contracts and a career in the building trades, the Illinois Works Jobs Program seeks to align the economic interest of the industry with the public policy interest of the State by providing funding for community-based organizations to recruit and train a diverse workforce, require the employment of apprentices on public works projects to create new employment opportunities for the next generation of
tradesmen and tradeswomen, create an economic incentive for construction contractors to hire that prequalified workforce, and generate incentives for increasing disadvantaged, minority, women, and veteran-owned business contracting opportunities in the construction industry.

Section 1-10. Definitions. As used in this Act:

"Apprentice" means a participant in an apprenticeship and training program approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

"Bid credit" means a virtual dollar in the Illinois Works Credit Bank for contractors and subcontractors to use toward future public works bids.

"Community-based organization" means a public or private nonprofit organization of demonstrated effectiveness that is representative of a community, or significant segments of a community, and provides educational or related services to individuals in the community.

"Contractor" means a person, corporation, partnership, limited liability company, or joint venture entering into a contract with the State or any State agency to construct a public work.

"Department" means the Department of Commerce and Economic Opportunity.

"Public work" means a State-funded construction project.
that constitutes a public works project under the Prevailing Wage Act.

"Subcontractor" means a person, corporation, partnership, limited liability company, or joint venture that has contracted with the contractor to perform all or part of the work to construct a public work by a contractor.

Section 1-15. Illinois Works Jobs Program.

(a) There is created the Illinois Works Jobs Program, administered by the Department and subject to appropriation. The goal of the Illinois Works Jobs Program is to create a network of statewide community-based organizations that will recruit, prescreen, and provide preapprenticeship skills training to create a qualified, diverse pipeline of men and women who are prepared for a career in the construction industry. Upon completion of the Illinois Works Jobs Program training, the candidates will be skilled, work-ready, and prepared for a lifelong career in the building trades.

(b) There is created the Illinois Works Fund, a special fund in the State treasury, to be administered by the Department as described in subsection (c) and which may not interfere with any existing contracts or programs.

(c) The Illinois Works Fund shall be used to provide grant funding for community-based organizations throughout the State to recruit, prescreen, and provide preapprenticeship training to low-income and minority members of the workforce.
(d) Through a request for proposals, the Department shall request a detailed description of the community-based organization's expertise in recruiting, prescreening, and providing preapprenticeship training to a low-income and minority workforce. Each response to a request for proposals shall include provisions for drug testing, education verification, and preparatory classes including workplace readiness skills such as resume preparation and interviewing techniques.

(e) The contracts between the successful community-based organizations and the State shall be executed by the Department and, subject to appropriation, paid with funds from the Illinois Works Fund. The Illinois Works Fund shall be funded by August 1 of each fiscal year, from the General Revenue Fund, in an amount not to exceed 0.5% of the funds collected in the previous fiscal year from the State tax on the sale of motor fuel.

(f) A community-based organization receiving funding from the Illinois Works Fund shall provide a one-time signing bonus, in an amount not to exceed $1,000, to each graduate of an Illinois Works Jobs Program within 30 days of the graduate's acceptance into an apprenticeship and training program approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

(g) There is created an Illinois Works Task Force. The Illinois Works Task Force shall consist of the following
members:

(1) one member appointed by the Speaker of the House of Representatives;

(2) one member appointed by the Minority Leader of the House of Representatives;

(3) one member appointed by the President of the Senate;

(4) one member appointed by the Minority Leader of the Senate;

(5) the Director of the Department, or his or her designee; and

(6) the following persons appointed by the Governor:

(A) one representative of a contractor organization;

(B) one representative of a labor organization; and

(C) one member of the public with expertise in workforce development and recruitment processes of community-based organizations.

(h) The members of the Illinois Works Task Force shall review the community-based organization's response to a request for proposals to aid the Department in selecting the right partners to help recruit, prescreen, and provide preapprenticeship training to create a pipeline of a more diversified workforce in the construction trades.

(i) Community-based organizations who receive funding from
the Illinois Works Fund shall provide an annual report to the Illinois Works Task Force by April 1 of each calendar year.

Section 1-20. Illinois Works Apprenticeship Initiative.

(a) Apprentices shall be utilized on all public works construction projects in accordance with this Section. The Department shall administer the Illinois Works Apprenticeship Initiative.

(1) All contractors and subcontractors constructing or involved with the construction of public works shall ensure that the lesser of at least 10% of the total labor hours actually worked on the public work project, or 10% of the estimated labor hours, are performed by apprentices.

(2) Contracts for public works shall include provisions detailing the Illinois Works Apprenticeship Initiative requirements.

(b) During the term of a construction contract subject to this Section, the Department may reduce or waive the apprentice labor hour goals upon determination that:

(1) the contractor or subcontractor has demonstrated that it has utilized its best efforts to meet the established percentage requirement but remains unable to fulfill the goal;

(2) the contractor or subcontractor has demonstrated that insufficient apprentices are available to meet the utilization goals;
(3) the reasonable and necessary requirements of the contract render apprentice utilization infeasible at the required levels;

(4) there exists a disproportionately high ratio of material costs to labor hours that makes the required minimum level of apprentice participation infeasible;

(5) apprentice labor hour goals are in conflict with funding agreements in place, including federal aid projects, in connection with the public work; or

(6) the reduction or waiver is warranted for reasons deemed appropriate by the Department and not inconsistent with the purpose and goals of this Section.

(c) No later than one year after the effective date of this Act, and by April 1 of every calendar year thereafter, the Department shall report to the Illinois Works Jobs Task Force the use of apprentices under the Illinois Works Apprentice Initiative for public work projects. The report shall include, to the extent it is available:

(1) The number of new apprentices indentured during the reporting year as a result of the Illinois Works Apprentice Initiative requirement, broken down by trade.

(2) The percentage of apprentices in training on public works projects who have graduated to journey level during the reporting year.

Section 1-25. Illinois Works Credit Bank.
(a) To increase disadvantaged, minority, women, and veteran-owned business contracting opportunities, as well as diversify Illinois' construction trade workforce, there is created the Illinois Works Credit Bank. The Illinois Works Credit Bank, administered by the Department, shall provide economic incentives to encourage contractors and subcontractors to provide contracting and employment opportunities for historically underrepresented segments of the construction industry. Bid credits may be used toward future public work bids in order to lower the contractor's or subcontractor's bid amount and increase the chances of that contractor or subcontractor being deemed the lowest responsible bidder.

(b) The Department shall create a bid credit program that allows any construction contractor or subcontractor to earn bid credits on public work jobs, which may be used toward future public work bids, for hiring and retaining employees from minority populations, disadvantaged persons, and women. Contractors shall earn bid credits at a rate established by the Department and published on the agency's website. A contractor or subcontractor shall also be eligible for a one-time, $5,000 bid credit when it hires an apprentice who has successfully completed the Illinois Works Jobs Program and retains that person for not less than 160 hours. Each contractor or subcontractor seeking to receive the one-time hiring bid credit must provide the Department with documentation of the
employee's successful completion of the Illinois Works Jobs Program, proof of employment, actual hours worked, and wages paid to the employee.

(c) The Department shall create a bid credit program to provide economic incentive to prime contractors for subcontracting to State-certified disadvantaged, minority, women, or veteran-owned businesses on public works construction jobs. "State-certified" includes certifications from the Illinois Unified Certification Program. Contractors shall earn bid credits at a rate established by the Department and published on the agency's website.

(d) Any contractor or subcontractor found to be reporting falsified records to the Department in order to fraudulently obtain bid credits shall be permanently barred from participating in the Illinois Works Credit Bank program. The Department may report such fraudulent activity to the Office of the Illinois Attorney General or applicable law enforcement authorities.

(e) The Department shall adopt any rules deemed necessary to implement the Illinois Works Credit Bank.

Article 2.

Section 2-1. Short title. This Article may be cited as the Transportation Funding Protection Act. References in this Article to "this Act" mean this Article.
Section 2-10. Transportation funding.

(a) It is known that transportation funding is generated by several transportation fees outlined in Section 2 of the Motor Fuel Tax Act, Section 5-1035.1 of the Counties Code, Section 8-11-2.3 of the Illinois Municipal Code, and Sections 3-805, 3-806, 3-815, 3-818, 3-819, 3-821, and 6-118 of the Illinois Vehicle Code.

(b) The funds described in this Act and all other funds described in Section 11 of Article IX of the Illinois Constitution are dedicated to transportation purposes and shall not, by transfer, offset, or otherwise, be diverted by any local government, including, without limitation, any home rule unit of government, to any purpose other than transportation purposes. This Act is declarative of existing law.

Article 3.

Section 3-5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by adding Section 2705-203 as follows:

(20 ILCS 2705/2705-203 new)

Sec. 2705-203. Transportation asset management plan and performance-based programming.
(a) The General Assembly declares it to be in the public interest that a statewide transportation performance program and project prioritization process be developed and implemented to improve the efficiency and effectiveness of the State's transportation system, transportation safety, transportation accessibility for people and goods and environmental quality and to promote inclusive economic growth throughout the State.

(b) The Department of Transportation shall establish and implement a statewide transportation performance program for all transportation facilities under its jurisdiction. The purposes of the statewide transportation performance program are to:

   (1) establish a strategic approach that uses transportation system information to make investment and policy decisions to achieve statewide and regional performance goals;

   (2) ensure transportation investment decisions emerge from an objective and quantifiable technical analysis;

   (3) evaluate the need and financial support necessary for maintaining, expanding, and modernizing existing transportation infrastructure;

   (4) ensure that all state transportation funds invested are directed to support progress toward the achievement of performance targets established in asset management plans and the State and regional performance
targets under the National Performance Management Measures Program; and

(5) make investment decisions transparent and accessible to the public.

(c) The Department shall develop a risk-based, statewide highway system asset management plan to preserve and improve the conditions of highway and bridge assets and enhance the performance of the system while minimizing life-cycle cost. The asset management plan shall include, at a minimum, strategies leading to a program of projects that would make progress toward achievement of targets for asset condition and performance of the State highway system. The asset management plan shall be made publicly available on the Department's website.

(d) The Department shall develop a needs-based asset management plan for State-supported public transportation assets, including vehicles, facilities, equipment, and other infrastructure. The transit asset management plan shall include transit services using federal funding under 49 U.S.C. 5311, transit services having fewer than 100 vehicles operating in the peak hour in all fixed-route modes, and transit services having fewer than 100 vehicles in one non-fixed route, and that do not develop their own asset management plans. The goal of the transit asset management plan is to preserve and modernize capital transit assets that will enhance the performance of the system. The transit asset management plan shall establish a
strategic and systematic process to invest in operating, maintaining, and improving public transportation capital assets effectively through their entire life cycle. Federally required transit asset management plans developed by the Regional Transportation Authority (RTA) or service boards, as defined in Section 1.03 of the Regional Transportation Authority Act, shall become the transportation asset management plan for all public transportation assets owned and operated by the service boards. The Department's transit asset management plan shall be made publicly available on the Department's website. The RTA shall be responsible for making public transit asset management plans for its service area publicly available.

(e) The Department shall develop a performance-based project selection process to prioritize taxpayer investment in transportation assets that go above and beyond maintaining the existing system in a state of good repair and to evaluate projects that add capacity. The goal of the process is to select projects equitably through an evaluation process that assesses the costs and benefits of new investment. This process shall provide the flexibility to take into consideration the unique needs of communities across the State. The Department shall solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, representatives of labor and private businesses, and other stakeholders in its development of the prioritization
process pursuant to this subsection.

The selection process shall include a defined, public means by which candidate projects shall be submitted, evaluated, and selected. The process shall include both a quantitative analysis of the evaluation factors and qualitative review by the Department. The Department may apply different weights to the performance measures based on regional geography or project type. Projects selected as part of the process shall be included in the State's multi-year transportation plan and the annual element of the multi-year plan. The policies that guide the performance-based project selection process shall be derived from State and regional long-range transportation plans. Starting January 1, 2020, no project shall be included in the multi-year transportation plan or annual element without being evaluated under the selection process described in this subsection. The Department shall certify that it is making progress toward condition targets anticipated in its transportation asset management plan before programming projects using the process described in this subsection. All plan and program development based on the project selection process described in this subsection shall include consideration of regional equity. The selection process shall be based on an objective and quantifiable analysis that considers, at a minimum, the following factors: (1) congestion mitigation or improved traffic operations, (2) economic development, (3) livability, (4) environmental impact, (5)
accessibility, and (6) safety.

(f) The prioritization process developed under subsection (e) shall not apply to:

(1) projects funded by the Congestion Mitigation and Air Quality Improvement funds apportioned to the State pursuant to 23 U.S.C. 104(b)(4) and State matching funds;

(2) projects funded by the Highway Safety Improvement Program funds apportioned to the State pursuant to 23 U.S.C. 104(b)(3) and State matching funds;

(3) projects funded by the Transportation Alternatives funds set-aside pursuant to 23 U.S.C. 213 and State matching funds;

(4) projects funded by the National Highway Freight Program pursuant to 23 U.S.C. 167 and State matching funds; and

(5) funds to be allocated to urban areas based on population under federal law.

(g) A summary of the project evaluation process, measures, program, and scores for all candidate projects shall be published on the website of the Department in a timely manner.

Section 3-10. The State Finance Act is amended by adding Sections 5.891, 5.893, and 6z-107 as follows:

(30 ILCS 105/5.891 new)

Sec. 5.891. The Illinois Works Fund.
Sec. 5.893. The Municipal Motor Fuel Tax Fund.

(30 ILCS 105/6z-107 new)

Sec. 6z-107. The Transit Capital Projects Fund.

(a) The Transit Capital Projects Fund is created as a special fund in the State treasury.

(b) Beginning as soon as possible after the effective date of this amendatory Act of the 101st General Assembly and for each fiscal year thereafter, the Department of Transportation, subject to appropriation, shall make lump sum distributions from the Transit Capital Projects Fund to the recipients in the amounts specified in subsection (c). The recipients must use the moneys for capital projects or the payment of debt service on bonds issued for capital projects.

(c) Each year's distribution under subsection (b) shall be as follows: (1) 80% to the Regional Transportation Authority; and (2) the remainder of the money shall be transferred to the Downstate Transit Improvement Fund to make competitive capital grants for transit agencies in Illinois other than the Regional Transportation Authority.

Section 3-15. The Illinois Income Tax Act is amended by adding Section 229 as follows:
Sec. 229. Apprenticeship education expense credit.

(a) For tax years ending on or after December 31, 2019, a taxpayer who is the employer of one or more qualifying apprentices shall be allowed a credit against the tax imposed by subsections (a) and (b) of Section 201 for qualified education expenses incurred on behalf of a qualifying apprentice. The credit shall be equal to 100% of qualified education expenses, but in no event may the total credit amount awarded to a single taxpayer in a single taxable year exceed $3,500. In no event shall a credit under this Section reduce the taxpayer's liability under this Act to less than zero.

If the taxpayer is a partnership or Subchapter S corporation, the credit shall be allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(b) The taxpayer shall provide the Department such information as the Department may require, including, but not limited to: (1) the name, age, and taxpayer identification number of each qualifying apprentice employed by the taxpayer during the taxable year; (2) the amount of qualified education expenses incurred with respect to each qualifying apprentice; and (3) the name of the school at which the qualifying apprentice is enrolled and the qualified education expenses are incurred.
(c) For purposes of this Section:

"Employer" means an Illinois taxpayer who is the employer of the qualifying apprentice.

"Qualifying apprentices" means individuals who: (1) are residents of the State of Illinois, (2) are between the ages of 16 and 30 years old at the close of the academic year for which a credit is sought, (3) were full-time apprentices enrolled in an apprenticeship program that is registered with the United States Department of Labor, Office of Apprenticeship during the academic year for which a credit is sought, and (4) are employed in Illinois by the taxpayer who is the employer.

"Qualified education expense" means the amount incurred on behalf of a qualifying apprentice not to exceed $3,500 for tuition, book fees, and lab fees at the school or community college in which the apprentice is enrolled during the regular school year.

"School" means any public or nonpublic secondary school in Illinois that is: (1) an institution of higher education that provides a program that leads to industry-recognized postsecondary credential or degree; (2) an entity that carries out programs registered under the federal National Apprenticeship Act; or (3) another public or private provider of a program of training services, which may include a joint labor-management organization.

(d) This Section is exempt from the provisions of Section 250.
Section 3-20. The Motor Fuel Tax Law is amended by changing Sections 2 and 8 and by adding Section 2e as follows:

(35 ILCS 505/2) (from Ch. 120, par. 418)

Sec. 2. A tax is imposed on the privilege of operating motor vehicles upon the public highways and recreational-type watercraft upon the waters of this State.

(a) Prior to August 1, 1989, the tax is imposed at the rate of 13 cents per gallon on all motor fuel used in motor vehicles operating on the public highways and recreational type watercraft operating upon the waters of this State. Beginning on August 1, 1989 and until January 1, 1990, the rate of the tax imposed in this paragraph shall be 16 cents per gallon. Beginning January 1, 1990 and until July 1, 2019, the rate of the tax imposed in this paragraph, including the tax on compressed natural gas, shall be 19 cents per gallon. Beginning on July 1, 2019 and until July 1, 2020, the rate of the tax imposed in this paragraph (a) shall be 44 cents per gallon.

By June 1, 2020 and by June 1 of each year thereafter, the Department shall determine an annual rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, the Department shall publish on the Department's website the rate that will take effect on July 1 of that calendar year. The rate shall be equal to the product of the
rate in effect multiplied by the transportation fee index
factor determined under Section 2e. Each new rate may not
exceed the rate in effect on June 30 of the previous year plus
one cent.

(b) The tax on the privilege of operating motor vehicles
which use diesel fuel, liquefied natural gas, or propane shall
be the rate according to paragraph (a) plus an additional 8 1/2
cents per gallon. "Diesel fuel" is defined as any product
intended for use or offered for sale as a fuel for engines in
which the fuel is injected into the combustion chamber and
ignited by pressure without electric spark.

(c) A tax is imposed upon the privilege of engaging in the
business of selling motor fuel as a retailer or reseller on all
motor fuel used in motor vehicles operating on the public
highways and recreational type watercraft operating upon the
waters of this State: (1) at the rate of 3 cents per gallon on
motor fuel owned or possessed by such retailer or reseller at
12:01 a.m. on August 1, 1989; and (2) at the rate of 3 cents per
gallon on motor fuel owned or possessed by such retailer or
reseller at 12:01 A.M. on January 1, 1990.

Retailers and resellers who are subject to this additional
tax shall be required to inventory such motor fuel and pay this
additional tax in a manner prescribed by the Department of
Revenue.

The tax imposed in this paragraph (c) shall be in addition
to all other taxes imposed by the State of Illinois or any unit
of local government in this State.

(d) Except as provided in Section 2a, the collection of a tax based on gallonage of gasoline used for the propulsion of any aircraft is prohibited on and after October 1, 1979.

(e) The collection of a tax, based on gallonage of all products commonly or commercially known or sold as 1-K kerosene, regardless of its classification or uses, is prohibited (i) on and after July 1, 1992 until December 31, 1999, except when the 1-K kerosene is either: (1) delivered into bulk storage facilities of a bulk user, or (2) delivered directly into the fuel supply tanks of motor vehicles and (ii) on and after January 1, 2000. Beginning on January 1, 2000, the collection of a tax, based on gallonage of all products commonly or commercially known or sold as 1-K kerosene, regardless of its classification or uses, is prohibited except when the 1-K kerosene is delivered directly into a storage tank that is located at a facility that has withdrawal facilities that are readily accessible to and are capable of dispensing 1-K kerosene into the fuel supply tanks of motor vehicles. For purposes of this subsection (e), a facility is considered to have withdrawal facilities that are not "readily accessible to and capable of dispensing 1-K kerosene into the fuel supply tanks of motor vehicles" only if the 1-K kerosene is delivered from: (i) a dispenser hose that is short enough so that it will not reach the fuel supply tank of a motor vehicle or (ii) a dispenser that is enclosed by a fence or other physical barrier
so that a vehicle cannot pull alongside the dispenser to permit fueling.

Any person who sells or uses 1-K kerosene for use in motor vehicles upon which the tax imposed by this Law has not been paid shall be liable for any tax due on the sales or use of 1-K kerosene.

(Source: P.A. 100-9, eff. 7-1-17.)

(35 ILCS 505/2e new)

Sec. 2e. Transportation fee index factors.

(a) For purposes of this Section, "Consumer Price Index" means the Consumer Price Index for all Urban Consumers, U.S. city average, all items, using the index base period of 1982-1984 equal to 100, as published by the Bureau of Labor Statistics of the United States Department of Labor.

(b) The Department shall calculate an annual index factor to be used for the rate to take effect each July 1 beginning in 2020. The Department shall determine the index factor before May 1 of each year using the method described in subsection (c).

(c) The annual index factor to be used each year equals the following:

STEP ONE: Divide the annual Consumer Price Index for the year preceding the determination year by the annual Consumer Price Index for the year immediately preceding that year.
STEP TWO: Divide the annual Illinois Personal Income for the year preceding the determination year by the annual Illinois Personal Income for the year immediately preceding that year.

STEP THREE: Add:
(1) the STEP ONE result; and
(2) the STEP TWO result.

STEP FOUR: Divide the STEP THREE result by 2.

(35 ILCS 505/8) (from Ch. 120, par. 424)
Sec. 8. Except as provided in Section 8a, subdivision (h)(1) of Section 12a, Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all money received by the Department under this Act, including payments made to the Department by member jurisdictions participating in the International Fuel Tax Agreement, shall be deposited in a special fund in the State treasury, to be known as the "Motor Fuel Tax Fund", and shall be used as follows:
(a) 2 1/2 cents per gallon of the tax collected on special fuel under paragraph (b) of Section 2 and Section 13a of this Act shall be transferred to the State Construction Account Fund in the State Treasury;
(b) $420,000 shall be transferred each month to the State Boating Act Fund to be used by the Department of Natural Resources for the purposes specified in Article X of the Boat Registration and Safety Act;
(c) $3,500,000 shall be transferred each month to the Grade Crossing Protection Fund to be used as follows: not less than $12,000,000 each fiscal year shall be used for the construction or reconstruction of rail highway grade separation structures; $2,250,000 in fiscal years 2004 through 2009 and $3,000,000 in fiscal year 2010 and each fiscal year thereafter shall be transferred to the Transportation Regulatory Fund and shall be accounted for as part of the rail carrier portion of such funds and shall be used to pay the cost of administration of the Illinois Commerce Commission's railroad safety program in connection with its duties under subsection (3) of Section 18c-7401 of the Illinois Vehicle Code, with the remainder to be used by the Department of Transportation upon order of the Illinois Commerce Commission, to pay that part of the cost apportioned by such Commission to the State to cover the interest of the public in the use of highways, roads, streets, or pedestrian walkways in the county highway system, township and district road system, or municipal street system as defined in the Illinois Highway Code, as the same may from time to time be amended, for separation of grades, for installation, construction or reconstruction of crossing protection or reconstruction, alteration, relocation including construction or improvement of any existing highway necessary for access to property or improvement of any grade crossing and grade crossing surface including the necessary highway approaches thereto of any railroad across the highway or public road, or
for the installation, construction, reconstruction, or maintenance of a pedestrian walkway over or under a railroad right-of-way, as provided for in and in accordance with Section 18c-7401 of the Illinois Vehicle Code. The Commission may order up to $2,000,000 per year in Grade Crossing Protection Fund moneys for the improvement of grade crossing surfaces and up to $300,000 per year for the maintenance and renewal of 4-quadrant gate vehicle detection systems located at non-high speed rail grade crossings. The Commission shall not order more than $2,000,000 per year in Grade Crossing Protection Fund moneys for pedestrian walkways. In entering orders for projects for which payments from the Grade Crossing Protection Fund will be made, the Commission shall account for expenditures authorized by the orders on a cash rather than an accrual basis. For purposes of this requirement an "accrual basis" assumes that the total cost of the project is expended in the fiscal year in which the order is entered, while a "cash basis" allocates the cost of the project among fiscal years as expenditures are actually made. To meet the requirements of this subsection, the Illinois Commerce Commission shall develop annual and 5-year project plans of rail crossing capital improvements that will be paid for with moneys from the Grade Crossing Protection Fund. The annual project plan shall identify projects for the succeeding fiscal year and the 5-year project plan shall identify projects for the 5 directly succeeding fiscal years. The Commission shall submit the annual and 5-year project plans
for this Fund to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives on the first Wednesday in April of each year;

(d) of the amount remaining after allocations provided for in subsections (a), (b) and (c), a sufficient amount shall be reserved to pay all of the following:

(1) the costs of the Department of Revenue in administering this Act;

(2) the costs of the Department of Transportation in performing its duties imposed by the Illinois Highway Code for supervising the use of motor fuel tax funds apportioned to municipalities, counties and road districts;

(3) refunds provided for in Section 13, refunds for overpayment of decal fees paid under Section 13a.4 of this Act, and refunds provided for under the terms of the International Fuel Tax Agreement referenced in Section 14a;

(4) from October 1, 1985 until June 30, 1994, the administration of the Vehicle Emissions Inspection Law, which amount shall be certified monthly by the Environmental Protection Agency to the State Comptroller and shall promptly be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund to the Vehicle Inspection Fund, and for the period July 1, 1994 through June 30, 2000, one-twelfth of $25,000,000 each month, for
the period July 1, 2000 through June 30, 2003, one-twelfth of $30,000,000 each month, and $15,000,000 on July 1, 2003, and $15,000,000 on January 1, 2004, and $15,000,000 on each July 1 and October 1, or as soon thereafter as may be practical, during the period July 1, 2004 through June 30, 2012, and $30,000,000 on June 1, 2013, or as soon thereafter as may be practical, and $15,000,000 on July 1 and October 1, or as soon thereafter as may be practical, during the period of July 1, 2013 through June 30, 2015, for the administration of the Vehicle Emissions Inspection Law of 2005, to be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund into the Vehicle Inspection Fund;

(5) amounts ordered paid by the Court of Claims; and

(6) payment of motor fuel use taxes due to member jurisdictions under the terms of the International Fuel Tax Agreement. The Department shall certify these amounts to the Comptroller by the 15th day of each month; the Comptroller shall cause orders to be drawn for such amounts, and the Treasurer shall administer those amounts on or before the last day of each month;

(e) after allocations for the purposes set forth in subsections (a), (b), (c) and (d), the remaining amount shall be apportioned as follows:

(1) Until January 1, 2000, 58.4%, and beginning January 1, 2000, 45.6% shall be deposited as follows:
(A) 37% into the State Construction Account Fund, and

(B) 63% into the Road Fund, $1,250,000 of which shall be reserved each month for the Department of Transportation to be used in accordance with the provisions of Sections 6-901 through 6-906 of the Illinois Highway Code;

(2) Until January 1, 2000, 41.6%, and beginning January 1, 2000, 54.4% shall be transferred to the Department of Transportation to be distributed as follows:

(A) 49.10% to the municipalities of the State,

(B) 16.74% to the counties of the State having 1,000,000 or more inhabitants,

(C) 18.27% to the counties of the State having less than 1,000,000 inhabitants,

(D) 15.89% to the road districts of the State.

As soon as may be after the first day of each month the Department of Transportation shall allot to each municipality its share of the amount apportioned to the several municipalities which shall be in proportion to the population of such municipalities as determined by the last preceding municipal census if conducted by the Federal Government or Federal census. If territory is annexed to any municipality subsequent to the time of the last preceding census the corporate authorities of such municipality may cause a census to be taken of such annexed territory and the population so
ascertained for such territory shall be added to the population of the municipality as determined by the last preceding census for the purpose of determining the allotment for that municipality. If the population of any municipality was not determined by the last Federal census preceding any apportionment, the apportionment to such municipality shall be in accordance with any census taken by such municipality. Any municipal census used in accordance with this Section shall be certified to the Department of Transportation by the clerk of such municipality, and the accuracy thereof shall be subject to approval of the Department which may make such corrections as it ascertains to be necessary.

As soon as may be after the first day of each month the Department of Transportation shall allot to each county its share of the amount apportioned to the several counties of the State as herein provided. Each allotment to the several counties having less than 1,000,000 inhabitants shall be in proportion to the amount of motor vehicle license fees received from the residents of such counties, respectively, during the preceding calendar year. The Secretary of State shall, on or before April 15 of each year, transmit to the Department of Transportation a full and complete report showing the amount of motor vehicle license fees received from the residents of each county, respectively, during the preceding calendar year. The Department of Transportation shall, each month, use for allotment purposes the last such report received from the
As soon as may be after the first day of each month, the Department of Transportation shall allot to the several counties their share of the amount apportioned for the use of road districts. The allotment shall be apportioned among the several counties in the State in the proportion which the total mileage of township or district roads in the respective counties bears to the total mileage of all township and district roads in the State. Funds allotted to the respective counties for the use of road districts therein shall be allocated to the several road districts in the county in the proportion which the total mileage of such township or district roads in the respective road districts bears to the total mileage of all such township or district roads in the county. After July 1 of any year prior to 2011, no allocation shall be made for any road district unless it levied a tax for road and bridge purposes in an amount which will require the extension of such tax against the taxable property in any such road district at a rate of not less than either .08% of the value thereof, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less. Beginning July 1, 2011 and each July 1 thereafter, an allocation shall be made for any road district if it levied a tax for road and
bridge purposes. In counties other than DuPage County, if the
amount of the tax levy requires the extension of the tax
against the taxable property in the road district at a rate
that is less than 0.08% of the value thereof, based upon the
assessment for the year immediately prior to the year in which
the tax was levied and as equalized by the Department of
Revenue, then the amount of the allocation for that road
district shall be a percentage of the maximum allocation equal
to the percentage obtained by dividing the rate extended by the
district by 0.08%. In DuPage County, if the amount of the tax
levy requires the extension of the tax against the taxable
property in the road district at a rate that is less than the
lesser of (i) 0.08% of the value of the taxable property in the
road district, based upon the assessment for the year
immediately prior to the year in which such tax was levied and
as equalized by the Department of Revenue, or (ii) a rate that
will yield an amount equal to $12,000 per mile of road under
the jurisdiction of the road district, then the amount of the
allocation for the road district shall be a percentage of the
maximum allocation equal to the percentage obtained by dividing
the rate extended by the district by the lesser of (i) 0.08% or
(ii) the rate that will yield an amount equal to $12,000 per
mile of road under the jurisdiction of the road district.

Prior to 2011, if any road district has levied a special
tax for road purposes pursuant to Sections 6-601, 6-602 and
6-603 of the Illinois Highway Code, and such tax was levied in
an amount which would require extension at a rate of not less than .08% of the value of the taxable property thereof, as equalized or assessed by the Department of Revenue, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such levy shall, however, be deemed a proper compliance with this Section and shall qualify such road district for an allotment under this Section. Beginning in 2011 and thereafter, if any road district has levied a special tax for road purposes under Sections 6-601, 6-602, and 6-603 of the Illinois Highway Code, and the tax was levied in an amount that would require extension at a rate of not less than 0.08% of the value of the taxable property of that road district, as equalized or assessed by the Department of Revenue or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, that levy shall be deemed a proper compliance with this Section and shall qualify such road district for a full, rather than proportionate, allotment under this Section. If the levy for the special tax is less than 0.08% of the value of the taxable property, or, in DuPage County if the levy for the special tax is less than the lesser of (i) 0.08% or (ii) $12,000 per mile of road under the jurisdiction of the road district, and if the levy for the special tax is more than any other levy for road and bridge purposes, then the levy for the special tax qualifies the road
district for a proportionate, rather than full, allotment under this Section. If the levy for the special tax is equal to or less than any other levy for road and bridge purposes, then any allotment under this Section shall be determined by the other levy for road and bridge purposes.

Prior to 2011, if a township has transferred to the road and bridge fund money which, when added to the amount of any tax levy of the road district would be the equivalent of a tax levy requiring extension at a rate of at least .08%, or, in DuPage County, an amount equal to or greater than $12,000 per mile of road under the jurisdiction of the road district, whichever is less, such transfer, together with any such tax levy, shall be deemed a proper compliance with this Section and shall qualify the road district for an allotment under this Section.

In counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law, road districts may retain their entitlement to a motor fuel tax allotment or, beginning in 2011, their entitlement to a full allotment if, at the time the property tax extension limitation was imposed, the road district was levying a road and bridge tax at a rate sufficient to entitle it to a motor fuel tax allotment and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. Any road district may in all circumstances retain its entitlement to a motor fuel tax allotment or, beginning in
2011, its entitlement to a full allotment if it levied a road
and bridge tax in an amount that will require the extension of
the tax against the taxable property in the road district at a
rate of not less than 0.08% of the assessed value of the
property, based upon the assessment for the year immediately
preceding the year in which the tax was levied and as equalized
by the Department of Revenue or, in DuPage County, an amount
equal to or greater than $12,000 per mile of road under the
jurisdiction of the road district, whichever is less.

As used in this Section the term "road district" means any
road district, including a county unit road district, provided
for by the Illinois Highway Code; and the term "township or
district road" means any road in the township and district road
system as defined in the Illinois Highway Code. For the
purposes of this Section, "township or district road" also
includes such roads as are maintained by park districts, forest
preserve districts and conservation districts. The Department
of Transportation shall determine the mileage of all township
and district roads for the purposes of making allotments and
allocations of motor fuel tax funds for use in road districts.

Payment of motor fuel tax moneys to municipalities and
counties shall be made as soon as possible after the allotment
is made. The treasurer of the municipality or county may invest
these funds until their use is required and the interest earned
by these investments shall be limited to the same uses as the
principal funds.
Any municipality or county receiving motor fuel tax funds from the Department of Transportation pursuant to this Law may adopt specifications that differ from the Department of Transportation's specifications for the design and construction of hot mix asphalt projects that utilize motor fuel tax funds received by the municipality or county if all components of specifications adopted by the municipality or county for projects are based upon: (1) existing Department of Transportation specifications; (2) full standards promulgated by the American Society for Testing and Materials or the American Association of State Highway and Transportation Officials; (3) Federal Highway Administration Technical Briefs; (4) completed transportation pooled fund studies sponsored by either the Federal Highway Administration or a State Department of Transportation and administered by the Federal Highway Administration; or (5) completed National Cooperative Highway Research Program projects.

(Source: P.A. 97-72, eff. 7-1-11; 97-333, eff. 8-12-11; 98-24, eff. 6-19-13; 98-674, eff. 6-30-14.)

Section 3-25. The Counties Code is amended by changing Section 5-1035.1 as follows:

(55 ILCS 5/5-1035.1) (from Ch. 34, par. 5-1035.1)
Sec. 5-1035.1. County Motor Fuel Tax Law.
(a) The county board of the counties of DuPage, Kane, Lake,
Will, and McHenry may, by an ordinance or resolution adopted by an affirmative vote of a majority of the members elected or appointed to the county board, impose a tax upon all persons engaged in the county in the business of selling motor fuel, as now or hereafter defined in the Motor Fuel Tax Law, at retail for the operation of motor vehicles upon public highways or for the operation of recreational watercraft upon waterways. Kane County may exempt diesel fuel from the tax imposed pursuant to this Section. The initial tax rate may be imposed by the county board at a rate not lower than 4 cents per gallon, in half-cent increments, at a rate not exceeding 4 cents per gallon of motor fuel sold at retail within the county for the purpose of use or consumption and not for the purpose of resale, and not exceeding 8 cents per gallon of motor fuel sold at retail within the county for the purpose of use or consumption and not for the purpose of resale. The Department of Revenue shall calculate annual increases in the tax rate under this Section pursuant to subsection (a-5). The proceeds from the tax shall be used by the county solely for the purpose of operating, constructing and improving public highways and waterways, and acquiring real property and right-of-ways for public highways and waterways within the county imposing the tax.

(a-5) By June 1, 2020 and by June 1 of each year thereafter, the Department shall determine an annual rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later
than June 1 of each year, the Department shall publish on the
Department's website the rate that will take effect on July 1
of that calendar year. The rate shall be equal to the product
of the rate in effect multiplied by the transportation fee
index factor determined under Section 2e of the Motor Fuel Tax
Law. Each new rate may not exceed the rate in effect on June 30
of the previous year plus one cent.

(b) A tax imposed pursuant to this Section, and all civil
penalties that may be assessed as an incident thereof, shall be
administered, collected and enforced by the Illinois
Department of Revenue in the same manner as the tax imposed
under the Retailers' Occupation Tax Act, as now or hereafter
amended, insofar as may be practicable; except that in the
event of a conflict with the provisions of this Section, this
Section shall control. The Department of Revenue shall have
full power: to administer and enforce this Section; to collect
all taxes and penalties due hereunder; to dispose of taxes and
penalties so collected in the manner hereinafter provided; and
to determine all rights to credit memoranda arising on account
of the erroneous payment of tax or penalty hereunder.

(c) Whenever the Department determines that a refund shall
be made under this Section to a claimant instead of issuing a
credit memorandum, the Department shall notify the State
Comptroller, who shall cause the order to be drawn for the
amount specified, and to the person named, in the notification
from the Department. The refund shall be paid by the State
The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder, which shall be deposited into the County Option Motor Fuel Tax Fund, a special fund in the State Treasury which is hereby created. On or before the 25th day of each calendar month, the Department shall prepare and certify to the State Comptroller the disbursement of stated sums of money to named counties for which taxpayers have paid taxes or penalties hereunder to the Department during the second preceding calendar month. The amount to be paid to each county shall be the amount (not including credit memoranda) collected hereunder from retailers within the county during the second preceding calendar month by the Department, but not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; less 2% of the balance, which sum shall be retained by the State Treasurer to cover the costs incurred by the Department in administering and enforcing the provisions of this Section. The Department, at the time of each monthly disbursement to the counties, shall prepare and certify to the Comptroller the amount so retained by the State Treasurer, which shall be transferred into the Tax Compliance and Administration Fund.

A county may direct, by ordinance, that all or a portion of the taxes and penalties collected under the County
Option Motor Fuel Tax shall be deposited into the Transportation Development Partnership Trust Fund.

(f) Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(g) An ordinance or resolution imposing a tax hereunder or effecting a change in the rate thereof shall be effective on the first day of the second calendar month next following the month in which the ordinance or resolution is adopted and a certified copy thereof is filed with the Department of Revenue, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the county as of the effective date of the ordinance or resolution. Upon a change in rate of a tax levied hereunder, or upon the discontinuance of the tax, the county board of the county shall, on or not later than 5 days after the effective date of the ordinance or resolution discontinuing the tax or effecting a change in rate, transmit to the Department of Revenue a certified copy of the ordinance or resolution effecting the change or discontinuance.

(h) This Section shall be known and may be cited as the County Motor Fuel Tax Law.

(Source: P.A. 98-1049, eff. 8-25-14.)
adding Section 8-11-2.3 as follows:

(65 ILCS 5/8-11-2.3 new)

Sec. 8-11-2.3. Motor fuel tax. Notwithstanding any other provision of law, in addition to any other tax that may be imposed, if a municipality adopts a responsible bid ordinance that is approved by the Department of Transportation, then the municipality may also impose, by ordinance, a tax on motor fuel at a rate not to exceed $0.03 per gallon. To be approved by the Department pursuant to this Section, a responsible bid ordinance must, at a minimum, require that bidders present satisfactory evidence of compliance with the following:

(1) The bidder must comply with all applicable laws concerning the bidder's entitlement to conduct business in Illinois.

(2) The bidder must comply with all applicable provisions of the Prevailing Wage Act.

(3) The bidder must comply with Subchapter VI ("Equal Employment Opportunities") of Chapter 21 of Title 42 of the United States Code (42 U.S.C. 2000e and following) and with Federal Executive Order No. 11246 as amended by Executive Order No. 11375.

(4) The bidder must have a valid Federal Employer Identification Number or, if an individual, a valid Social Security Number.

(5) The bidder must have a valid certificate of
insurance showing the following coverages: general liability, professional liability, product liability, workers' compensation, completed operations, hazardous occupation, and motor vehicles.

(6) The bidder and all bidder's subcontractors must participate in applicable apprenticeship and training programs approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

(7) The bidder must certify that the bidder will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract.

Upon approval, the Department of Transportation shall certify the responsible bid ordinance to the Department of Revenue. The Department of Revenue shall administer and enforce the motor fuel tax on and after the first day of January next following the adoption of the motor fuel tax ordinance. The Department of Revenue shall adopt rules for the implementation and administration of the motor fuel tax.

A license that is issued to a distributor or a receiver under the Motor Fuel Tax Law shall permit that distributor or receiver to act as a distributor or receiver, as applicable, under this Section. The provisions of Sections 2b, 2d, 6, 6a, 12, 12a, 13, 13a.2, 13a.7, 13a.8, 15.1, and 21 of the Motor Fuel Tax Law that are not inconsistent with this Section shall
apply as far as practicable to the subject matter of this
Section to the same extent as if those provisions were included
in this Section.

The Department shall immediately pay over to the State
Treasurer, ex officio, as trustee, all taxes and penalties
collected under this Section. Those taxes and penalties shall
be deposited into the Municipal Motor Fuel Tax Fund, a trust
fund created in the State treasury. Moneys in the Municipal
Motor Fuel Tax Fund shall be used to make payments to
municipalities and for the payment of refunds under this
Section. The amount to be paid to each municipality shall be
the amount (not including credit memoranda) collected by the
Department from the tax imposed by that municipality under this
Section during the second preceding calendar month, plus an
amount the Department determines is necessary to offset amounts
that were erroneously paid to a different municipality, and not
including an amount equal to the amount of refunds made during
the second preceding calendar month by the Department on behalf
of the municipality, and not including any amount that the
Department determines is necessary to offset any amounts that
were payable to a different municipality but were erroneously
paid to the municipality, less 1.5% of the remainder, which the
Department shall transfer into the Tax Compliance and
Administration Fund. The Department, at the time of each
monthly disbursement, shall prepare and certify to the State
Comptroller the amount to be transferred into the Tax
Compliance and Administration Fund under this Section. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities and the Tax Compliance and Administration Fund provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in the certification.

Section 3-35. The Regional Transportation Authority Act is amended by changing Section 4.03 and by adding Section 2.39 as follows:

(70 ILCS 3615/2.39 new)


(a) The Authority shall develop a transparent prioritization process for Northeastern Illinois transit projects receiving State capital funding. The prioritization process must consider, at a minimum: (1) access to jobs, (2) reliability improvement, (3) capacity needs, (4) safety, (5) state of good repair, (6) equity, (7) economic development, and (7) ridership demand. All State capital funding awards shall be made by the Regional Transportation Authority in accordance with the prioritization process. An appropriate public input process shall be established. The Authority shall make a report to the General Assembly each year describing its prioritization
process and its use in funding awards.

(b) A summary of the project evaluation process, measures, program, and scores for all candidate projects shall be published on the website of the Authority in a timely manner.

(70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

Sec. 4.03. Taxes.

(a) In order to carry out any of the powers or purposes of the Authority, the Board may by ordinance adopted with the concurrence of 12 of the then Directors, impose throughout the metropolitan region any or all of the taxes provided in this Section. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes. Nothing in Public Act 95-708 is intended to invalidate any taxes currently imposed by the Authority. The increased vote requirements to impose a tax shall only apply to actions taken after January 1, 2008 (the effective date of Public Act 95-708).

(b) The Board may impose a public transportation tax upon all persons engaged in the metropolitan region in the business of selling at retail motor fuel for operation of motor vehicles upon public highways. The tax shall be at a rate not to exceed 5% of the gross receipts from the sales of motor fuel in the
course of the business. As used in this Act, the term "motor
fuel" shall have the same meaning as in the Motor Fuel Tax Law.
The Board may provide for details of the tax. The provisions of
any tax shall conform, as closely as may be practicable, to the
provisions of the Municipal Retailers Occupation Tax Act,
including without limitation, conformity to penalties with
respect to the tax imposed and as to the powers of the State
Department of Revenue to promulgate and enforce rules and
regulations relating to the administration and enforcement of
the provisions of the tax imposed, except that reference in the
Act to any municipality shall refer to the Authority and the
tax shall be imposed only with regard to receipts from sales of
motor fuel in the metropolitan region, at rates as limited by
this Section.

(c) In connection with the tax imposed under paragraph (b)
of this Section the Board may impose a tax upon the privilege
of using in the metropolitan region motor fuel for the
operation of a motor vehicle upon public highways, the tax to
be at a rate not in excess of the rate of tax imposed under
paragraph (b) of this Section. The Board may provide for
details of the tax.

(d) The Board may impose a motor vehicle parking tax upon
the privilege of parking motor vehicles at off-street parking
facilities in the metropolitan region at which a fee is
charged, and may provide for reasonable classifications in and
exemptions to the tax, for administration and enforcement
thereof and for civil penalties and refunds thereunder and may
provide criminal penalties thereunder, the maximum penalties
not to exceed the maximum criminal penalties provided in the
Retailers' Occupation Tax Act. The Authority may collect and
enforce the tax itself or by contract with any unit of local
government. The State Department of Revenue shall have no
responsibility for the collection and enforcement unless the
Department agrees with the Authority to undertake the
collection and enforcement. As used in this paragraph, the term
"parking facility" means a parking area or structure having
parking spaces for more than 2 vehicles at which motor vehicles
are permitted to park in return for an hourly, daily, or other
periodic fee, whether publicly or privately owned, but does not
include parking spaces on a public street, the use of which is
regulated by parking meters.

(e) The Board may impose a Regional Transportation
Authority Retailers' Occupation Tax upon all persons engaged in
the business of selling tangible personal property at retail in
the metropolitan region. In Cook County, the tax rate shall be
1.25% of the gross receipts from sales of tangible personal
property taxed at the 1% rate under the Retailers' Occupation
Tax Act, and 1% of the gross receipts from other taxable sales
made in the course of that business. In DuPage, Kane, Lake,
McHenry, and Will counties, the tax rate shall be
0.75% of the gross receipts from all taxable sales made in the
course of that business. The tax imposed under this Section and
all civil penalties that may be assessed as an incident thereof
shall be collected and enforced by the State Department of
Revenue. The Department shall have full power to administer and
enforce this Section; to collect all taxes and penalties so
collected in the manner hereinafter provided; and to determine
all rights to credit memoranda arising on account of the
erroneous payment of tax or penalty hereunder. In the
administration of, and compliance with this Section, the
Department and persons who are subject to this Section shall
have the same rights, remedies, privileges, immunities, powers
and duties, and be subject to the same conditions,
restrictions, limitations, penalties, exclusions, exemptions
and definitions of terms, and employ the same modes of
procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,
1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions
therein other than the State rate of tax), 2c, 3 (except as to
the disposition of taxes and penalties collected), 4, 5, 5a,
5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d,
7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act
and Section 3-7 of the Uniform Penalty and Interest Act, as
fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority
granted in this Section may reimburse themselves for their
seller's tax liability hereunder by separately stating the tax
as an additional charge, which charge may be stated in
combination in a single amount with State taxes that sellers
are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

If a tax is imposed under this subsection (e), a tax shall also be imposed under subsections (f) and (g) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the
Regional Transportation Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) If a tax has been imposed under paragraph (e), a Regional Transportation Authority Service Occupation Tax shall also be imposed upon all persons engaged, in the metropolitan region in the business of making sales of service, who as an incident to making the sales of service, transfer tangible personal property within the metropolitan region, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. In Cook County, the tax rate shall be: (1) 1.25% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act that is located in the metropolitan region; (2) 1.25% of the selling price of tangible personal property taxed at the 1% rate under the Service Occupation Tax Act; and (3) 1% of the selling price from other taxable sales of tangible personal property transferred. In DuPage, Kane, Lake, McHenry, and Will counties, the rate shall be 0.75% of the selling price of all tangible personal property transferred.

The tax imposed under this paragraph and all civil
penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of
the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(g) If a tax has been imposed under paragraph (e), a tax shall also be imposed upon the privilege of using in the metropolitan region, any item of tangible personal property that is purchased outside the metropolitan region at retail from a retailer, and that is titled or registered with an
agency of this State's government. In Cook County, the tax rate shall be 1% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry and Will counties, the tax rate shall be 0.75% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan region. The tax shall be collected by the Department of Revenue for the Regional Transportation Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties, and interest due hereunder; to dispose of taxes, penalties, and interest collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest.
hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act, and are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

(h) The Authority may impose a replacement vehicle tax of $50 on any passenger car as defined in Section 1-157 of the Illinois Vehicle Code purchased within the metropolitan region
by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the Authority in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the Authority. The amount to be paid to the Authority shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department
to be necessary for the payment of refunds, and less any
amounts that are transferred to the STAR Bonds Revenue Fund.
Within 10 days after receipt by the Comptroller of the
disbursement certification to the Authority provided for in
this Section to be given to the Comptroller by the Department,
the Comptroller shall cause the orders to be drawn for that
amount in accordance with the directions contained in the
certification.

(i) The Board may not impose any other taxes except as it
may from time to time be authorized by law to impose.

(j) A certificate of registration issued by the State
Department of Revenue to a retailer under the Retailers'
Occupation Tax Act or under the Service Occupation Tax Act
shall permit the registrant to engage in a business that is
taxed under the tax imposed under paragraphs (b), (e), (f) or
(g) of this Section and no additional registration shall be
required under the tax. A certificate issued under the Use Tax
Act or the Service Use Tax Act shall be applicable with regard
to any tax imposed under paragraph (c) of this Section.

(k) The provisions of any tax imposed under paragraph (c)
of this Section shall conform as closely as may be practicable
to the provisions of the Use Tax Act, including without
limitation conformity as to penalties with respect to the tax
imposed and as to the powers of the State Department of Revenue
to promulgate and enforce rules and regulations relating to the
administration and enforcement of the provisions of the tax
imposed. The taxes shall be imposed only on use within the
metropolitan region and at rates as provided in the paragraph.

(l) The Board in imposing any tax as provided in paragraphs
(b) and (c) of this Section, shall, after seeking the advice of
the State Department of Revenue, provide means for retailers,
users or purchasers of motor fuel for purposes other than those
with regard to which the taxes may be imposed as provided in
those paragraphs to receive refunds of taxes improperly paid,
which provisions may be at variance with the refund provisions
as applicable under the Municipal Retailers Occupation Tax Act.
The State Department of Revenue may provide for certificates of
registration for users or purchasers of motor fuel for purposes
other than those with regard to which taxes may be imposed as
provided in paragraphs (b) and (c) of this Section to
facilitate the reporting and nontaxability of the exempt sales
or uses.

(m) Any ordinance imposing or discontinuing any tax under
this Section shall be adopted and a certified copy thereof
filed with the Department on or before June 1, whereupon the
Department of Revenue shall proceed to administer and enforce
this Section on behalf of the Regional Transportation Authority
as of September 1 next following such adoption and filing.
Beginning January 1, 1992, an ordinance or resolution imposing
or discontinuing the tax hereunder shall be adopted and a
certified copy thereof filed with the Department on or before
the first day of July, whereupon the Department shall proceed
to administer and enforce this Section as of the first day of
October next following such adoption and filing. Beginning
January 1, 1993, an ordinance or resolution imposing,
increasing, decreasing, or discontinuing the tax hereunder
shall be adopted and a certified copy thereof filed with the
Department, whereupon the Department shall proceed to
administer and enforce this Section as of the first day of the
first month to occur not less than 60 days following such
adoption and filing. Any ordinance or resolution of the
Authority imposing a tax under this Section and in effect on
August 1, 2007 shall remain in full force and effect and shall
be administered by the Department of Revenue under the terms
and conditions and rates of tax established by such ordinance
or resolution until the Department begins administering and
enforcing an increased tax under this Section as authorized by
Public Act 95-708. The tax rates authorized by Public Act
95-708 are effective only if imposed by ordinance of the
Authority.

(n) Except as otherwise provided in this subsection (n),
the State Department of Revenue shall, upon collecting any
taxes as provided in this Section, pay the taxes over to the
State Treasurer as trustee for the Authority. The taxes shall
be held in a trust fund outside the State Treasury. On or
before the 25th day of each calendar month, the State
Department of Revenue shall prepare and certify to the
Comptroller of the State of Illinois and to the Authority (i)
the amount of taxes collected in each county other than Cook County in the metropolitan region, (ii) the amount of taxes collected within the City of Chicago, and (iii) the amount collected in that portion of Cook County outside of Chicago, each amount less the amount necessary for the payment of refunds to taxpayers located in those areas described in items (i), (ii), and (iii), and less 1.5% of the remainder, which shall be transferred from the trust fund into the Tax Compliance and Administration Fund. The Department, at the time of each monthly disbursement to the Authority, shall prepare and certify to the State Comptroller the amount to be transferred into the Tax Compliance and Administration Fund under this subsection. Within 10 days after receipt by the Comptroller of the certification of the amounts, the Comptroller shall cause an order to be drawn for the transfer of the amount certified into the Tax Compliance and Administration Fund and the payment of two-thirds of the amounts certified in item (i) of this subsection to the Authority and one-third of the amounts certified in item (i) of this subsection to the respective counties other than Cook County and the amount certified in items (ii) and (iii) of this subsection to the Authority.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in July 1991 and each year thereafter to the Regional Transportation Authority. The allocation shall be made in an amount equal to the average
monthly distribution during the preceding calendar year (excluding the 2 months of lowest receipts) and the allocation shall include the amount of average monthly distribution from the Regional Transportation Authority Occupation and Use Tax Replacement Fund. The distribution made in July 1992 and each year thereafter under this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department of Revenue shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(o) Failure to adopt a budget ordinance or otherwise to comply with Section 4.01 of this Act or to adopt a Five-year Capital Program or otherwise to comply with paragraph (b) of Section 2.01 of this Act shall not affect the validity of any tax imposed by the Authority otherwise in conformity with law.

(p) (Blank). At no time shall a public transportation tax or motor vehicle parking tax authorized under paragraphs (b), (c) and (d) of this Section be in effect at the same time as any retailers' occupation, use or service occupation tax authorized under paragraphs (e), (f) and (g) of this Section is in effect.

Any taxes imposed under the authority provided in paragraphs (b), (c) and (d) shall remain in effect only until the time as any tax authorized by paragraphs (e), (f) or (g) of this Section are imposed and becomes effective. Once any tax
authorized by paragraphs (e), (f) or (g) is imposed the Board may not reimpose taxes as authorized in paragraphs (b), (c) and (d) of the Section unless any tax authorized by paragraphs (e), (f) or (g) of this Section becomes ineffective by means other than an ordinance of the Board.

(q) Any existing rights, remedies and obligations (including enforcement by the Regional Transportation Authority) arising under any tax imposed under paragraph paragraphs (b), (c) or (d) of this Section shall not be affected by the imposition of a tax under paragraph paragraphs (e), (f) or (g) of this Section.

(Source: P.A. 99-180, eff. 7-29-15; 99-217, eff. 7-31-15; 99-642, eff. 7-28-16; 100-23, eff. 7-6-17; 100-587, eff. 6-4-18; 100-1171, eff. 1-4-19; revised 1-11-19.)

Section 3-40. The Illinois Highway Code is amended by changing Sections 4-221 and 4-222 as follows:

(605 ILCS 5/4-221)

Sec. 4-221. Mix designs. To the extent allowed by federal law, the Department specifications shall allow the use of recycled asphalt roofing shingles, including asphalt rejuvenating agents and binder performance grade modifiers, in mix designs used for the construction and maintenance of State highways. All asphalt roofing shingles used in Department projects shall be from recycling facilities that are approved
by the Illinois Environmental Protection Agency and that are in compliance with the operational guidelines and asbestos-testing requirements set forth by the Agency under received from facilities authorized to process asphalt roofing shingles for recycling into asphalt pavement in accordance with (i) permits issued pursuant to Section 39 of the Environmental Protection Act or (ii) beneficial use determinations issued pursuant to Section 22.54 of the Environmental Protection Act.

In creating the mix designs used for construction and maintenance of State highways, it shall be the goal of the Department, through its specifications, to maximize the percentage of recycled asphalt roofing shingles and binder replacement and to maximize the use of recycled aggregates and other lowest-cost constituents in the mix, including asphalt rejuvenating agents and binder performance grade modifiers, so long as there is no detrimental impact on life-cycle costs.

(Source: P.A. 97-314, eff. 1-1-12.)

(605 ILCS 5/4-222)

Sec. 4-222. Recycled asphalt roofing shingles; cost savings; prohibitions on use in asphalt paving.

(a) It shall be the goal of the Department, with regard to its asphalt paving projects and to the extent possible, to reduce the carbon footprint and reduce average costs by maximizing the percentage use of recycled materials or lowest cost alternative materials, including asphalt rejuvenating
agents and binder performance grade modifiers, and extending
the paving season so long as there is no detrimental impact on
life-cycle costs. In furtherance of these goals, the Department
shall provide to the Chairpersons of the Transportation
Committee in each legislative chamber, within 60 days after the
completion of each fiscal year, a written report of the
activities initiated or abandoned in each district or region
within the Department to meet those goals during the previous
year. The report shall also include an analysis of the cost
savings directly or indirectly attributed to those activities
within each district or region. Upon review of the annual
report, the Transportation Committees in each chamber may
conduct hearings and provide recommendations to the Department
regarding the performance of each district or region.

(b) No producer of asphalt pavement, operating pursuant to
an air permit issued by the Illinois Environmental Protection
Agency, shall use recycled asphalt roofing shingles in its
pavement product unless the shingles have been processed for
recycling into asphalt pavement in accordance with (i) permits
issued pursuant to Section 39 of the Environmental Protection
Act or (ii) beneficial use determinations issued pursuant to
Section 22.54 of the Environmental Protection Act. The
prohibition in this subsection (b) shall apply in addition to
any other rules, specifications, or other requirements adopted
by the Department regarding the use of asphalt roofing shingles
in pavement product.
Section 3-45. The Illinois Vehicle Code is amended by changing Sections 2-119, 3-402.1, 3-805, 3-806, 3-815, 3-818, 3-819, 3-821, 6-118, and 20-101 as follows:

(625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

Sec. 2-119. Disposition of fees and taxes.
(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.
(b) Of the money collected for each certificate of title, duplicate certificate of title, and corrected certificate of title:
   (1) $2.60 shall be deposited in the Park and Conservation Fund;
   (2) $0.65 shall be deposited in the Illinois Fisheries Management Fund;
   (3) $108 shall be disbursed under subsection (g) of this Section;
   (4) $4 shall be deposited into the Motor Vehicle License Plate Fund; and
   (5) $30 shall be deposited into the Capital Projects Fund.

All remaining moneys collected for certificates of title, and all moneys collected for filing of security interests, shall be deposited in the General Revenue Fund.
The $20 collected for each delinquent vehicle registration renewal fee shall be deposited into the General Revenue Fund. The moneys deposited in the Park and Conservation Fund under this Section shall be used for the acquisition and development of bike paths as provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. The moneys deposited into the Park and Conservation Fund under this subsection shall not be subject to administrative charges or chargebacks, unless otherwise authorized by this Code.

If the balance in the Motor Vehicle License Plate Fund exceeds $40,000,000 on the last day of a calendar month, then during the next calendar month, the $4 that otherwise would be deposited in that fund shall instead be deposited into the Road Fund.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Drivers Education Fund in the State Treasury.

(d) Of the moneys collected as a registration fee for each motorcycle, motor driven cycle, and moped, 27% shall be deposited in the Cycle Rider Safety Training Fund.

(e) (Blank).

(f) Of the total money collected for a commercial learner's permit (CLP) or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial
Driver's License Act (UCDLA): (i) $6 of the total fee for an original or renewal CDL, and $6 of the total CLP fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network/National Motor Vehicle Title Information Service Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) $20 of the total fee for an original or renewal CDL or CLP shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.

(g) Of the moneys received by the Secretary of State as registration fees or taxes, certificates of title, duplicate certificates of title, corrected certificates of title, or as payment of any other fee under this Code, when those moneys are not otherwise distributed by this Code, 37% shall be deposited into the State Construction Account Fund, and 63% shall be deposited in the Road Fund. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).
(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii) for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in administering the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a special fund to be known as the Family Responsibility Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State for the purpose of enforcing the Family Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as
a special fund in the State Treasury. Moneys deposited into the
Fund shall, subject to appropriation, be used by the Office of
the State Fire Marshal for construction of the Illinois Fire
Fighters' Memorial to be located at the State Capitol grounds
in Springfield, Illinois. Upon the completion of the Memorial,
moneys in the Fund shall be used in accordance with Section
3-634.

(o) Of the money collected for each certificate of title
for all-terrain vehicles and off-highway motorcycles, $17
shall be deposited into the Off-Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant
to Section 2-124(d) of this Code, 50% of the money collected as
audit fees shall be deposited into the General Revenue Fund.
(Source: P.A. 98-176 (See Section 10 of P.A. 98-722 and Section
10 of P.A. 99-414 for the effective date of changes made by
P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;
99-127, eff. 1-1-16; 99-933, eff. 1-27-17.)

(625 ILCS 5/3-402.1) (from Ch. 95 1/2, par. 3-402.1)

Sec. 3-402.1. Proportional Registration. Any owner or
rental owner engaged in operating a fleet of apportionable
vehicles in this state and one or more other states may, in
lieu of registration of such vehicles under the general
provisions of sections 3-402, 3-815, 3-815.1, and 3-819,
register and license such fleet for operations in this state by
filing an application statement, signed under penalties of
perjury, with the Secretary of State which shall be in such
form and contain such information as the Secretary of State
shall require, declaring the total mileage operated in all
states by such fleet, the total mileage operated in this state
by such fleet during the preceding year, and describing and
identifying each apportionable vehicle to be operated in this
state during the ensuing year. If mileage data is not available
for the preceding year, the Secretary of State may accept the
latest 12-month period available. "Preceding year" means the
period of 12 consecutive months immediately prior to July 1st
of the year immediately preceding the registration or license
year for which proportional registration is sought.

Such owner shall determine the proportion of in-state miles
to total fleet miles. Such percentage figure shall be such
owner's apportionment factor. In determining the total fee
payment, such owner shall first compute the license fee or fees
for each vehicle within the fleet which would otherwise be
required, and then multiply the said amount by the Illinois
apportionment factor adding the fees for each vehicle to arrive
at a total amount for the fleet. Apportionable trailers and
semitrailers will be registered in accordance with the
provisions of Section 3-813 of this Code.

Upon receipt of the appropriate fees from such owner as
computed under the provisions of this section, the Secretary of
State shall, when this state is the base jurisdiction, issue to
such owner number plates or other distinctive tags or such
evidence of registration as the Secretary of State shall deem appropriate to identify each vehicle in the fleet as a part of a proportionally registered interstate fleet.

Vehicles registered under the provision of this section shall be considered fully licensed and properly registered in Illinois for any type of movement or operation. The proportional registration and licensing provisions of this section shall apply to vehicles added to fleets and operated in this state during the registration year, applying the same apportionment factor to such fees as would be payable for the remainder of the registration year.

Apportionment factors for apportionable vehicles not operated in this state during the preceding year shall be determined by the Secretary of State on the basis of a full statement of the proposed methods of operation and in conformity with an estimated mileage chart as calculated by the Secretary of State. An established fleet adding states at the time of renewal shall estimate mileage for the added states in conformity with a mileage chart developed by the Secretary of State.

(Source: P.A. 93-23, eff. 6-20-03.)

(625 ILCS 5/3-805) (from Ch. 95 1/2, par. 3-805)

Sec. 3-805. Electric vehicles.

(a) The owner of a motor vehicle of the first division or a motor vehicle of the second division weighing 8,000 pounds or
less propelled by an electric engine and not utilizing motor fuel shall register the vehicle for a fee of $1,000 for a one-year registration period, may register such vehicle for a fee not to exceed $35 for a 2-year registration period. The Secretary may, in his discretion, prescribe that electric vehicle registration plates be issued for an indefinite term, such term to correspond to the term of registration plates issued generally, as provided in Section 3-414.1. In no event may the registration fee for electric vehicles exceed $18 per registration year.

(b) By June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration fee increase for motor vehicles under this Section to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the fee that will take effect on July 1 of that calendar year. The fee shall be equal to the product of the fee in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new fee shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

(Source: P.A. 96-1135, eff. 7-21-10.)

(625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)
Sec. 3-806. Registration Fees; Motor Vehicles of the First
Division. Every owner of any other motor vehicle of the first
division, except as provided in Sections 3-804, 3-804.01,
3-804.3, 3-805, 3-806.3, 3-806.7, and 3-808, and every second
division vehicle weighing 8,000 pounds or less, shall pay the
Secretary of State an annual registration fee at the following
rates:

SCHEDULE OF REGISTRATION FEES
REQUIRED BY LAW
Beginning with the 2020 2010 registration year

<table>
<thead>
<tr>
<th>Annual Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor vehicles of the first division other than Autocycles, Motorcycles, Motor Driven Cycles and Pedalcycles</td>
</tr>
<tr>
<td>Autocycles</td>
</tr>
<tr>
<td>Motorcycles, Motor Driven Cycles and Pedalcycles</td>
</tr>
</tbody>
</table>

A $1 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, autocycles, motorcycles, motor driven cycles, and pedalcycles to be deposited into the State Police Vehicle Fund.

All of the proceeds of the additional fees imposed by Public Act 96-34 shall be deposited into the Capital Projects Fund.
A $2 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, autocycles, motorcycles, motor driven cycles, and pedalcycles to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Of the additional fees imposed by this amendatory Act of the 101st General Assembly, $34 of the proceeds per fee collected shall be deposited into the Transit Capital Projects Fund.

For a motor vehicle of the first division other than an autocycle, motorcycle, motor driven cycle, or pedalcycle, by June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration fee increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the fee that will take effect on July 1 of that calendar year. The fee shall be equal to the product of the fee in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new fee shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

(Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12;
(625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Flat weight tax; vehicles of the second division.

(a) Except as provided in Section 3-806.3 and 3-804.3, every owner of a vehicle of the second division registered under Section 3-813, and not registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the $10 registration fee:

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. and Maximum Load</th>
<th>Class</th>
<th>Class</th>
<th>Total Fees</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000 lbs. and less</td>
<td>B</td>
<td></td>
<td>$148</td>
<td>B</td>
</tr>
<tr>
<td>8,001 lbs. to 10,000 lbs.</td>
<td>C</td>
<td></td>
<td>218</td>
<td>C</td>
</tr>
<tr>
<td>10,001 lbs. to 12,000 lbs.</td>
<td>D</td>
<td></td>
<td>238</td>
<td>D</td>
</tr>
<tr>
<td>12,001 lbs. to 16,000 lbs.</td>
<td>F</td>
<td></td>
<td>342</td>
<td>F</td>
</tr>
<tr>
<td>16,001 lbs. to 26,000 lbs.</td>
<td>H</td>
<td></td>
<td>590</td>
<td>H</td>
</tr>
<tr>
<td>26,001 lbs. to 28,000 lbs.</td>
<td>J</td>
<td></td>
<td>730</td>
<td>J</td>
</tr>
<tr>
<td>28,001 lbs. to 32,000 lbs.</td>
<td>K</td>
<td></td>
<td>942</td>
<td>K</td>
</tr>
<tr>
<td>32,001 lbs. to 36,000 lbs.</td>
<td>L</td>
<td></td>
<td>1,082</td>
<td>L</td>
</tr>
</tbody>
</table>
Beginning with the 2010 registration year a $1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

Beginning with the 2014 registration year, a $2 surcharge shall be collected in addition to the above fees for vehicles registered in the 8,000 lb. and less flat weight plate category as described in this subsection (a) to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

All of the proceeds of the additional fees imposed by Public Act 96-34 this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

Of the additional taxes imposed by this amendatory Act of
the 101st General Assembly under this subsection, $34 of the
proceeds per tax collected shall be deposited into the Transit
Capital Projects Fund.

For vehicles subject to the flat weight tax collected under
this subsection, by June 1, 2020 and by June 1 of each year
thereafter, the Department of Revenue shall determine an annual
registration rate increase to take effect on July 1 of that
calendar year and continue through June 30 of the next calendar
year. Not later than June 1 of each year, that Department shall
publish on its website the rate that will take effect on July 1
of that calendar year. The rate shall be equal to the product
of the rate in effect multiplied by the transportation fee
index factor determined under Section 2e of the Motor Fuel Tax
Law. Each new rate shall be rounded to the nearest dollar and
may not exceed 102.5% of the fee in effect on June 30 of the
previous year.

(a-1) A Special Hauling Vehicle is a vehicle or combination
of vehicles of the second division registered under Section
3-813 transporting asphalt or concrete in the plastic state or
a vehicle or combination of vehicles that are subject to the
gross weight limitations in subsection (a) of Section 15-111
for which the owner of the vehicle or combination of vehicles
has elected to pay, in addition to the registration fee in
subsection (a), $125 to the Secretary of State for each
registration year. The Secretary shall designate this class of
vehicle as a Special Hauling Vehicle.
(a-5) Beginning January 1, 2015, upon the request of the vehicle owner, a $10 surcharge shall be collected in addition to the above fees for vehicles in the 12,000 lbs. and less flat weight plate categories as described in subsection (a) to be deposited into the Secretary of State Special License Plate Fund. The $10 surcharge is to identify vehicles in the 12,000 lbs. and less flat weight plate categories as a covered farm vehicle. The $10 surcharge is an annual, flat fee that shall be based on an applicant's new or existing registration year for each vehicle in the 12,000 lbs. and less flat weight plate categories. A designation as a covered farm vehicle under this subsection (a-5) shall not alter a vehicle's registration as a registration in the 12,000 lbs. or less flat weight category. The Secretary shall adopt any rules necessary to implement this subsection (a-5).

(a-10) Beginning January 1, 2019, upon the request of the vehicle owner, the Secretary of State shall collect a $10 surcharge in addition to the fees for second division vehicles in the 8,000 lbs. and less flat weight plate category described in subsection (a) that are issued a registration plate under Article VI of this Chapter. The $10 surcharge shall be deposited into the Secretary of State Special License Plate Fund. The $10 surcharge is to identify a vehicle in the 8,000 lbs. and less flat weight plate category as a covered farm vehicle. The $10 surcharge is an annual, flat fee that shall be based on an applicant's new or existing registration year for
each vehicle in the 8,000 lbs. and less flat weight plate category. A designation as a covered farm vehicle under this subsection (a-10) shall not alter a vehicle's registration in the 8,000 lbs. or less flat weight category. The Secretary shall adopt any rules necessary to implement this subsection (a-10).

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

### MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Vehicle and Maximum Load</th>
<th>Total Fees Each Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000 lbs and less</td>
<td>$78</td>
</tr>
<tr>
<td>8,001 Lbs. to 10,000 Lbs</td>
<td>90</td>
</tr>
<tr>
<td>10,001 Lbs. and Over</td>
<td>102</td>
</tr>
</tbody>
</table>

### CAMPING TRAILER OR TRAVEL TRAILER

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Vehicle and Maximum Load</th>
<th>Total Fees Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,000 Lbs. and Less</td>
<td>$18</td>
</tr>
</tbody>
</table>
Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the $10 registration fee and the highway use tax herein specified as follows:

**SCHEDULE OF FEES AND TAXES**

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. Including Truck and</th>
<th>Class</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>16,000 lbs. or less</td>
<td>VF</td>
<td>$250</td>
</tr>
<tr>
<td>16,001 to 20,000 lbs.</td>
<td>VG</td>
<td>326</td>
</tr>
<tr>
<td>20,001 to 24,000 lbs.</td>
<td>VH</td>
<td>390</td>
</tr>
<tr>
<td>24,001 to 28,000 lbs.</td>
<td>VJ</td>
<td>478</td>
</tr>
<tr>
<td>28,001 to 32,000 lbs.</td>
<td>VK</td>
<td>606</td>
</tr>
<tr>
<td>32,001 to 36,000 lbs.</td>
<td>VL</td>
<td>710</td>
</tr>
<tr>
<td>36,001 to 45,000 lbs.</td>
<td>VP</td>
<td>910</td>
</tr>
<tr>
<td>45,001 to 54,999 lbs.</td>
<td>VR</td>
<td>1,126</td>
</tr>
<tr>
<td>55,000 to 64,000 lbs.</td>
<td>VT</td>
<td>1,302</td>
</tr>
<tr>
<td>Weight Range</td>
<td>Rate Increase</td>
<td>Effective Rate</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---------------</td>
<td>----------------</td>
</tr>
<tr>
<td>64,001 to 73,280 lbs.</td>
<td>1,390</td>
<td>1,290</td>
</tr>
<tr>
<td>73,281 to 77,000 lbs.</td>
<td>1,450</td>
<td>1,350</td>
</tr>
<tr>
<td>77,001 to 80,000 lbs.</td>
<td>1,590</td>
<td>1,490</td>
</tr>
</tbody>
</table>

For vehicles subject to the tax collected under this subsection, by June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the rate that will take effect on July 1 of that calendar year. The rate shall be equal to the product of the rate in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new rate shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection (c), $125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.
(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401.

(Source: P.A. 100-734, eff. 1-1-19; 100-956, eff. 1-1-19; revised 10-15-18.)

(625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

Sec. 3-818. Mileage weight tax option.

(a) Any owner of a vehicle of the second division may elect to pay a mileage weight tax for such vehicle in lieu of the flat weight tax set out in Section 3-815. Such election shall be binding to the end of the registration year. Renewal of this election must be filed with the Secretary of State on or before July 1 of each registration period. In such event the owner shall, at the time of making such election, pay the $10 registration fee and the minimum guaranteed mileage weight tax, as hereinafter provided, which payment shall permit the owner to operate that vehicle the maximum mileage in this State hereinafter set forth. Any vehicle being operated on mileage plates cannot be operated outside of this State. In addition
thereof, the owner of that vehicle shall pay a mileage weight
tax at the following rates for each mile traveled in this State
in excess of the maximum mileage provided under the minimum
guaranteed basis:

**BUS, TRUCK OR TRUCK TRACTOR**

<table>
<thead>
<tr>
<th>Load Class</th>
<th>Maximum Mileage</th>
<th>Minimum Mileage</th>
<th>Guaranteed Weight</th>
<th>Guaranteed Permitted for Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>MD</td>
<td>12,000 lbs. or less</td>
<td>5,000</td>
<td>$173</td>
<td>26 Mills</td>
</tr>
<tr>
<td>MF</td>
<td>12,001 to 16,000 lbs.</td>
<td>6,000</td>
<td>220</td>
<td>34 Mills</td>
</tr>
<tr>
<td>MG</td>
<td>16,001 to 20,000 lbs.</td>
<td>6,000</td>
<td>280</td>
<td>46 Mills</td>
</tr>
<tr>
<td>MH</td>
<td>20,001 to 24,000 lbs.</td>
<td>6,000</td>
<td>335</td>
<td>63 Mills</td>
</tr>
<tr>
<td>MJ</td>
<td>24,001 to 28,000 lbs.</td>
<td>7,000</td>
<td>415</td>
<td>63 Mills</td>
</tr>
<tr>
<td>MK</td>
<td>28,001 to 32,000 lbs.</td>
<td>7,000</td>
<td>485</td>
<td>83 Mills</td>
</tr>
<tr>
<td>ML</td>
<td>32,001 to 36,000 lbs.</td>
<td>7,000</td>
<td>585</td>
<td>99 Mills</td>
</tr>
<tr>
<td>MN</td>
<td>36,001 to 40,000 lbs.</td>
<td>7,000</td>
<td>715</td>
<td>128 Mills</td>
</tr>
<tr>
<td>MP</td>
<td>40,001 to 45,000 lbs.</td>
<td>7,000</td>
<td>795</td>
<td>139 Mills</td>
</tr>
<tr>
<td>MR</td>
<td>45,001 to 54,999 lbs.</td>
<td>7,000</td>
<td>953</td>
<td>156 Mills</td>
</tr>
<tr>
<td>MS</td>
<td>55,000 to 59,500 lbs.</td>
<td>7,000</td>
<td>1,020</td>
<td>178 Mills</td>
</tr>
<tr>
<td>MT</td>
<td>59,501 to 64,000 lbs.</td>
<td>7,000</td>
<td>1,085</td>
<td>195 Mills</td>
</tr>
<tr>
<td>MV</td>
<td>64,001 to 73,280 lbs.</td>
<td>7,000</td>
<td>1,273</td>
<td>225 Mills</td>
</tr>
<tr>
<td>MX</td>
<td>73,281 to 77,000 lbs.</td>
<td>7,000</td>
<td>1,428</td>
<td>258 Mills</td>
</tr>
<tr>
<td>MZ</td>
<td>77,001 to 80,000 lbs.</td>
<td>7,000</td>
<td>1,515</td>
<td>275 Mills</td>
</tr>
<tr>
<td>Gross Weight</td>
<td>Load Class</td>
<td>Minimum Mileage</td>
<td>Maximum Mileage</td>
<td>Guaranteed Weight Tax</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>14,000 lbs. or less</td>
<td>ME</td>
<td>$175</td>
<td>$75</td>
<td>5,000</td>
</tr>
<tr>
<td>14,001 to 20,000 lbs.</td>
<td>MF</td>
<td>235</td>
<td>135</td>
<td>6,000</td>
</tr>
<tr>
<td>20,001 to 36,000 lbs.</td>
<td>ML</td>
<td>640</td>
<td>540</td>
<td>7,000</td>
</tr>
<tr>
<td>36,001 to 40,000 lbs.</td>
<td>MM</td>
<td>850</td>
<td>750</td>
<td>7,000</td>
</tr>
</tbody>
</table>

For vehicles subject to the tax collected under this subsection, by June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the rate that will take effect on July 1 of that calendar year. The rate shall be equal to the product of the rate in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new rate shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section
3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (a) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), $125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

In preparing rate schedules on registration applications, the Secretary of State shall add to the above rates, the $10 registration fee. The Secretary may decline to accept any renewal filed after July 1st.

The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

Every owner of a second division motor vehicle for which he has elected to pay a mileage weight tax shall keep a daily record upon forms prescribed by the Secretary of State, showing the mileage covered by that vehicle in this State. Such record shall contain the license number of the vehicle and the miles traveled by the vehicle in this State for each day of the calendar month. Such owner shall also maintain records of fuel consumed by each such motor vehicle and fuel purchases therefor. On or before the 10th day of July the owner shall certify to the Secretary of State upon forms prescribed therefor, summaries of his daily records which shall show the miles traveled by the vehicle in this State during the
preceding 12 months and such other information as the Secretary of State may require. The daily record and fuel records shall be filed, preserved and available for audit for a period of 3 years. Any owner filing a return hereunder shall certify that such return is a true, correct and complete return. Any person who willfully makes a false return hereunder is guilty of perjury and shall be punished in the same manner and to the same extent as is provided therefor.

At the time of filing his return, each owner shall pay to the Secretary of State the proper amount of tax at the rate herein imposed.

Every owner of a vehicle of the second division who elects to pay on a mileage weight tax basis and who operates the vehicle within this State, shall file with the Secretary of State a bond in the amount of $500. The bond shall be in a form approved by the Secretary of State and with a surety company approved by the Illinois Department of Insurance to transact business in this State as surety, and shall be conditioned upon such applicant's paying to the State of Illinois all money becoming due by reason of the operation of the second division vehicle in this State, together with all penalties and interest thereon.

Upon notice from the Secretary that the registrant has failed to pay the excess mileage fees, the surety shall immediately pay the fees together with any penalties and interest thereon in an amount not to exceed the limits of the
(b) Beginning January 1, 2016, upon the request of the vehicle owner, a $10 surcharge shall be collected in addition to the above fees for vehicles in the 12,000 lbs. and less mileage weight plate category as described in subsection (a) to be deposited into the Secretary of State Special License Plate Fund. The $10 surcharge is to identify vehicles in the 12,000 lbs. and less mileage weight plate category as a covered farm vehicle. The $10 surcharge is an annual flat fee that shall be based on an applicant's new or existing registration year for each vehicle in the 12,000 lbs. and less mileage weight plate category. A designation as a covered farm vehicle under this subsection (b) shall not alter a vehicle's registration as a registration in the 12,000 lbs. or less mileage weight category. The Secretary shall adopt any rules necessary to implement this subsection (b).

(Source: P.A. 99-57, eff. 7-16-15; 99-642, eff. 7-28-16.)

(625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

Sec. 3-819. Trailer; Flat weight tax.

(a) Farm Trailer. Any farm trailer drawn by a motor vehicle of the second division registered under paragraph (a) or (c) of Section 3-815 and used exclusively by the owner for his own agricultural, horticultural or livestock raising operations and not used for hire, or any farm trailer utilized only in the transportation for-hire of seasonal, fresh, perishable fruit
or vegetables from farm to the point of first processing, and
any trailer used with a farm tractor that is not an implement
of husbandry may be registered under this paragraph in lieu of
registration under paragraph (b) of this Section upon the
filing of a proper application and the payment of the $10
registration fee and the highway use tax herein for use of the
public highways of this State, at the following rates which
include the $10 registration fee:

**SCHEDULE OF FEES AND TAXES**

<table>
<thead>
<tr>
<th>Gross Weight in Lbs. and Maximum Load</th>
<th>Class</th>
<th>Total Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 lbs. or less</td>
<td>VDD</td>
<td>$160 $60</td>
</tr>
<tr>
<td>10,001 to 14,000 lbs.</td>
<td>VDE</td>
<td>206 106</td>
</tr>
<tr>
<td>14,001 to 20,000 lbs.</td>
<td>VDG</td>
<td>266 166</td>
</tr>
<tr>
<td>20,001 to 28,000 lbs.</td>
<td>VDJ</td>
<td>478 378</td>
</tr>
<tr>
<td>28,001 to 36,000 lbs.</td>
<td>VDL</td>
<td>750 650</td>
</tr>
</tbody>
</table>

An owner may only apply for and receive two farm trailer registrations.

For vehicles subject to the tax collected under this subsection, by June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the rate that will take effect on July 1
of that calendar year. The rate shall be equal to the product of the rate in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new rate shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

(b) All other owners of trailers, other than apportionable trailers registered under Section 3-402.1 of this Code, used with a motor vehicle on the public highways, shall pay to the Secretary of State for each registration year a flat weight tax, for the use of the public highways of this State, at the following rates (which includes the registration fee of $10 required by Section 3-813):

```
SCHEDULE OF TRAILER FLAT WEIGHT TAX REQUIRED BY LAW

<table>
<thead>
<tr>
<th>Gross Weight in Lbs.</th>
<th>Class</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>TA</td>
</tr>
<tr>
<td>3,000 lbs. and less</td>
<td></td>
<td>$118 $18</td>
</tr>
<tr>
<td>5,000 lbs. and more than 3,000</td>
<td>TB</td>
<td>154 54</td>
</tr>
<tr>
<td>8,000 lbs. and more than 5,000</td>
<td>TC</td>
<td>158 58</td>
</tr>
<tr>
<td>10,000 lbs. and more than 8,000</td>
<td>TD</td>
<td>206 106</td>
</tr>
<tr>
<td>14,000 lbs. and more than 10,000</td>
<td>TE</td>
<td>270 170</td>
</tr>
<tr>
<td>20,000 lbs. and more than 14,000</td>
<td>TG</td>
<td>358 258</td>
</tr>
<tr>
<td>32,000 lbs. and more than 20,000</td>
<td>TK</td>
<td>822 722</td>
</tr>
</tbody>
</table>
```
For vehicles subject to the tax collected under this subsection, by June 1, 2020 and by June 1 of each year thereafter, the Department of Revenue shall determine an annual registration rate increase to take effect on July 1 of that calendar year and continue through June 30 of the next calendar year. Not later than June 1 of each year, that Department shall publish on its website the rate that will take effect on July 1 of that calendar year. The rate shall be equal to the product of the rate in effect multiplied by the transportation fee index factor determined under Section 2e of the Motor Fuel Tax Law. Each new rate shall be rounded to the nearest dollar and may not exceed 102.5% of the fee in effect on June 30 of the previous year.

(c) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(Source: P.A. 96-328, eff. 8-11-09.)

(625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)
Sec. 3-821. Miscellaneous registration and title fees.
(a) Except as provided under subsection (h), the fee to be paid to the Secretary of State for the following certificates, registrations or evidences of proper registration, or for corrected or duplicate documents shall be in accordance with the following schedule:
<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate of Title, except for an all-terrain vehicle or off-highway motorcycle</td>
<td>$155.95</td>
</tr>
<tr>
<td>Certificate of Title for an all-terrain vehicle or off-highway motorcycle</td>
<td>$30</td>
</tr>
<tr>
<td>Certificate of Title for an all-terrain vehicle or off-highway motorcycle used for production agriculture, or accepted by a dealer in trade</td>
<td>13</td>
</tr>
<tr>
<td>Certificate of Title for a low-speed vehicle</td>
<td>30</td>
</tr>
<tr>
<td>Transfer of Registration or any evidence of proper registration</td>
<td>25</td>
</tr>
<tr>
<td>Duplicate Registration Card for plates or other evidence of proper registration</td>
<td>3</td>
</tr>
<tr>
<td>Duplicate Registration Sticker or Stickers, each</td>
<td>20</td>
</tr>
<tr>
<td>Duplicate Certificate of Title</td>
<td>155.95</td>
</tr>
<tr>
<td>Corrected Registration Card or Card for other evidence of proper registration</td>
<td>3</td>
</tr>
<tr>
<td>Corrected Certificate of Title</td>
<td>155.95</td>
</tr>
<tr>
<td>Salvage Certificate</td>
<td>4</td>
</tr>
<tr>
<td>Fleet Reciprocity Permit</td>
<td>15</td>
</tr>
<tr>
<td>Prorate Decal</td>
<td>1</td>
</tr>
<tr>
<td>Prorate Backing Plate</td>
<td>3</td>
</tr>
<tr>
<td>Special Corrected Certificate of Title</td>
<td>15</td>
</tr>
<tr>
<td>Expedited Title Service (to be charged in addition to other applicable fees)</td>
<td>30</td>
</tr>
<tr>
<td>Dealer Lien Release Certificate of Title</td>
<td>20</td>
</tr>
</tbody>
</table>

A special corrected certificate of title shall be issued
(i) to remove a co-owner's name due to the death of the co-owner, to transfer title to a spouse if the decedent-spouse was the sole owner on the title, or due to a divorce; (ii) to change a co-owner's name due to a marriage; or (iii) due to a name change under Article XXI of the Code of Civil Procedure.

There shall be no fee paid for a Junking Certificate.

There shall be no fee paid for a certificate of title issued to a county when the vehicle is forfeited to the county under Article 36 of the Criminal Code of 2012.

(a-5) The Secretary of State may revoke a certificate of title and registration card and issue a corrected certificate of title and registration card, at no fee to the vehicle owner or lienholder, if there is proof that the vehicle identification number is erroneously shown on the original certificate of title.

(a-10) The Secretary of State may issue, in connection with the sale of a motor vehicle, a corrected title to a motor vehicle dealer upon application and submittal of a lien release letter from the lienholder listed in the files of the Secretary. In the case of a title issued by another state, the dealer must submit proof from the state that issued the last title. The corrected title, which shall be known as a dealer lien release certificate of title, shall be issued in the name of the vehicle owner without the named lienholder. If the motor vehicle is currently titled in a state other than Illinois, the applicant must submit either (i) a letter from the current
lienholder releasing the lien and stating that the lienholder
has possession of the title; or (ii) a letter from the current
lienholder releasing the lien and a copy of the records of the
department of motor vehicles for the state in which the vehicle
is titled, showing that the vehicle is titled in the name of
the applicant and that no liens are recorded other than the
lien for which a release has been submitted. The fee for the
dealer lien release certificate of title is $20.

(b) The Secretary may prescribe the maximum service charge
to be imposed upon an applicant for renewal of a registration
by any person authorized by law to receive and remit or
transmit to the Secretary such renewal application and fees
therewith.

(c) If payment is delivered to the Office of the Secretary
of State as payment of any fee or tax under this Code, and such
payment is not honored for any reason, the registrant or other
person tendering the payment remains liable for the payment of
such fee or tax. The Secretary of State may assess a service
charge of $25 in addition to the fee or tax due and owing for
all dishonored payments.

If the total amount then due and owing exceeds the sum of
$100 and has not been paid in full within 60 days from the date
the dishonored payment was first delivered to the Secretary of
State, the Secretary of State shall assess a penalty of 25% of
such amount remaining unpaid.

All amounts payable under this Section shall be computed to
the nearest dollar. Out of each fee collected for dishonored payments, $5 shall be deposited in the Secretary of State Special Services Fund.

(d) The minimum fee and tax to be paid by any applicant for apportionment of a fleet of vehicles under this Code shall be $15 if the application was filed on or before the date specified by the Secretary together with fees and taxes due. If an application and the fees or taxes due are filed after the date specified by the Secretary, the Secretary may prescribe the payment of interest at the rate of 1/2 of 1% per month or fraction thereof after such due date and a minimum of $8.

(e) Trucks, truck tractors, truck tractors with loads, and motor buses, any one of which having a combined total weight in excess of 12,000 lbs. shall file an application for a Fleet Reciprocity Permit issued by the Secretary of State. This permit shall be in the possession of any driver operating a vehicle on Illinois highways. Any foreign licensed vehicle of the second division operating at any time in Illinois without a Fleet Reciprocity Permit or other proper Illinois registration, shall subject the operator to the penalties provided in Section 3-834 of this Code. For the purposes of this Code, "Fleet Reciprocity Permit" means any second division motor vehicle with a foreign license and used only in interstate transportation of goods. The fee for such permit shall be $15 per fleet which shall include all vehicles of the fleet being registered.
(f) For purposes of this Section, "all-terrain vehicle or off-highway motorcycle used for production agriculture" means any all-terrain vehicle or off-highway motorcycle used in the raising of or the propagation of livestock, crops for sale for human consumption, crops for livestock consumption, and production seed stock grown for the propagation of feed grains and the husbandry of animals or for the purpose of providing a food product, including the husbandry of blood stock as a main source of providing a food product. "All-terrain vehicle or off-highway motorcycle used in production agriculture" also means any all-terrain vehicle or off-highway motorcycle used in animal husbandry, floriculture, aquaculture, horticulture, and viticulture.

(g) All of the proceeds of the additional fees imposed by Public Act 96-34 shall be deposited into the Capital Projects Fund.

(h) The fee for a duplicate registration sticker or stickers shall be the amount required under subsection (a) or the vehicle's annual registration fee amount, whichever is less.

(Source: P.A. 99-260, eff. 1-1-16; 99-607, eff. 7-22-16; 100-956, eff. 1-1-19.)
Article is as follows:

Original driver's license ....................... $60 $30
Original or renewal driver's license
issued to 18, 19 and 20 year olds ............... 10 5
All driver's licenses for persons
age 69 through age 80 ........................... 10 5
All driver's licenses for persons
age 81 through age 86 .............................. 2
All driver's licenses for persons
age 87 or older ................................. 0
Renewal driver's license (except for
applicants ages 18, 19 and 20 or
age 69 and older) .............................. 60 30
Original instruction permit issued to
persons (except those age 69 and older)
who do not hold or have not previously
held an Illinois instruction permit or
driver's license ................................. 20
Instruction permit issued to any person
holding an Illinois driver's license
who wishes a change in classifications,
other than at the time of renewal ............... 5
Any instruction permit issued to a person
age 69 and older ................................. 5
Instruction permit issued to any person,
under age 69, not currently holding a
valid Illinois driver's license or
instruction permit but who has
previously been issued either document
in Illinois .................................................. 10
Restricted driving permit ....................... 8
Monitoring device driving permit .............. 8
Duplicate or corrected driver's license
or permit .................................................. 5
Duplicate or corrected restricted
driving permit ........................................... 5
Duplicate or corrected monitoring
device driving permit .............................. 5
Duplicate driver's license or permit issued to
an active-duty member of the
United States Armed Forces,
the member's spouse, or
the dependent children living
with the member ....................................... 0
Original or renewal M or L endorsement .......... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits
under Article V shall be as follows:
Commercial driver's license:
$6 for the CDLIS/AAMVA/Net/NMVTIS Trust Fund
(Commercial Driver's License Information
System/American Association of Motor Vehicle
Administrators network/National Motor Vehicle
Title Information Service Trust Fund);
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license;
and $24 for the CDL: $60

Renewal commercial driver's license:
$6 for the CDLIS/AAMVA/Net/NMVTIS Trust Fund;
$20 for the Motor Carrier Safety Inspection Fund;
$10 for the driver's license; and
$24 for the CDL: $60

Commercial learner's permit
issued to any person holding a valid
Illinois driver's license for the
purpose of changing to a
CDL classification: $6 for the
CDLIS/AAMVA/Net/NMVTIS Trust Fund;
$20 for the Motor Carrier
Safety Inspection Fund; and
$24 for the CDL classification $50

Commercial learner's permit
issued to any person holding a valid
Illinois CDL for the purpose of
making a change in a classification,
endorsement or restriction $5

CDL duplicate or corrected license $5

In order to ensure the proper implementation of the Uniform
Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to prorate the $24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

The fee for a restricted driving permit under this subsection (a) shall be imposed annually until the expiration of the permit.

(a-5) The fee for a driver's record or data contained therein is $12.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:
Suspension under Section 3-707 ................. $100
Suspension under Section 11-1431 ................. $100
Summary suspension under Section 11-501.1 ........ $250
Suspension under Section 11-501.9 ................. $250
Summary revocation under Section 11-501.1 ........ $500
Other suspension ....................................... $70
Revocation .............................................. $500

However, any person whose license or privilege to operate a
motor vehicle in this State has been suspended or revoked for a
second or subsequent time for a violation of Section 11-501,
11-501.1, or 11-501.9 of this Code or a similar provision of a
local ordinance or a similar out-of-state offense or Section
9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
and each suspension or revocation was for a violation of
Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
provision of a local ordinance or a similar out-of-state
offense or Section 9-3 of the Criminal Code of 1961 or the
Criminal Code of 2012 shall pay, in addition to any other fees
required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1 ........ $500
Suspension under Section 11-501.9 ...................... $500
Summary revocation under Section 11-501.1 .......... $500
Revocation .............................................. $500

(c) All fees collected under the provisions of this Chapter
6 shall be disbursed under subsection (g) of Section 2-119 of
this Code, except as follows:
1. The following amounts shall be paid into the Drivers Education Fund:

   (A) $16 of the $20 fee for an original driver's instruction permit;

   (B) $5 of the $30 fee for an original driver's license;

   (C) $5 of the $30 fee for a 4 year renewal driver's license;

   (D) $4 of the $8 fee for a restricted driving permit; and

   (E) $4 of the $8 fee for a monitoring device driving permit.

2. $30 of the $250 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, $190 of the $500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and $190 of the $500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund.

$190 of the
$500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. $6 of the original or renewal fee for a commercial driver's license and $6 of the commercial learner's permit fee when the permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVA/Net/NMVTIS Trust Fund.

4. $30 of the $70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The $5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. $20 of any original or renewal fee for a commercial driver's license or commercial learner's permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:
   (A) $190 of the $250 reinstatement fee for a summary suspension under Section 11-501.1 or a suspension under Section 11-501.9;
   (B) $40 of the $70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
   (C) $440 of the $500 reinstatement fee for a first
offense revocation and $310 of the $500 reinstatement
fee for a second or subsequent revocation.

8. Fees collected under paragraph (4) of subsection (d)
and subsection (h) of Section 6-205 of this Code;
subparagraph (C) of paragraph 3 of subsection (c) of
Section 6-206 of this Code; and paragraph (4) of subsection
(a) of Section 6-206.1 of this Code, shall be paid into the
funds set forth in those Sections.

(d) All of the proceeds of the additional fees imposed by
this amendatory Act of the 96th General Assembly shall be
deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of
the 96th General Assembly shall become effective 90 days after
becoming law.

(f) As used in this Section, "active-duty member of the
United States Armed Forces" means a member of the Armed
Services or Reserve Forces of the United States or a member of
the Illinois National Guard who is called to active duty
pursuant to an executive order of the President of the United
States, an act of the Congress of the United States, or an
order of the Governor.

(g) The additional fees imposed under this Section by this
amendatory Act of the 101st General Assembly take effect July
1, 2019.

(Source: P.A. 99-127, eff. 1-1-16; 99-438, eff. 1-1-16; 99-642,
eff. 7-28-16; 99-933, eff. 1-27-17; 100-590, eff. 6-8-18;
Sec. 20-101. Moneys derived from registration, operation and use of automobiles and from fuel taxes - Use. From and after the effective date of this Act, except as provided in Section 3-815.1 of this Code, no public moneys derived from fees, excises or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of such vehicles, shall be appropriated or expended other than for costs of administering the laws imposing such fees, excises and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for, and the cost of construction, reconstruction, maintenance, repair and operation of public highways and bridges under the direction and supervision of the State, political subdivision or municipality collecting such moneys, and the costs for patrolling and policing the public highways (by the State, political subdivision or municipality collecting such money) for enforcement of traffic laws; provided, that such moneys may be used for the retirement of and interest on bonds heretofore issued for purposes other than the construction of public highways or bridges but not to a greater extent, nor a greater
length of time, than is provided in acts heretofore adopted and
now in force. Further the separation of grades of such highways
with railroads and costs associated with protection of at-grade
highway and railroad crossings shall also be permissible.
(Source: P.A. 93-23, eff. 6-20-03.)

Section 3-50. The Criminal Code of 2012 is amended by
adding Section 49-7 as follows:

(720 ILCS 5/49-7 new)
Sec. 49-7. Violation of civil rights.
(a) As used in this Section:
"Age", "disability", "military status", "national origin",
"order of protection status", "pregnancy", "religion", "sex",
"sexual orientation", "unfavorable military discharge", and
"unlawful discrimination" have the meanings ascribed to them in
Section 1-103 of the Illinois Human Rights Act.
"Employer", "employee", "employment agency", and "labor
organization" have the meanings ascribed to them in Section
"Operator", "place of public accommodation", and "public
official" have the meanings ascribed to them in Section 5-101
"Public works" has the meaning ascribed to it in Section 2
of the Prevailing Wage Act.
(b) A person commits violation of civil rights or when he
or she knowingly:

(1) denies to another the full and equal enjoyment of the facilities and services of a place of public accommodation because of unlawful discrimination;

(2) as the operator of a place of public accommodation, directly or indirectly, publishes, circulates, displays, mails, or emails a written or electronic communication, except a private communication sent in response to a specific inquiry, that he or she knows is to the effect that a facility of the place of public accommodation will be denied to a person because of unlawful discrimination or that the patronage of a person is unwelcome, objectionable, or unacceptable for the purpose of unlawful discrimination;

(3) as a public official, refuses to employ, or discriminates in the employment of, another for a public contract or public works project because of unlawful discrimination;

(4) as a public official, denies or refuses to a person the full and equal enjoyment of the accommodations, advantages, facilities, or privileges of his or her office or services, or of property under his or her care because of unlawful discrimination.

(5) as an employer, because of unlawful discrimination, to refuse to hire, to segregate, or otherwise to discriminate against that person with respect
to: hiring, selection, and training for apprenticeship in a trade or craft, tenure, terms, or conditions of employment;

(6) as an employment agency, fails or refuses to classify property, accept applications, and register for employment referral or apprenticeship referral, refer for employment, refer for apprenticeship, or otherwise to discriminate against an individual because of unlawful discrimination, or accepts from a person a job order, requisition, or request for referral of applicants for employment or apprenticeship that makes, or has the effect of making, unlawful discrimination a condition of referral, except for a bona fide occupational qualification;

(7) as a labor organization because of unlawful discrimination, discriminates against that person, or limits, segregates, or classifies its membership with respect to that person, or limits that person's employment opportunities, that person's selection and training for apprenticeship in a trade or craft, or otherwise takes, or fails to take, an action that affects adversely the person's status as an employee or as an applicant for employment or as an apprentice, or as an applicant for an apprenticeship, or that person's wages, tenure, hours of employment, or apprenticeship conditions;

(8) as an employer, employment agency, or labor organization, discriminates against a person because he or
she, reasonably and in good faith, has opposed a practice
forbidden in this Section, or because he or she, reasonably
and in good faith, has made a charge, testified, or
assisted in an investigation, proceeding, or hearing under
the Illinois Human Rights Act;

(9) as an employer, employment agency, or labor
organization, inquires on a written application whether a
job applicant has ever been arrested; or

(10) compels or coerces another person to engage in an
act declared by this Section to be unlawful discrimination.

(c) Nothing in this Section prohibits a person who is
aggrieved by a violation of this Section to petition the
Department of Human Rights for relief or for the Department of
Human Rights to seek remedies under the Illinois Human Rights
Act on behalf of a person claiming unlawful discrimination.

(d) Nothing in this Section shall be construed to impose
criminal liability for actions that are exempt from civil
liability under the Illinois Human Rights Act.

(e) A person who violates this Section is guilty of a Class
B misdemeanor.

(625 ILCS 5/3-815.1 rep.)

Section 3-55. The Illinois Vehicle Code is amended by
repealing Section 3-815.1.

Section 99. Effective date. This Act takes effect upon
becoming law.".