



Rep. Michael J. Zalewski

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1 AMENDMENT TO HOUSE BILL 391

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 391 by replacing  
3 everything after the enacting clause with the following:

4 "Article 1.

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

8 Section 1-5. Findings. To ensure that all Illinois citizens  
9 have equal access to construction contracts and a career in the  
10 building trades, the Illinois Works Jobs Program seeks to align  
11 the economic interest of the industry with the public policy  
12 interest of the State by providing funding for community-based  
13 organizations to recruit and train a diverse workforce, require  
14 the employment of apprentices on public works projects to  
15 create new employment opportunities for the next generation of

1 tradesmen and tradeswomen, create an economic incentive for  
2 construction contractors to hire that prequalified workforce,  
3 and generate incentives for increasing disadvantaged,  
4 minority, women, and veteran-owned business contracting  
5 opportunities in the construction industry.

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

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

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

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

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

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

25 "Public work" means a State-funded construction project

1 that constitutes a public works project under the Prevailing  
2 Wage Act.

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

7 Section 1-15. Illinois Works Jobs Program.

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

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

22 (c) The Illinois Works Fund shall be used to provide grant  
23 funding for community-based organizations throughout the State  
24 to recruit, prescreen, and provide preapprenticeship training  
25 to low-income and minority members of the workforce.

1 (d) Through a request for proposals, the Department shall  
2 request a detailed description of the community-based  
3 organization's expertise in recruiting, prescreening, and  
4 providing preapprenticeship training to a low-income and  
5 minority workforce. Each response to a request for proposals  
6 shall include provisions for drug testing, education  
7 verification, and preparatory classes including workplace  
8 readiness skills such as resume preparation and interviewing  
9 techniques.

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

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

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

1 members:

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

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

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

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

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

12 (6) the following persons appointed by the Governor:

13 (A) one representative of a contractor  
14 organization;

15 (B) one representative of a labor organization;  
16 and

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

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

26 (i) Community-based organizations who receive funding from

1 the Illinois Works Fund shall provide an annual report to the  
2 Illinois Works Task Force by April 1 of each calendar year.

3 Section 1-20. Illinois Works Apprenticeship Initiative.

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

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

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

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

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

23 (2) the contractor or subcontractor has demonstrated  
24 that insufficient apprentices are available to meet the  
25 utilization goals;

1           (3) the reasonable and necessary requirements of the  
2 contract render apprentice utilization infeasible at the  
3 required levels;

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

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

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

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

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

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

25           Section 1-25. Illinois Works Credit Bank.

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

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



1 employee's successful completion of the Illinois Works Jobs  
2 Program, proof of employment, actual hours worked, and wages  
3 paid to the employee.

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

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

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

21 Article 2.

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

1 Section 2-10. Transportation funding.

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

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

16 Article 3.

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

20 (20 ILCS 2705/2705-203 new)

21 Sec. 2705-203. Transportation asset management plan and  
22 performance-based programming.

1       (a) The General Assembly declares it to be in the public  
2 interest that a statewide transportation performance program  
3 and project prioritization process be developed and  
4 implemented to improve the efficiency and effectiveness of the  
5 State's transportation system, transportation safety,  
6 transportation accessibility for people and goods and  
7 environmental quality and to promote inclusive economic growth  
8 throughout the State.

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

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

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

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

23           (4) ensure that all state transportation funds  
24 invested are directed to support progress toward the  
25 achievement of performance targets established in asset  
26 management plans and the State and regional performance

1 targets under the National Performance Management Measures  
2 Program; and

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

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

15 (d) The Department shall develop a needs-based asset  
16 management plan for State-supported public transportation  
17 assets, including vehicles, facilities, equipment, and other  
18 infrastructure. The transit asset management plan shall  
19 include transit services using federal funding under 49 U.S.C.  
20 5311, transit services having fewer than 100 vehicles operating  
21 in the peak hour in all fixed-route modes, and transit services  
22 having fewer than 100 vehicles in one non-fixed route, and that  
23 do not develop their own asset management plans. The goal of  
24 the transit asset management plan is to preserve and modernize  
25 capital transit assets that will enhance the performance of the  
26 system. The transit asset management plan shall establish a

1 strategic and systematic process to invest in operating,  
2 maintaining, and improving public transportation capital  
3 assets effectively through their entire life cycle. Federally  
4 required transit asset management plans developed by the  
5 Regional Transportation Authority (RTA) or service boards, as  
6 defined in Section 1.03 of the Regional Transportation  
7 Authority Act, shall become the transportation asset  
8 management plan for all public transportation assets owned and  
9 operated by the service boards. The Department's transit asset  
10 management plan shall be made publicly available on the  
11 Department's website. The RTA shall be responsible for making  
12 public transit asset management plans for its service area  
13 publicly available.

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

1 process pursuant to this subsection.

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

1 accessibility, and (6) safety.

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

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

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

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

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

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

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

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

23 (30 ILCS 105/5.891 new)

24 Sec. 5.891. The Illinois Works Fund.

1 (30 ILCS 105/5.893 new)

2 Sec. 5.893. The Municipal Motor Fuel Tax Fund.

3 (30 ILCS 105/6z-107 new)

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

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

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

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

21 Section 3-15. The Illinois Income Tax Act is amended by  
22 adding Section 229 as follows:



1 (35 ILCS 5/229 new)

2 Sec. 229. Apprenticeship education expense credit.

3 (a) For tax years ending on or after December 31, 2019, a  
4 taxpayer who is the employer of one or more qualifying  
5 apprentices shall be allowed a credit against the tax imposed  
6 by subsections (a) and (b) of Section 201 for qualified  
7 education expenses incurred on behalf of a qualifying  
8 apprentice. The credit shall be equal to 100% of qualified  
9 education expenses, but in no event may the total credit amount  
10 awarded to a single taxpayer in a single taxable year exceed  
11 \$3,500. In no event shall a credit under this Section reduce  
12 the taxpayer's liability under this Act to less than zero.

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

18 (b) The taxpayer shall provide the Department such  
19 information as the Department may require, including, but not  
20 limited to: (1) the name, age, and taxpayer identification  
21 number of each qualifying apprentice employed by the taxpayer  
22 during the taxable year; (2) the amount of qualified education  
23 expenses incurred with respect to each qualifying apprentice;  
24 and (3) the name of the school at which the qualifying  
25 apprentice is enrolled and the qualified education expenses are  
26 incurred.

1       (c) For purposes of this Section:

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

4       "Qualifying apprentices" means individuals who: (1) are  
5 residents of the State of Illinois, (2) are between the ages of  
6 16 and 30 years old at the close of the academic year for which  
7 a credit is sought, (3) were full-time apprentices enrolled in  
8 an apprenticeship program that is registered with the United  
9 States Department of Labor, Office of Apprenticeship during the  
10 academic year for which a credit is sought, and (4) are  
11 employed in Illinois by the taxpayer who is the employer.

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

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

25       (d) This Section is exempt from the provisions of Section  
26 250.

1 Section 3-20. The Motor Fuel Tax Law is amended by changing  
2 Sections 2 and 8 and by adding Section 2e as follows:

3 (35 ILCS 505/2) (from Ch. 120, par. 418)

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

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

18 By June 1, 2020 and by June 1 of each year thereafter, the  
19 Department shall determine an annual rate increase to take  
20 effect on July 1 of that calendar year and continue through  
21 June 30 of the next calendar year. Not later than June 1 of  
22 each year, the Department shall publish on the Department's  
23 website the rate that will take effect on July 1 of that  
24 calendar year. The rate shall be equal to the product of the

1 rate in effect multiplied by the transportation fee index  
2 factor determined under Section 2e. Each new rate may not  
3 exceed the rate in effect on June 30 of the previous year plus  
4 one cent.

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

12 (c) A tax is imposed upon the privilege of engaging in the  
13 business of selling motor fuel as a retailer or reseller on all  
14 motor fuel used in motor vehicles operating on the public  
15 highways and recreational type watercraft operating upon the  
16 waters of this State: (1) at the rate of 3 cents per gallon on  
17 motor fuel owned or possessed by such retailer or reseller at  
18 12:01 a.m. on August 1, 1989; and (2) at the rate of 3 cents per  
19 gallon on motor fuel owned or possessed by such retailer or  
20 reseller at 12:01 A.M. on January 1, 1990.

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

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

1 of local government in this State.

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

5 (e) The collection of a tax, based on gallonage of all  
6 products commonly or commercially known or sold as 1-K  
7 kerosene, regardless of its classification or uses, is  
8 prohibited (i) on and after July 1, 1992 until December 31,  
9 1999, except when the 1-K kerosene is either: (1) delivered  
10 into bulk storage facilities of a bulk user, or (2) delivered  
11 directly into the fuel supply tanks of motor vehicles and (ii)  
12 on and after January 1, 2000. Beginning on January 1, 2000, the  
13 collection of a tax, based on gallonage of all products  
14 commonly or commercially known or sold as 1-K kerosene,  
15 regardless of its classification or uses, is prohibited except  
16 when the 1-K kerosene is delivered directly into a storage tank  
17 that is located at a facility that has withdrawal facilities  
18 that are readily accessible to and are capable of dispensing  
19 1-K kerosene into the fuel supply tanks of motor vehicles. For  
20 purposes of this subsection (e), a facility is considered to  
21 have withdrawal facilities that are not "readily accessible to  
22 and capable of dispensing 1-K kerosene into the fuel supply  
23 tanks of motor vehicles" only if the 1-K kerosene is delivered  
24 from: (i) a dispenser hose that is short enough so that it will  
25 not reach the fuel supply tank of a motor vehicle or (ii) a  
26 dispenser that is enclosed by a fence or other physical barrier

1 so that a vehicle cannot pull alongside the dispenser to permit  
2 fueling.

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

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

8 (35 ILCS 505/2e new)

9 Sec. 2e. Transportation fee index factors.

10 (a) For purposes of this Section, "Consumer Price Index"  
11 means the Consumer Price Index for all Urban Consumers, U.S.  
12 city average, all items, using the index base period of  
13 1982-1984 equal to 100, as published by the Bureau of Labor  
14 Statistics of the United States Department of Labor.

15 (b) The Department shall calculate an annual index factor  
16 to be used for the rate to take effect each July 1 beginning in  
17 2020. The Department shall determine the index factor before  
18 May 1 of each year using the method described in subsection  
19 (c).

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

22 STEP ONE: Divide the annual Consumer Price Index for  
23 the year preceding the determination year by the annual  
24 Consumer Price Index for the year immediately preceding  
25 that year.

1           STEP TWO: Divide the annual Illinois Personal Income  
2           for the year preceding the determination year by the annual  
3           Illinois Personal Income for the year immediately  
4           preceding that year.

5           STEP THREE: Add:

6                   (1) the STEP ONE result; and

7                   (2) the STEP TWO result.

8           STEP FOUR: Divide the STEP THREE result by 2.

9           (35 ILCS 505/8) (from Ch. 120, par. 424)

10          Sec. 8. Except as provided in Section 8a, subdivision  
11          (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and  
12          16 of Section 15, all money received by the Department under  
13          this Act, including payments made to the Department by member  
14          jurisdictions participating in the International Fuel Tax  
15          Agreement, shall be deposited in a special fund in the State  
16          treasury, to be known as the "Motor Fuel Tax Fund", and shall  
17          be used as follows:

18               (a) 2 1/2 cents per gallon of the tax collected on special  
19          fuel under paragraph (b) of Section 2 and Section 13a of this  
20          Act shall be transferred to the State Construction Account Fund  
21          in the State Treasury;

22               (b) \$420,000 shall be transferred each month to the State  
23          Boating Act Fund to be used by the Department of Natural  
24          Resources for the purposes specified in Article X of the Boat  
25          Registration and Safety Act;

1           (c) \$3,500,000 shall be transferred each month to the Grade  
2 Crossing Protection Fund to be used as follows: not less than  
3 \$12,000,000 each fiscal year shall be used for the construction  
4 or reconstruction of rail highway grade separation structures;  
5 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in  
6 fiscal year 2010 and each fiscal year thereafter shall be  
7 transferred to the Transportation Regulatory Fund and shall be  
8 accounted for as part of the rail carrier portion of such funds  
9 and shall be used to pay the cost of administration of the  
10 Illinois Commerce Commission's railroad safety program in  
11 connection with its duties under subsection (3) of Section  
12 18c-7401 of the Illinois Vehicle Code, with the remainder to be  
13 used by the Department of Transportation upon order of the  
14 Illinois Commerce Commission, to pay that part of the cost  
15 apportioned by such Commission to the State to cover the  
16 interest of the public in the use of highways, roads, streets,  
17 or pedestrian walkways in the county highway system, township  
18 and district road system, or municipal street system as defined  
19 in the Illinois Highway Code, as the same may from time to time  
20 be amended, for separation of grades, for installation,  
21 construction or reconstruction of crossing protection or  
22 reconstruction, alteration, relocation including construction  
23 or improvement of any existing highway necessary for access to  
24 property or improvement of any grade crossing and grade  
25 crossing surface including the necessary highway approaches  
26 thereto of any railroad across the highway or public road, or



1 for the installation, construction, reconstruction, or  
2 maintenance of a pedestrian walkway over or under a railroad  
3 right-of-way, as provided for in and in accordance with Section  
4 18c-7401 of the Illinois Vehicle Code. The Commission may order  
5 up to \$2,000,000 per year in Grade Crossing Protection Fund  
6 moneys for the improvement of grade crossing surfaces and up to  
7 \$300,000 per year for the maintenance and renewal of 4-quadrant  
8 gate vehicle detection systems located at non-high speed rail  
9 grade crossings. The Commission shall not order more than  
10 \$2,000,000 per year in Grade Crossing Protection Fund moneys  
11 for pedestrian walkways. In entering orders for projects for  
12 which payments from the Grade Crossing Protection Fund will be  
13 made, the Commission shall account for expenditures authorized  
14 by the orders on a cash rather than an accrual basis. For  
15 purposes of this requirement an "accrual basis" assumes that  
16 the total cost of the project is expended in the fiscal year in  
17 which the order is entered, while a "cash basis" allocates the  
18 cost of the project among fiscal years as expenditures are  
19 actually made. To meet the requirements of this subsection, the  
20 Illinois Commerce Commission shall develop annual and 5-year  
21 project plans of rail crossing capital improvements that will  
22 be paid for with moneys from the Grade Crossing Protection  
23 Fund. The annual project plan shall identify projects for the  
24 succeeding fiscal year and the 5-year project plan shall  
25 identify projects for the 5 directly succeeding fiscal years.  
26 The Commission shall submit the annual and 5-year project plans

1 for this Fund to the Governor, the President of the Senate, the  
2 Senate Minority Leader, the Speaker of the House of  
3 Representatives, and the Minority Leader of the House of  
4 Representatives on the first Wednesday in April of each year;

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

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

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

14 (3) refunds provided for in Section 13, refunds for  
15 overpayment of decal fees paid under Section 13a.4 of this  
16 Act, and refunds provided for under the terms of the  
17 International Fuel Tax Agreement referenced in Section  
18 14a;

19 (4) from October 1, 1985 until June 30, 1994, the  
20 administration of the Vehicle Emissions Inspection Law,  
21 which amount shall be certified monthly by the  
22 Environmental Protection Agency to the State Comptroller  
23 and shall promptly be transferred by the State Comptroller  
24 and Treasurer from the Motor Fuel Tax Fund to the Vehicle  
25 Inspection Fund, and for the period July 1, 1994 through  
26 June 30, 2000, one-twelfth of \$25,000,000 each month, for

1 the period July 1, 2000 through June 30, 2003, one-twelfth  
2 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,  
3 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each  
4 July 1 and October 1, or as soon thereafter as may be  
5 practical, during the period July 1, 2004 through June 30,  
6 2012, and \$30,000,000 on June 1, 2013, or as soon  
7 thereafter as may be practical, and \$15,000,000 on July 1  
8 and October 1, or as soon thereafter as may be practical,  
9 during the period of July 1, 2013 through June 30, 2015,  
10 for the administration of the Vehicle Emissions Inspection  
11 Law of 2005, to be transferred by the State Comptroller and  
12 Treasurer from the Motor Fuel Tax Fund into the Vehicle  
13 Inspection Fund;

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

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

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

25 (1) Until January 1, 2000, 58.4%, and beginning January  
26 1, 2000, 45.6% shall be deposited as follows:

1 (A) 37% into the State Construction Account Fund,  
2 and

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

8 (2) Until January 1, 2000, 41.6%, and beginning January  
9 1, 2000, 54.4% shall be transferred to the Department of  
10 Transportation to be distributed as follows:

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

12 (B) 16.74% to the counties of the State having  
13 1,000,000 or more inhabitants,

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

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

17 As soon as may be after the first day of each month the  
18 Department of Transportation shall allot to each municipality  
19 its share of the amount apportioned to the several  
20 municipalities which shall be in proportion to the population  
21 of such municipalities as determined by the last preceding  
22 municipal census if conducted by the Federal Government or  
23 Federal census. If territory is annexed to any municipality  
24 subsequent to the time of the last preceding census the  
25 corporate authorities of such municipality may cause a census  
26 to be taken of such annexed territory and the population so

1     ascertained for such territory shall be added to the population  
2     of the municipality as determined by the last preceding census  
3     for the purpose of determining the allotment for that  
4     municipality. If the population of any municipality was not  
5     determined by the last Federal census preceding any  
6     apportionment, the apportionment to such municipality shall be  
7     in accordance with any census taken by such municipality. Any  
8     municipal census used in accordance with this Section shall be  
9     certified to the Department of Transportation by the clerk of  
10    such municipality, and the accuracy thereof shall be subject to  
11    approval of the Department which may make such corrections as  
12    it ascertains to be necessary.

13         As soon as may be after the first day of each month the  
14    Department of Transportation shall allot to each county its  
15    share of the amount apportioned to the several counties of the  
16    State as herein provided. Each allotment to the several  
17    counties having less than 1,000,000 inhabitants shall be in  
18    proportion to the amount of motor vehicle license fees received  
19    from the residents of such counties, respectively, during the  
20    preceding calendar year. The Secretary of State shall, on or  
21    before April 15 of each year, transmit to the Department of  
22    Transportation a full and complete report showing the amount of  
23    motor vehicle license fees received from the residents of each  
24    county, respectively, during the preceding calendar year. The  
25    Department of Transportation shall, each month, use for  
26    allotment purposes the last such report received from the

1 Secretary of State.

2 As soon as may be after the first day of each month, the  
3 Department of Transportation shall allot to the several  
4 counties their share of the amount apportioned for the use of  
5 road districts. The allotment shall be apportioned among the  
6 several counties in the State in the proportion which the total  
7 mileage of township or district roads in the respective  
8 counties bears to the total mileage of all township and  
9 district roads in the State. Funds allotted to the respective  
10 counties for the use of road districts therein shall be  
11 allocated to the several road districts in the county in the  
12 proportion which the total mileage of such township or district  
13 roads in the respective road districts bears to the total  
14 mileage of all such township or district roads in the county.  
15 After July 1 of any year prior to 2011, no allocation shall be  
16 made for any road district unless it levied a tax for road and  
17 bridge purposes in an amount which will require the extension  
18 of such tax against the taxable property in any such road  
19 district at a rate of not less than either .08% of the value  
20 thereof, based upon the assessment for the year immediately  
21 prior to the year in which such tax was levied and as equalized  
22 by the Department of Revenue or, in DuPage County, an amount  
23 equal to or greater than \$12,000 per mile of road under the  
24 jurisdiction of the road district, whichever is less. Beginning  
25 July 1, 2011 and each July 1 thereafter, an allocation shall be  
26 made for any road district if it levied a tax for road and

1 bridge purposes. In counties other than DuPage County, if the  
2 amount of the tax levy requires the extension of the tax  
3 against the taxable property in the road district at a rate  
4 that is less than 0.08% of the value thereof, based upon the  
5 assessment for the year immediately prior to the year in which  
6 the tax was levied and as equalized by the Department of  
7 Revenue, then the amount of the allocation for that road  
8 district shall be a percentage of the maximum allocation equal  
9 to the percentage obtained by dividing the rate extended by the  
10 district by 0.08%. In DuPage County, if the amount of the tax  
11 levy requires the extension of the tax against the taxable  
12 property in the road district at a rate that is less than the  
13 lesser of (i) 0.08% of the value of the taxable property in the  
14 road district, based upon the assessment for the year  
15 immediately prior to the year in which such tax was levied and  
16 as equalized by the Department of Revenue, or (ii) a rate that  
17 will yield an amount equal to \$12,000 per mile of road under  
18 the jurisdiction of the road district, then the amount of the  
19 allocation for the road district shall be a percentage of the  
20 maximum allocation equal to the percentage obtained by dividing  
21 the rate extended by the district by the lesser of (i) 0.08% or  
22 (ii) the rate that will yield an amount equal to \$12,000 per  
23 mile of road under the jurisdiction of the road district.

24 Prior to 2011, if any road district has levied a special  
25 tax for road purposes pursuant to Sections 6-601, 6-602 and  
26 6-603 of the Illinois Highway Code, and such tax was levied in

1 an amount which would require extension at a rate of not less  
2 than .08% of the value of the taxable property thereof, as  
3 equalized or assessed by the Department of Revenue, or, in  
4 DuPage County, an amount equal to or greater than \$12,000 per  
5 mile of road under the jurisdiction of the road district,  
6 whichever is less, such levy shall, however, be deemed a proper  
7 compliance with this Section and shall qualify such road  
8 district for an allotment under this Section. Beginning in 2011  
9 and thereafter, if any road district has levied a special tax  
10 for road purposes under Sections 6-601, 6-602, and 6-603 of the  
11 Illinois Highway Code, and the tax was levied in an amount that  
12 would require extension at a rate of not less than 0.08% of the  
13 value of the taxable property of that road district, as  
14 equalized or assessed by the Department of Revenue or, in  
15 DuPage County, an amount equal to or greater than \$12,000 per  
16 mile of road under the jurisdiction of the road district,  
17 whichever is less, that levy shall be deemed a proper  
18 compliance with this Section and shall qualify such road  
19 district for a full, rather than proportionate, allotment under  
20 this Section. If the levy for the special tax is less than  
21 0.08% of the value of the taxable property, or, in DuPage  
22 County if the levy for the special tax is less than the lesser  
23 of (i) 0.08% or (ii) \$12,000 per mile of road under the  
24 jurisdiction of the road district, and if the levy for the  
25 special tax is more than any other levy for road and bridge  
26 purposes, then the levy for the special tax qualifies the road



1 district for a proportionate, rather than full, allotment under  
2 this Section. If the levy for the special tax is equal to or  
3 less than any other levy for road and bridge purposes, then any  
4 allotment under this Section shall be determined by the other  
5 levy for road and bridge purposes.

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

16 In counties in which a property tax extension limitation is  
17 imposed under the Property Tax Extension Limitation Law, road  
18 districts may retain their entitlement to a motor fuel tax  
19 allotment or, beginning in 2011, their entitlement to a full  
20 allotment if, at the time the property tax extension limitation  
21 was imposed, the road district was levying a road and bridge  
22 tax at a rate sufficient to entitle it to a motor fuel tax  
23 allotment and continues to levy the maximum allowable amount  
24 after the imposition of the property tax extension limitation.  
25 Any road district may in all circumstances retain its  
26 entitlement to a motor fuel tax allotment or, beginning in

1 2011, its entitlement to a full allotment if it levied a road  
2 and bridge tax in an amount that will require the extension of  
3 the tax against the taxable property in the road district at a  
4 rate of not less than 0.08% of the assessed value of the  
5 property, based upon the assessment for the year immediately  
6 preceding the year in which the tax was levied and as equalized  
7 by the Department of Revenue or, in DuPage County, an amount  
8 equal to or greater than \$12,000 per mile of road under the  
9 jurisdiction of the road district, whichever is less.

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

21 Payment of motor fuel tax moneys to municipalities and  
22 counties shall be made as soon as possible after the allotment  
23 is made. The treasurer of the municipality or county may invest  
24 these funds until their use is required and the interest earned  
25 by these investments shall be limited to the same uses as the  
26 principal funds.

1       Any municipality or county receiving motor fuel tax funds  
2 from the Department of Transportation pursuant to this Law may  
3 adopt specifications that differ from the Department of  
4 Transportation's specifications for the design and  
5 construction of hot mix asphalt projects that utilize motor  
6 fuel tax funds received by the municipality or county if all  
7 components of specifications adopted by the municipality or  
8 county for projects are based upon: (1) existing Department of  
9 Transportation specifications; (2) full standards promulgated  
10 by the American Society for Testing and Materials or the  
11 American Association of State Highway and Transportation  
12 Officials; (3) Federal Highway Administration Technical  
13 Briefs; (4) completed transportation pooled fund studies  
14 sponsored by either the Federal Highway Administration or a  
15 State Department of Transportation and administered by the  
16 Federal Highway Administration; or (5) completed National  
17 Cooperative Highway Research Program projects.

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

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

22               (55 ILCS 5/5-1035.1) (from Ch. 34, par. 5-1035.1)

23               Sec. 5-1035.1. County Motor Fuel Tax Law.

24               (a) The county board of the counties of DuPage, Kane, Lake,

1 Will, and McHenry may, by an ordinance or resolution adopted by  
2 an affirmative vote of a majority of the members elected or  
3 appointed to the county board, impose a tax upon all persons  
4 engaged in the county in the business of selling motor fuel, as  
5 now or hereafter defined in the Motor Fuel Tax Law, at retail  
6 for the operation of motor vehicles upon public highways or for  
7 the operation of recreational watercraft upon waterways. Kane  
8 County may exempt diesel fuel from the tax imposed pursuant to  
9 this Section. The initial tax rate may be imposed by the county  
10 board at a rate not lower than 4 cents per gallon, ~~in half-cent~~  
11 ~~increments, at a rate not exceeding 4 cents per gallon~~ of motor  
12 fuel sold at retail within the county for the purpose of use or  
13 consumption and not for the purpose of resale, and not  
14 exceeding 8 cents per gallon of motor fuel sold at retail  
15 within the county for the purpose of use or consumption and not  
16 for the purpose of resale. The Department of Revenue shall  
17 calculate annual increases in the tax rate under this Section  
18 pursuant to subsection (a-5). The proceeds from the tax shall  
19 be used by the county solely for the purpose of operating,  
20 constructing and improving public highways and waterways, and  
21 acquiring real property and right-of-ways for public highways  
22 and waterways within the county imposing the tax.

23 (a-5) By June 1, 2020 and by June 1 of each year  
24 thereafter, the Department shall determine an annual rate  
25 increase to take effect on July 1 of that calendar year and  
26 continue through June 30 of the next calendar year. Not later

1 than June 1 of each year, the Department shall publish on the  
2 Department's website the rate that will take effect on July 1  
3 of that calendar year. The rate shall be equal to the product  
4 of the rate in effect multiplied by the transportation fee  
5 index factor determined under Section 2e of the Motor Fuel Tax  
6 Law. Each new rate may not exceed the rate in effect on June 30  
7 of the previous year plus one cent.

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

21 (c) Whenever the Department determines that a refund shall  
22 be made under this Section to a claimant instead of issuing a  
23 credit memorandum, the Department shall notify the State  
24 Comptroller, who shall cause the order to be drawn for the  
25 amount specified, and to the person named, in the notification  
26 from the Department. The refund shall be paid by the State

1 Treasurer out of the County Option Motor Fuel Tax Fund.

2       (d) The Department shall forthwith pay over to the State  
3 Treasurer, ex officio ~~ex officio~~, as trustee, all taxes and  
4 penalties collected hereunder, which shall be deposited into  
5 the County Option Motor Fuel Tax Fund, a special fund in the  
6 State Treasury which is hereby created. On or before the 25th  
7 day of each calendar month, the Department shall prepare and  
8 certify to the State Comptroller the disbursement of stated  
9 sums of money to named counties for which taxpayers have paid  
10 taxes or penalties hereunder to the Department during the  
11 second preceding calendar month. The amount to be paid to each  
12 county shall be the amount (not including credit memoranda)  
13 collected hereunder from retailers within the county during the  
14 second preceding calendar month by the Department, but not  
15 including an amount equal to the amount of refunds made during  
16 the second preceding calendar month by the Department on behalf  
17 of the county; less 2% of the balance, which sum shall be  
18 retained by the State Treasurer to cover the costs incurred by  
19 the Department in administering and enforcing the provisions of  
20 this Section. The Department, at the time of each monthly  
21 disbursement to the counties, shall prepare and certify to the  
22 Comptroller the amount so retained by the State Treasurer,  
23 which shall be transferred into the Tax Compliance and  
24 Administration Fund.

25       (e) A county may direct, by ordinance, that all or a  
26 portion of the taxes and penalties collected under the County

1 Option Motor Fuel Tax shall be deposited into the  
2 Transportation Development Partnership Trust Fund.

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

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

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

24 (Source: P.A. 98-1049, eff. 8-25-14.)

25 Section 3-30. The Illinois Municipal Code is amended by

1 adding Section 8-11-2.3 as follows:

2 (65 ILCS 5/8-11-2.3 new)

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

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

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

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

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

25 (5) The bidder must have a valid certificate of



1       insurance showing the following coverages: general  
2       liability, professional liability, product liability,  
3       workers' compensation, completed operations, hazardous  
4       occupation, and motor vehicles.

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

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

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

21       A license that is issued to a distributor or a receiver  
22       under the Motor Fuel Tax Law shall permit that distributor or  
23       receiver to act as a distributor or receiver, as applicable,  
24       under this Section. The provisions of Sections 2b, 2d, 6, 6a,  
25       12, 12a, 13, 13a.2, 13a.7, 13a.8, 15.1, and 21 of the Motor  
26       Fuel Tax Law that are not inconsistent with this Section shall

1 apply as far as practicable to the subject matter of this  
2 Section to the same extent as if those provisions were included  
3 in this Section.

4 The Department shall immediately pay over to the State  
5 Treasurer, ex officio, as trustee, all taxes and penalties  
6 collected under this Section. Those taxes and penalties shall  
7 be deposited into the Municipal Motor Fuel Tax Fund, a trust  
8 fund created in the State treasury. Moneys in the Municipal  
9 Motor Fuel Tax Fund shall be used to make payments to  
10 municipalities and for the payment of refunds under this  
11 Section. The amount to be paid to each municipality shall be  
12 the amount (not including credit memoranda) collected by the  
13 Department from the tax imposed by that municipality under this  
14 Section during the second preceding calendar month, plus an  
15 amount the Department determines is necessary to offset amounts  
16 that were erroneously paid to a different municipality, and not  
17 including an amount equal to the amount of refunds made during  
18 the second preceding calendar month by the Department on behalf  
19 of the municipality, and not including any amount that the  
20 Department determines is necessary to offset any amounts that  
21 were payable to a different municipality but were erroneously  
22 paid to the municipality, less 1.5% of the remainder, which the  
23 Department shall transfer into the Tax Compliance and  
24 Administration Fund. The Department, at the time of each  
25 monthly disbursement, shall prepare and certify to the State  
26 Comptroller the amount to be transferred into the Tax

1 Compliance and Administration Fund under this Section. Within  
2 10 days after receipt by the Comptroller of the disbursement  
3 certification to the municipalities and the Tax Compliance and  
4 Administration Fund provided for in this Section to be given to  
5 the Comptroller by the Department, the Comptroller shall cause  
6 the orders to be drawn for the respective amounts in accordance  
7 with the directions contained in the certification.

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

11 (70 ILCS 3615/2.39 new)

12 Sec. 2.39. Prioritization process for Northeastern  
13 Illinois transit projects.

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

1 process and its use in funding awards.

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

5 (70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

6 Sec. 4.03. Taxes.

7 (a) In order to carry out any of the powers or purposes of  
8 the Authority, the Board may by ordinance adopted with the  
9 concurrence of 12 of the then Directors, impose throughout the  
10 metropolitan region any or all of the taxes provided in this  
11 Section. Except as otherwise provided in this Act, taxes  
12 imposed under this Section and civil penalties imposed incident  
13 thereto shall be collected and enforced by the State Department  
14 of Revenue. The Department shall have the power to administer  
15 and enforce the taxes and to determine all rights for refunds  
16 for erroneous payments of the taxes. Nothing in Public Act  
17 95-708 is intended to invalidate any taxes currently imposed by  
18 the Authority. The increased vote requirements to impose a tax  
19 shall only apply to actions taken after January 1, 2008 (the  
20 effective date of Public Act 95-708).

21 (b) The Board may impose a public transportation tax upon  
22 all persons engaged in the metropolitan region in the business  
23 of selling at retail motor fuel for operation of motor vehicles  
24 upon public highways. The tax shall be at a rate not to exceed  
25 5% of the gross receipts from the sales of motor fuel in the

1 course of the business. As used in this Act, the term "motor  
2 fuel" shall have the same meaning as in the Motor Fuel Tax Law.  
3 The Board may provide for details of the tax. The provisions of  
4 any tax shall conform, as closely as may be practicable, to the  
5 provisions of the Municipal Retailers Occupation Tax Act,  
6 including without limitation, conformity to penalties with  
7 respect to the tax imposed and as to the powers of the State  
8 Department of Revenue to promulgate and enforce rules and  
9 regulations relating to the administration and enforcement of  
10 the provisions of the tax imposed, except that reference in the  
11 Act to any municipality shall refer to the Authority and the  
12 tax shall be imposed only with regard to receipts from sales of  
13 motor fuel in the metropolitan region, at rates as limited by  
14 this Section.

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

22 (d) The Board may impose a motor vehicle parking tax upon  
23 the privilege of parking motor vehicles at off-street parking  
24 facilities in the metropolitan region at which a fee is  
25 charged, and may provide for reasonable classifications in and  
26 exemptions to the tax, for administration and enforcement

1       thereof and for civil penalties and refunds thereunder and may  
2       provide criminal penalties thereunder, the maximum penalties  
3       not to exceed the maximum criminal penalties provided in the  
4       Retailers' Occupation Tax Act. The Authority may collect and  
5       enforce the tax itself or by contract with any unit of local  
6       government. The State Department of Revenue shall have no  
7       responsibility for the collection and enforcement unless the  
8       Department agrees with the Authority to undertake the  
9       collection and enforcement. As used in this paragraph, the term  
10      "parking facility" means a parking area or structure having  
11      parking spaces for more than 2 vehicles at which motor vehicles  
12      are permitted to park in return for an hourly, daily, or other  
13      periodic fee, whether publicly or privately owned, but does not  
14      include parking spaces on a public street, the use of which is  
15      regulated by parking meters.

16           (e) The Board may impose a Regional Transportation  
17      Authority Retailers' Occupation Tax upon all persons engaged in  
18      the business of selling tangible personal property at retail in  
19      the metropolitan region. In Cook County, the tax rate shall be  
20      1.25% of the gross receipts from sales of tangible personal  
21      property taxed at the 1% rate under the Retailers' Occupation  
22      Tax Act, and 1% of the gross receipts from other taxable sales  
23      made in the course of that business. In DuPage, Kane, Lake,  
24      McHenry, and Will counties ~~Counties~~, the tax rate shall be  
25      0.75% of the gross receipts from all taxable sales made in the  
26      course of that business. The tax imposed under this Section and

1 all civil penalties that may be assessed as an incident thereof  
2 shall be collected and enforced by the State Department of  
3 Revenue. The Department shall have full power to administer and  
4 enforce this Section; to collect all taxes and penalties so  
5 collected in the manner hereinafter provided; and to determine  
6 all rights to credit memoranda arising on account of the  
7 erroneous payment of tax or penalty hereunder. In the  
8 administration of, and compliance with this Section, the  
9 Department and persons who are subject to this Section shall  
10 have the same rights, remedies, privileges, immunities, powers  
11 and duties, and be subject to the same conditions,  
12 restrictions, limitations, penalties, exclusions, exemptions  
13 and definitions of terms, and employ the same modes of  
14 procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,  
15 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions  
16 therein other than the State rate of tax), 2c, 3 (except as to  
17 the disposition of taxes and penalties collected), 4, 5, 5a,  
18 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d,  
19 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act  
20 and Section 3-7 of the Uniform Penalty and Interest Act, as  
21 fully as if those provisions were set forth herein.

22 Persons subject to any tax imposed under the authority  
23 granted in this Section may reimburse themselves for their  
24 seller's tax liability hereunder by separately stating the tax  
25 as an additional charge, which charge may be stated in  
26 combination in a single amount with State taxes that sellers

1 are required to collect under the Use Tax Act, under any  
2 bracket schedules the Department may prescribe.

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

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

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

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

26 Nothing in this Section shall be construed to authorize the



1 Regional Transportation Authority to impose a tax upon the  
2 privilege of engaging in any business that under the  
3 Constitution of the United States may not be made the subject  
4 of taxation by this State.

5 (f) If a tax has been imposed under paragraph (e), a  
6 Regional Transportation Authority Service Occupation Tax shall  
7 also be imposed upon all persons engaged, in the metropolitan  
8 region in the business of making sales of service, who as an  
9 incident to making the sales of service, transfer tangible  
10 personal property within the metropolitan region, either in the  
11 form of tangible personal property or in the form of real  
12 estate as an incident to a sale of service. In Cook County, the  
13 tax rate shall be: (1) 1.25% of the serviceman's cost price of  
14 food prepared for immediate consumption and transferred  
15 incident to a sale of service subject to the service occupation  
16 tax by an entity licensed under the Hospital Licensing Act, the  
17 Nursing Home Care Act, the Specialized Mental Health  
18 Rehabilitation Act of 2013, the ID/DD Community Care Act, or  
19 the MC/DD Act that is located in the metropolitan region; (2)  
20 1.25% of the selling price of tangible personal property taxed  
21 at the 1% rate under the Service Occupation Tax Act; and (3) 1%  
22 of the selling price from other taxable sales of tangible  
23 personal property transferred. In DuPage, Kane, Lake, McHenry,  
24 and Will counties, ~~Counties~~ the rate shall be 0.75% of the  
25 selling price of all tangible personal property transferred.

26 The tax imposed under this paragraph and all civil

1 penalties that may be assessed as an incident thereof shall be  
2 collected and enforced by the State Department of Revenue. The  
3 Department shall have full power to administer and enforce this  
4 paragraph; to collect all taxes and penalties due hereunder; to  
5 dispose of taxes and penalties collected in the manner  
6 hereinafter provided; and to determine all rights to credit  
7 memoranda arising on account of the erroneous payment of tax or  
8 penalty hereunder. In the administration of and compliance with  
9 this paragraph, the Department and persons who are subject to  
10 this paragraph shall have the same rights, remedies,  
11 privileges, immunities, powers and duties, and be subject to  
12 the same conditions, restrictions, limitations, penalties,  
13 exclusions, exemptions and definitions of terms, and employ the  
14 same modes of procedure, as are prescribed in Sections 1a-1, 2,  
15 2a, 3 through 3-50 (in respect to all provisions therein other  
16 than the State rate of tax), 4 (except that the reference to  
17 the State shall be to the Authority), 5, 7, 8 (except that the  
18 jurisdiction to which the tax shall be a debt to the extent  
19 indicated in that Section 8 shall be the Authority), 9 (except  
20 as to the disposition of taxes and penalties collected, and  
21 except that the returned merchandise credit for this tax may  
22 not be taken against any State tax), 10, 11, 12 (except the  
23 reference therein to Section 2b of the Retailers' Occupation  
24 Tax Act), 13 (except that any reference to the State shall mean  
25 the Authority), the first paragraph of Section 15, 16, 17, 18,  
26 19 and 20 of the Service Occupation Tax Act and Section 3-7 of

1 the Uniform Penalty and Interest Act, as fully as if those  
2 provisions were set forth herein.

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

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

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

22 (g) If a tax has been imposed under paragraph (e), a tax  
23 shall also be imposed upon the privilege of using in the  
24 metropolitan region, any item of tangible personal property  
25 that is purchased outside the metropolitan region at retail  
26 from a retailer, and that is titled or registered with an

1 agency of this State's government. In Cook County, the tax rate  
2 shall be 1% of the selling price of the tangible personal  
3 property, as "selling price" is defined in the Use Tax Act. In  
4 DuPage, Kane, Lake, McHenry and Will counties, the tax rate  
5 shall be 0.75% of the selling price of the tangible personal  
6 property, as "selling price" is defined in the Use Tax Act. The  
7 tax shall be collected from persons whose Illinois address for  
8 titling or registration purposes is given as being in the  
9 metropolitan region. The tax shall be collected by the  
10 Department of Revenue for the Regional Transportation  
11 Authority. The tax must be paid to the State, or an exemption  
12 determination must be obtained from the Department of Revenue,  
13 before the title or certificate of registration for the  
14 property may be issued. The tax or proof of exemption may be  
15 transmitted to the Department by way of the State agency with  
16 which, or the State officer with whom, the tangible personal  
17 property must be titled or registered if the Department and the  
18 State agency or State officer determine that this procedure  
19 will expedite the processing of applications for title or  
20 registration.

21 The Department shall have full power to administer and  
22 enforce this paragraph; to collect all taxes, penalties, and  
23 interest due hereunder; to dispose of taxes, penalties, and  
24 interest collected in the manner hereinafter provided; and to  
25 determine all rights to credit memoranda or refunds arising on  
26 account of the erroneous payment of tax, penalty, or interest

1 hereunder. In the administration of and compliance with this  
2 paragraph, the Department and persons who are subject to this  
3 paragraph shall have the same rights, remedies, privileges,  
4 immunities, powers and duties, and be subject to the same  
5 conditions, restrictions, limitations, penalties, exclusions,  
6 exemptions and definitions of terms and employ the same modes  
7 of procedure, as are prescribed in Sections 2 (except the  
8 definition of "retailer maintaining a place of business in this  
9 State"), 3 through 3-80 (except provisions pertaining to the  
10 State rate of tax, and except provisions concerning collection  
11 or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15,  
12 19 (except the portions pertaining to claims by retailers and  
13 except the last paragraph concerning refunds), 20, 21 and 22 of  
14 the Use Tax Act, and are not inconsistent with this paragraph,  
15 as fully as if those provisions were set forth herein.

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

24 (h) The Authority may impose a replacement vehicle tax of  
25 \$50 on any passenger car as defined in Section 1-157 of the  
26 Illinois Vehicle Code purchased within the metropolitan region

1 by or on behalf of an insurance company to replace a passenger  
2 car of an insured person in settlement of a total loss claim.  
3 The tax imposed may not become effective before the first day  
4 of the month following the passage of the ordinance imposing  
5 the tax and receipt of a certified copy of the ordinance by the  
6 Department of Revenue. The Department of Revenue shall collect  
7 the tax for the Authority in accordance with Sections 3-2002  
8 and 3-2003 of the Illinois Vehicle Code.

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

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

20 After the monthly transfer to the STAR Bonds Revenue Fund,  
21 on or before the 25th day of each calendar month, the  
22 Department shall prepare and certify to the Comptroller the  
23 disbursement of stated sums of money to the Authority. The  
24 amount to be paid to the Authority shall be the amount  
25 collected hereunder during the second preceding calendar month  
26 by the Department, less any amount determined by the Department

1 to be necessary for the payment of refunds, and less any  
2 amounts that are transferred to the STAR Bonds Revenue Fund.  
3 Within 10 days after receipt by the Comptroller of the  
4 disbursement certification to the Authority provided for in  
5 this Section to be given to the Comptroller by the Department,  
6 the Comptroller shall cause the orders to be drawn for that  
7 amount in accordance with the directions contained in the  
8 certification.

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

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

20 (k) The provisions of any tax imposed under paragraph (c)  
21 of this Section shall conform as closely as may be practicable  
22 to the provisions of the Use Tax Act, including without  
23 limitation conformity as to penalties with respect to the tax  
24 imposed and as to the powers of the State Department of Revenue  
25 to promulgate and enforce rules and regulations relating to the  
26 administration and enforcement of the provisions of the tax

1 imposed. The taxes shall be imposed only on use within the  
2 metropolitan region and at rates as provided in the paragraph.

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

17 (m) Any ordinance imposing or discontinuing any tax under  
18 this Section shall be adopted and a certified copy thereof  
19 filed with the Department on or before June 1, whereupon the  
20 Department of Revenue shall proceed to administer and enforce  
21 this Section on behalf of the Regional Transportation Authority  
22 as of September 1 next following such adoption and filing.  
23 Beginning January 1, 1992, an ordinance or resolution imposing  
24 or discontinuing the tax hereunder shall be adopted and a  
25 certified copy thereof filed with the Department on or before  
26 the first day of July, whereupon the Department shall proceed



1 to administer and enforce this Section as of the first day of  
2 October next following such adoption and filing. Beginning  
3 January 1, 1993, an ordinance or resolution imposing,  
4 increasing, decreasing, or discontinuing the tax hereunder  
5 shall be adopted and a certified copy thereof filed with the  
6 Department, whereupon the Department shall proceed to  
7 administer and enforce this Section as of the first day of the  
8 first month to occur not less than 60 days following such  
9 adoption and filing. Any ordinance or resolution of the  
10 Authority imposing a tax under this Section and in effect on  
11 August 1, 2007 shall remain in full force and effect and shall  
12 be administered by the Department of Revenue under the terms  
13 and conditions and rates of tax established by such ordinance  
14 or resolution until the Department begins administering and  
15 enforcing an increased tax under this Section as authorized by  
16 Public Act 95-708. The tax rates authorized by Public Act  
17 95-708 are effective only if imposed by ordinance of the  
18 Authority.

19 (n) Except as otherwise provided in this subsection (n),  
20 the State Department of Revenue shall, upon collecting any  
21 taxes as provided in this Section, pay the taxes over to the  
22 State Treasurer as trustee for the Authority. The taxes shall  
23 be held in a trust fund outside the State Treasury. On or  
24 before the 25th day of each calendar month, the State  
25 Department of Revenue shall prepare and certify to the  
26 Comptroller of the State of Illinois and to the Authority (i)

1 the amount of taxes collected in each county ~~County~~ other than  
2 Cook County in the metropolitan region, (ii) the amount of  
3 taxes collected within the City of Chicago, and (iii) the  
4 amount collected in that portion of Cook County outside of  
5 Chicago, each amount less the amount necessary for the payment  
6 of refunds to taxpayers located in those areas described in  
7 items (i), (ii), and (iii), and less 1.5% of the remainder,  
8 which shall be transferred from the trust fund into the Tax  
9 Compliance and Administration Fund. The Department, at the time  
10 of each monthly disbursement to the Authority, shall prepare  
11 and certify to the State Comptroller the amount to be  
12 transferred into the Tax Compliance and Administration Fund  
13 under this subsection. Within 10 days after receipt by the  
14 Comptroller of the certification of the amounts, the  
15 Comptroller shall cause an order to be drawn for the transfer  
16 of the amount certified into the Tax Compliance and  
17 Administration Fund and the payment of two-thirds of the  
18 amounts certified in item (i) of this subsection to the  
19 Authority and one-third of the amounts certified in item (i) of  
20 this subsection to the respective counties other than Cook  
21 County and the amount certified in items (ii) and (iii) of this  
22 subsection to the Authority.

23 In addition to the disbursement required by the preceding  
24 paragraph, an allocation shall be made in July 1991 and each  
25 year thereafter to the Regional Transportation Authority. The  
26 allocation shall be made in an amount equal to the average

1 monthly distribution during the preceding calendar year  
2 (excluding the 2 months of lowest receipts) and the allocation  
3 shall include the amount of average monthly distribution from  
4 the Regional Transportation Authority Occupation and Use Tax  
5 Replacement Fund. The distribution made in July 1992 and each  
6 year thereafter under this paragraph and the preceding  
7 paragraph shall be reduced by the amount allocated and  
8 disbursed under this paragraph in the preceding calendar year.  
9 The Department of Revenue shall prepare and certify to the  
10 Comptroller for disbursement the allocations made in  
11 accordance with this paragraph.

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

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

23 ~~Any taxes imposed under the authority provided in~~  
24 ~~paragraphs (b), (c) and (d) shall remain in effect only until~~  
25 ~~the time as any tax authorized by paragraphs (e), (f) or (g) of~~  
26 ~~this Section are imposed and becomes effective. Once any tax~~

1 ~~authorized by paragraphs (c), (f) or (g) is imposed the Board~~  
2 ~~may not reimpose taxes as authorized in paragraphs (b), (c) and~~  
3 ~~(d) of the Section unless any tax authorized by paragraphs (c),~~  
4 ~~(f) or (g) of this Section becomes ineffective by means other~~  
5 ~~than an ordinance of the Board.~~

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

12 (Source: P.A. 99-180, eff. 7-29-15; 99-217, eff. 7-31-15;  
13 99-642, eff. 7-28-16; 100-23, eff. 7-6-17; 100-587, eff.  
14 6-4-18; 100-1171, eff. 1-4-19; revised 1-11-19.)

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

17 (605 ILCS 5/4-221)

18 Sec. 4-221. Mix designs. To the extent allowed by federal  
19 law, the Department specifications shall allow the use of  
20 recycled asphalt roofing shingles, including asphalt  
21 rejuvenating agents and binder performance grade modifiers, in  
22 mix designs used for the construction and maintenance of State  
23 highways. All asphalt roofing shingles used in Department  
24 projects shall be from recycling facilities that are approved

1 by the Illinois Environmental Protection Agency and that are in  
2 compliance with the operational guidelines and  
3 asbestos-testing requirements set forth by the Agency under  
4 ~~received from facilities authorized to process asphalt roofing~~  
5 ~~shingles for recycling into asphalt pavement in accordance with~~  
6 ~~(i) permits issued pursuant to Section 39 of the Environmental~~  
7 ~~Protection Act or (ii) beneficial use determinations issued~~  
8 ~~pursuant to Section 22.54 of the Environmental Protection Act.~~

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

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

18 (605 ILCS 5/4-222)

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

21 (a) It shall be the goal of the Department, with regard to  
22 its asphalt paving projects and to the extent possible, to  
23 reduce the carbon footprint and reduce average costs by  
24 maximizing the percentage use of recycled materials or lowest  
25 cost alternative materials, including asphalt rejuvenating

1 agents and binder performance grade modifiers, and extending  
2 the paving season so long as there is no detrimental impact on  
3 life-cycle costs. In furtherance of these goals, the Department  
4 shall provide to the Chairpersons of the Transportation  
5 Committee in each legislative chamber, within 60 days after the  
6 completion of each fiscal year, a written report of the  
7 activities initiated or abandoned in each district or region  
8 within the Department to meet those goals during the previous  
9 year. The report shall also include an analysis of the cost  
10 savings directly or indirectly attributed to those activities  
11 within each district or region. Upon review of the annual  
12 report, the Transportation Committees in each chamber may  
13 conduct hearings and provide recommendations to the Department  
14 regarding the performance of each district or region.

15 (b) No producer of asphalt pavement, operating pursuant to  
16 an air permit issued by the Illinois Environmental Protection  
17 Agency, shall use recycled asphalt roofing shingles in its  
18 pavement product unless the shingles have been processed for  
19 recycling into asphalt pavement in accordance with (i) permits  
20 issued pursuant to Section 39 of the Environmental Protection  
21 Act or (ii) beneficial use determinations issued pursuant to  
22 Section 22.54 of the Environmental Protection Act. The  
23 prohibition in this subsection (b) shall apply in addition to  
24 any other rules, specifications, or other requirements adopted  
25 by the Department regarding the use of asphalt roofing shingles  
26 in pavement product.

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

2 Section 3-45. The Illinois Vehicle Code is amended by  
3 changing Sections 2-119, 3-402.1, 3-805, 3-806, 3-815, 3-818,  
4 3-819, 3-821, 6-118, and 20-101 as follows:

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

6 Sec. 2-119. Disposition of fees and taxes.

7 (a) All moneys received from Salvage Certificates shall be  
8 deposited in the Common School Fund in the State Treasury.

9 (b) Of the money collected for each certificate of title,  
10 duplicate certificate of title, and corrected certificate of  
11 title:

12 (1) \$2.60 shall be deposited in the Park and  
13 Conservation Fund;

14 (2) \$0.65 shall be deposited in the Illinois Fisheries  
15 Management Fund;

16 (3) \$108 ~~\$48~~ shall be disbursed under subsection (g) of  
17 this Section;

18 (4) \$4 shall be deposited into the Motor Vehicle  
19 License Plate Fund; and

20 (5) \$30 shall be deposited into the Capital Projects  
21 Fund.

22 All remaining moneys collected for certificates of title,  
23 and all moneys collected for filing of security interests,  
24 shall be deposited in the General Revenue Fund.

1           The \$20 collected for each delinquent vehicle registration  
2 renewal fee shall be deposited into the General Revenue Fund.

3           The moneys deposited in the Park and Conservation Fund  
4 under this Section shall be used for the acquisition and  
5 development of bike paths as provided for in Section 805-420 of  
6 the Department of Natural Resources (Conservation) Law of the  
7 Civil Administrative Code of Illinois. The moneys deposited  
8 into the Park and Conservation Fund under this subsection shall  
9 not be subject to administrative charges or chargebacks, unless  
10 otherwise authorized by this Code.

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

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

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

23           (e) (Blank).

24           (f) Of the total money collected for a commercial learner's  
25 permit (CLP) or original or renewal issuance of a commercial  
26 driver's license (CDL) pursuant to the Uniform Commercial



1 Driver's License Act (UCDLA): (i) \$6 of the total fee for an  
2 original or renewal CDL, and \$6 of the total CLP fee when such  
3 permit is issued to any person holding a valid Illinois  
4 driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS  
5 Trust Fund (Commercial Driver's License Information  
6 System/American Association of Motor Vehicle Administrators  
7 network/National Motor Vehicle Title Information Service Trust  
8 Fund) and shall be used for the purposes provided in Section  
9 6z-23 of the State Finance Act and (ii) \$20 of the total fee  
10 for an original or renewal CDL or CLP shall be paid into the  
11 Motor Carrier Safety Inspection Fund, which is hereby created  
12 as a special fund in the State Treasury, to be used by the  
13 Department of State Police, subject to appropriation, to hire  
14 additional officers to conduct motor carrier safety  
15 inspections pursuant to Chapter 18b of this Code.

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

25 (h) (Blank).

26 (i) (Blank).

1 (j) (Blank).

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

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

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

26 (n) The Illinois Fire Fighters' Memorial Fund is created as

1 a special fund in the State Treasury. Moneys deposited into the  
2 Fund shall, subject to appropriation, be used by the Office of  
3 the State Fire Marshal for construction of the Illinois Fire  
4 Fighters' Memorial to be located at the State Capitol grounds  
5 in Springfield, Illinois. Upon the completion of the Memorial,  
6 moneys in the Fund shall be used in accordance with Section  
7 3-634.

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

11 (p) For audits conducted on or after July 1, 2003 pursuant  
12 to Section 2-124(d) of this Code, 50% of the money collected as  
13 audit fees shall be deposited into the General Revenue Fund.

14 (Source: P.A. 98-176 (See Section 10 of P.A. 98-722 and Section  
15 10 of P.A. 99-414 for the effective date of changes made by  
16 P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;  
17 99-127, eff. 1-1-16; 99-933, eff. 1-27-17.)

18 (625 ILCS 5/3-402.1) (from Ch. 95 1/2, par. 3-402.1)

19 Sec. 3-402.1. Proportional Registration. Any owner or  
20 rental owner engaged in operating a fleet of apportionable  
21 vehicles in this state and one or more other states may, in  
22 lieu of registration of such vehicles under the general  
23 provisions of sections 3-402, 3-815, ~~3-815.1~~, and 3-819,  
24 register and license such fleet for operations in this state by  
25 filing an application statement, signed under penalties of

1 perjury, with the Secretary of State which shall be in such  
2 form and contain such information as the Secretary of State  
3 shall require, declaring the total mileage operated in all  
4 states by such fleet, the total mileage operated in this state  
5 by such fleet during the preceding year, and describing and  
6 identifying each apportionable vehicle to be operated in this  
7 state during the ensuing year. If mileage data is not available  
8 for the preceding year, the Secretary of State may accept the  
9 latest 12-month period available. "Preceding year" means the  
10 period of 12 consecutive months immediately prior to July 1st  
11 of the year immediately preceding the registration or license  
12 year for which proportional registration is sought.

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

23 Upon receipt of the appropriate fees from such owner as  
24 computed under the provisions of this section, the Secretary of  
25 State shall, when this state is the base jurisdiction, issue to  
26 such owner number plates or other distinctive tags or such

1 evidence of registration as the Secretary of State shall deem  
2 appropriate to identify each vehicle in the fleet as a part of  
3 a proportionally registered interstate fleet.

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

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

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

22 (625 ILCS 5/3-805) (from Ch. 95 1/2, par. 3-805)

23 Sec. 3-805. Electric vehicles.

24 (a) The owner of a motor vehicle of the first division or a  
25 motor vehicle of the second division weighing 8,000 pounds or

1 less propelled by an electric engine and not utilizing motor  
2 fuel shall register the vehicle for a fee of \$1,000 for a  
3 one-year registration period ~~, may register such vehicle for a~~  
4 ~~fee not to exceed \$35 for a 2-year registration period.~~ The  
5 Secretary may, in his discretion, prescribe that electric  
6 vehicle registration plates be issued for an indefinite term,  
7 such term to correspond to the term of registration plates  
8 issued generally, as provided in Section 3-414.1. ~~In no event~~  
9 ~~may the registration fee for electric vehicles exceed \$18 per~~  
10 ~~registration year.~~

11 (b) By June 1, 2020 and by June 1 of each year thereafter,  
12 the Department of Revenue shall determine an annual  
13 registration fee increase for motor vehicles under this Section  
14 to take effect on July 1 of that calendar year and continue  
15 through June 30 of the next calendar year. Not later than June  
16 1 of each year, that Department shall publish on its website  
17 the fee that will take effect on July 1 of that calendar year.  
18 The fee shall be equal to the product of the fee in effect  
19 multiplied by the transportation fee index factor determined  
20 under Section 2e of the Motor Fuel Tax Law. Each new fee shall  
21 be rounded to the nearest dollar and may not exceed 102.5% of  
22 the fee in effect on June 30 of the previous year.

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

24 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)

25 Sec. 3-806. Registration Fees; Motor Vehicles of the First

1 Division. Every owner of any other motor vehicle of the first  
 2 division, except as provided in Sections 3-804, 3-804.01,  
 3 3-804.3, 3-805, 3-806.3, 3-806.7, and 3-808, and every second  
 4 division vehicle weighing 8,000 pounds or less, shall pay the  
 5 Secretary of State an annual registration fee at the following  
 6 rates:

7 SCHEDULE OF REGISTRATION FEES

8 REQUIRED BY LAW

9 Beginning with the 2020 ~~2010~~ registration year

|   | Annual Fee                   |
|---|------------------------------|
| 10  |                              |
| 11 Motor vehicles of the first division other |                              |
| 12 than Autocycles, Motorcycles, Motor        |                              |
| 13 Driven Cycles and Pedalcycles              | <u>\$148</u> <del>\$98</del> |
| 14  |                              |
| 15 Autocycles                                 | 68                           |
| 16  |                              |
| 17 Motorcycles, Motor Driven                  |                              |
| 18 Cycles and Pedalcycles                     | 38                           |

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

23 All of the proceeds of the additional fees imposed by  
 24 Public Act 96-34 shall be deposited into the Capital Projects  
 25 Fund.

1           A \$2 surcharge shall be collected in addition to the above  
2 fees for motor vehicles of the first division, autocycles,  
3 motorcycles, motor driven cycles, and pedalcycles to be  
4 deposited into the Park and Conservation Fund for the  
5 Department of Natural Resources to use for conservation  
6 efforts. The monies deposited into the Park and Conservation  
7 Fund under this Section shall not be subject to administrative  
8 charges or chargebacks unless otherwise authorized by this Act.

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

13           For a motor vehicle of the first division other than an  
14 autocycle, motorcycle, motor driven cycle, or pedalcycle, by  
15 June 1, 2020 and by June 1 of each year thereafter, the  
16 Department of Revenue shall determine an annual registration  
17 fee increase to take effect on July 1 of that calendar year and  
18 continue through June 30 of the next calendar year. Not later  
19 than June 1 of each year, that Department shall publish on its  
20 website the fee that will take effect on July 1 of that  
21 calendar year. The fee shall be equal to the product of the fee  
22 in effect multiplied by the transportation fee index factor  
23 determined under Section 2e of the Motor Fuel Tax Law. Each new  
24 fee shall be rounded to the nearest dollar and may not exceed  
25 102.5% of the fee in effect on June 30 of the previous year.

26           (Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12;



1 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13; 98-777, eff.  
2 1-1-15.)

3 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)  
4 Sec. 3-815. Flat weight tax; vehicles of the second  
5 division.

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

13 SCHEDULE OF FLAT WEIGHT TAX

14 REQUIRED BY LAW

| Gross Weight in Lbs.       | Class | Total Fees                   |
|----------------------------|-------|------------------------------|
| Including Vehicle          |       | each Fiscal                  |
| and Maximum Load           |       | year                         |
| 8,000 lbs. and less        | B     | <u>\$148</u> <del>\$98</del> |
| 8,001 lbs. to 10,000 lbs.  | C     | <u>218</u> <del>118</del>    |
| 10,001 lbs. to 12,000 lbs. | D     | <u>238</u> <del>138</del>    |
| 12,001 lbs. to 16,000 lbs. | F     | <u>342</u> <del>242</del>    |
| 16,001 lbs. to 26,000 lbs. | H     | <u>590</u> <del>490</del>    |
| 26,001 lbs. to 28,000 lbs. | J     | <u>730</u> <del>630</del>    |
| 28,001 lbs. to 32,000 lbs. | K     | <u>942</u> <del>842</del>    |
| 32,001 lbs. to 36,000 lbs. | L     | <u>1,082</u> <del>982</del>  |

|   |                            |   |                               |
|---|----------------------------|---|-------------------------------|
| 1 | 36,001 lbs. to 40,000 lbs. | N | <u>1,302</u> <del>1,202</del> |
| 2 | 40,001 lbs. to 45,000 lbs. | P | <u>1,490</u> <del>1,390</del> |
| 3 | 45,001 lbs. to 50,000 lbs. | Q | <u>1,638</u> <del>1,538</del> |
| 4 | 50,001 lbs. to 54,999 lbs. | R | <u>1,798</u> <del>1,698</del> |
| 5 | 55,000 lbs. to 59,500 lbs. | S | <u>1,930</u> <del>1,830</del> |
| 6 | 59,501 lbs. to 64,000 lbs. | T | <u>2,070</u> <del>1,970</del> |
| 7 | 64,001 lbs. to 73,280 lbs. | V | <u>2,394</u> <del>2,294</del> |
| 8 | 73,281 lbs. to 77,000 lbs. | X | <u>2,722</u> <del>2,622</del> |
| 9 | 77,001 lbs. to 80,000 lbs. | Z | <u>2,890</u> <del>2,790</del> |

10 Beginning with the 2010 registration year a \$1 surcharge  
 11 shall be collected for vehicles registered in the 8,000 lbs.  
 12 and less flat weight plate category above to be deposited into  
 13 the State Police Vehicle Fund.

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

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

26 Of the additional taxes imposed by this amendatory Act of

1 the 101st General Assembly under this subsection, \$34 of the  
2 proceeds per tax collected shall be deposited into the Transit  
3 Capital Projects Fund.

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

17 (a-1) A Special Hauling Vehicle is a vehicle or combination  
18 of vehicles of the second division registered under Section  
19 3-813 transporting asphalt or concrete in the plastic state or  
20 a vehicle or combination of vehicles that are subject to the  
21 gross weight limitations in subsection (a) of Section 15-111  
22 for which the owner of the vehicle or combination of vehicles  
23 has elected to pay, in addition to the registration fee in  
24 subsection (a), \$125 to the Secretary of State for each  
25 registration year. The Secretary shall designate this class of  
26 vehicle as a Special Hauling Vehicle.

1           (a-5) Beginning January 1, 2015, upon the request of the  
2 vehicle owner, a \$10 surcharge shall be collected in addition  
3 to the above fees for vehicles in the 12,000 lbs. and less flat  
4 weight plate categories as described in subsection (a) to be  
5 deposited into the Secretary of State Special License Plate  
6 Fund. The \$10 surcharge is to identify vehicles in the 12,000  
7 lbs. and less flat weight plate categories as a covered farm  
8 vehicle. The \$10 surcharge is an annual, flat fee that shall be  
9 based on an applicant's new or existing registration year for  
10 each vehicle in the 12,000 lbs. and less flat weight plate  
11 categories. A designation as a covered farm vehicle under this  
12 subsection (a-5) shall not alter a vehicle's registration as a  
13 registration in the 12,000 lbs. or less flat weight category.  
14 The Secretary shall adopt any rules necessary to implement this  
15 subsection (a-5).

16           (a-10) Beginning January 1, 2019, upon the request of the  
17 vehicle owner, the Secretary of State shall collect a \$10  
18 surcharge in addition to the fees for second division vehicles  
19 in the 8,000 lbs. and less flat weight plate category described  
20 in subsection (a) that are issued a registration plate under  
21 Article VI of this Chapter. The \$10 surcharge shall be  
22 deposited into the Secretary of State Special License Plate  
23 Fund. The \$10 surcharge is to identify a vehicle in the 8,000  
24 lbs. and less flat weight plate category as a covered farm  
25 vehicle. The \$10 surcharge is an annual, flat fee that shall be  
26 based on an applicant's new or existing registration year for

1 each vehicle in the 8,000 lbs. and less flat weight plate  
 2 category. A designation as a covered farm vehicle under this  
 3 subsection (a-10) shall not alter a vehicle's registration in  
 4 the 8,000 lbs. or less flat weight category. The Secretary  
 5 shall adopt any rules necessary to implement this subsection  
 6 (a-10).

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

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

| 16 Gross Weight in Lbs.     | Total Fees    |
|-----------------------------|---------------|
| 17 Including Vehicle and    | Each          |
| 18 Maximum Load             | Calendar Year |
| 19 8,000 lbs and less       | \$78          |
| 20 8,001 Lbs. to 10,000 Lbs | 90            |
| 21 10,001 Lbs. and Over     | 102           |

22 CAMPING TRAILER OR TRAVEL TRAILER

| 23 Gross Weight in Lbs.  | Total Fees    |
|--------------------------|---------------|
| 24 Including Vehicle and | Each          |
| 25 Maximum Load          | Calendar Year |
| 26 3,000 Lbs. and Less   | \$18          |

|   |                           |    |
|---|---------------------------|----|
| 1 | 3,001 Lbs. to 8,000 Lbs.  | 30 |
| 2 | 8,001 Lbs. to 10,000 Lbs. | 38 |
| 3 | 10,001 Lbs. and Over      | 50 |

4 Every house trailer must be registered under Section 3-819.

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

14 SCHEDULE OF FEES AND TAXES

| 15 | Gross Weight in Lbs.  |       | Total Amount for              |
|----|-----------------------|-------|-------------------------------|
| 16 | Including Truck and   |       | each                          |
| 17 | Maximum Load          | Class | Fiscal Year                   |
| 18 | 16,000 lbs. or less   | VF    | <u>\$250</u> <del>\$150</del> |
| 19 | 16,001 to 20,000 lbs. | VG    | <u>326</u> <del>226</del>     |
| 20 | 20,001 to 24,000 lbs. | VH    | <u>390</u> <del>290</del>     |
| 21 | 24,001 to 28,000 lbs. | VJ    | <u>478</u> <del>378</del>     |
| 22 | 28,001 to 32,000 lbs. | VK    | <u>606</u> <del>506</del>     |
| 23 | 32,001 to 36,000 lbs. | VL    | <u>710</u> <del>610</del>     |
| 24 | 36,001 to 45,000 lbs. | VP    | <u>910</u> <del>810</del>     |
| 25 | 45,001 to 54,999 lbs. | VR    | <u>1,126</u> <del>1,026</del> |
| 26 | 55,000 to 64,000 lbs. | VT    | <u>1,302</u> <del>1,202</del> |

|   |                       |    |                               |
|---|-----------------------|----|-------------------------------|
| 1 | 64,001 to 73,280 lbs. | VV | <u>1,390</u> <del>1,290</del> |
| 2 | 73,281 to 77,000 lbs. | VX | <u>1,450</u> <del>1,350</del> |
| 3 | 77,001 to 80,000 lbs. | VZ | <u>1,590</u> <del>1,490</del> |

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

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

20       Any combination of vehicles having 5 axles, with a distance  
21 of 42 feet or less between extreme axles, that are subject to  
22 the weight limitations in subsection (a) of Section 15-111 for  
23 which the owner of the combination of vehicles has elected to  
24 pay, in addition to the registration fee in subsection (c),  
25 \$125 to the Secretary of State for each registration year shall  
26 be designated by the Secretary as a Special Hauling Vehicle.

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

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

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

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

12 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

13 Sec. 3-818. Mileage weight tax option.

14 (a) Any owner of a vehicle of the second division may elect  
15 to pay a mileage weight tax for such vehicle in lieu of the  
16 flat weight tax set out in Section 3-815. Such election shall  
17 be binding to the end of the registration year. Renewal of this  
18 election must be filed with the Secretary of State on or before  
19 July 1 of each registration period. In such event the owner  
20 shall, at the time of making such election, pay the \$10  
21 registration fee and the minimum guaranteed mileage weight tax,  
22 as hereinafter provided, which payment shall permit the owner  
23 to operate that vehicle the maximum mileage in this State  
24 hereinafter set forth. Any vehicle being operated on mileage  
25 plates cannot be operated outside of this State. In addition



1 thereto, the owner of that vehicle shall pay a mileage weight  
 2 tax at the following rates for each mile traveled in this State  
 3 in excess of the maximum mileage provided under the minimum  
 4 guaranteed basis:

5 BUS, TRUCK OR TRUCK TRACTOR

| 6                     | 7  | 8                             | 9     | 10        | 11 | Maximum    | Mileage      |
|-----------------------|----|-------------------------------|-------|-----------|----|------------|--------------|
|                       |    |                               |       |           |    | Minimum    | Weight Tax   |
| 12                    | 13 | 14                            | 15    | 16        | 17 | Permitted  | for Mileage  |
| 18                    | 19 | 20                            | 21    | 22        | 23 | Under      | in excess of |
| 24                    | 25 | 26                            | 27    | 28        | 29 | Guaranteed | Guaranteed   |
| 30                    | 31 | 32                            | 33    | 34        | 35 | Tax        | Mileage      |
| 12,000 lbs. or less   | MD | <u>\$173</u> <del>\$73</del>  | 5,000 | 26 Mills  |    |            |              |
| 12,001 to 16,000 lbs. | MF | <u>220</u> <del>120</del>     | 6,000 | 34 Mills  |    |            |              |
| 16,001 to 20,000 lbs. | MG | <u>280</u> <del>180</del>     | 6,000 | 46 Mills  |    |            |              |
| 20,001 to 24,000 lbs. | MH | <u>335</u> <del>235</del>     | 6,000 | 63 Mills  |    |            |              |
| 24,001 to 28,000 lbs. | MJ | <u>415</u> <del>315</del>     | 7,000 | 63 Mills  |    |            |              |
| 28,001 to 32,000 lbs. | MK | <u>485</u> <del>385</del>     | 7,000 | 83 Mills  |    |            |              |
| 32,001 to 36,000 lbs. | ML | <u>585</u> <del>485</del>     | 7,000 | 99 Mills  |    |            |              |
| 36,001 to 40,000 lbs. | MN | <u>715</u> <del>615</del>     | 7,000 | 128 Mills |    |            |              |
| 40,001 to 45,000 lbs. | MP | <u>795</u> <del>695</del>     | 7,000 | 139 Mills |    |            |              |
| 45,001 to 54,999 lbs. | MR | <u>953</u> <del>853</del>     | 7,000 | 156 Mills |    |            |              |
| 55,000 to 59,500 lbs. | MS | <u>1,020</u> <del>920</del>   | 7,000 | 178 Mills |    |            |              |
| 59,501 to 64,000 lbs. | MT | <u>1,085</u> <del>985</del>   | 7,000 | 195 Mills |    |            |              |
| 64,001 to 73,280 lbs. | MV | <u>1,273</u> <del>1,173</del> | 7,000 | 225 Mills |    |            |              |
| 73,281 to 77,000 lbs. | MX | <u>1,428</u> <del>1,328</del> | 7,000 | 258 Mills |    |            |              |
| 77,001 to 80,000 lbs. | MZ | <u>1,515</u> <del>1,415</del> | 7,000 | 275 Mills |    |            |              |

## TRAILER

|                       |       |                              | Maximum    | Mileage      |
|-----------------------|-------|------------------------------|------------|--------------|
|                       |       | Minimum                      | Mileage    | Weight Tax   |
|                       |       | Guaranteed                   | Permitted  | for Mileage  |
| Gross Weight          |       | Mileage                      | Under      | in excess of |
| Vehicle and           |       | Weight                       | Guaranteed | Guaranteed   |
| Load                  | Class | Tax                          | Tax        | Mileage      |
| 14,000 lbs. or less   | ME    | <u>\$175</u> <del>\$75</del> | 5,000      | 31 Mills     |
| 14,001 to 20,000 lbs. | MF    | <u>235</u> <del>135</del>    | 6,000      | 36 Mills     |
| 20,001 to 36,000 lbs. | ML    | <u>640</u> <del>540</del>    | 7,000      | 103 Mills    |
| 36,001 to 40,000 lbs. | MM    | <u>850</u> <del>750</del>    | 7,000      | 150 Mills    |

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

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

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

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

15 Every owner of a second division motor vehicle for which he  
16 has elected to pay a mileage weight tax shall keep a daily  
17 record upon forms prescribed by the Secretary of State, showing  
18 the mileage covered by that vehicle in this State. Such record  
19 shall contain the license number of the vehicle and the miles  
20 traveled by the vehicle in this State for each day of the  
21 calendar month. Such owner shall also maintain records of fuel  
22 consumed by each such motor vehicle and fuel purchases  
23 therefor. On or before the 10th day of July the owner shall  
24 certify to the Secretary of State upon forms prescribed  
25 therefor, summaries of his daily records which shall show the  
26 miles traveled by the vehicle in this State during the

1 preceding 12 months and such other information as the Secretary  
2 of State may require. The daily record and fuel records shall  
3 be filed, preserved and available for audit for a period of 3  
4 years. Any owner filing a return hereunder shall certify that  
5 such return is a true, correct and complete return. Any person  
6 who willfully makes a false return hereunder is guilty of  
7 perjury and shall be punished in the same manner and to the  
8 same extent as is provided therefor.

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

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

23 Upon notice from the Secretary that the registrant has  
24 failed to pay the excess mileage fees, the surety shall  
25 immediately pay the fees together with any penalties and  
26 interest thereon in an amount not to exceed the limits of the

1 bond.

2 (b) Beginning January 1, 2016, upon the request of the  
3 vehicle owner, a \$10 surcharge shall be collected in addition  
4 to the above fees for vehicles in the 12,000 lbs. and less  
5 mileage weight plate category as described in subsection (a) to  
6 be deposited into the Secretary of State Special License Plate  
7 Fund. The \$10 surcharge is to identify vehicles in the 12,000  
8 lbs. and less mileage weight plate category as a covered farm  
9 vehicle. The \$10 surcharge is an annual flat fee that shall be  
10 based on an applicant's new or existing registration year for  
11 each vehicle in the 12,000 lbs. and less mileage weight plate  
12 category. A designation as a covered farm vehicle under this  
13 subsection (b) shall not alter a vehicle's registration as a  
14 registration in the 12,000 lbs. or less mileage weight  
15 category. The Secretary shall adopt any rules necessary to  
16 implement this subsection (b).

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

18 (625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

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

20 (a) Farm Trailer. Any farm trailer drawn by a motor vehicle  
21 of the second division registered under paragraph (a) or (c) of  
22 Section 3-815 and used exclusively by the owner for his own  
23 agricultural, horticultural or livestock raising operations  
24 and not used for hire, or any farm trailer utilized only in the  
25 transportation for-hire of seasonal, fresh, perishable fruit

1 or vegetables from farm to the point of first processing, and  
 2 any trailer used with a farm tractor that is not an implement  
 3 of husbandry may be registered under this paragraph in lieu of  
 4 registration under paragraph (b) of this Section upon the  
 5 filing of a proper application and the payment of the \$10  
 6 registration fee and the highway use tax herein for use of the  
 7 public highways of this State, at the following rates which  
 8 include the \$10 registration fee:

9 SCHEDULE OF FEES AND TAXES

| 10 Gross Weight in Lbs.  | Class | Total Amount                 |
|--------------------------|-------|------------------------------|
| 11 Including Vehicle     |       | each                         |
| 12 and Maximum Load      |       | Fiscal Year                  |
| 13 10,000 lbs. or less   | VDD   | <u>\$160</u> <del>\$60</del> |
| 14 10,001 to 14,000 lbs. | VDE   | <u>206</u> <del>106</del>    |
| 15 14,001 to 20,000 lbs. | VDG   | <u>266</u> <del>166</del>    |
| 16 20,001 to 28,000 lbs. | VDJ   | <u>478</u> <del>378</del>    |
| 17 28,001 to 36,000 lbs. | VDL   | <u>750</u> <del>650</del>    |

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

20 For vehicles subject to the tax collected under this  
 21 subsection, by June 1, 2020 and by June 1 of each year  
 22 thereafter, the Department of Revenue shall determine an annual  
 23 registration rate increase to take effect on July 1 of that  
 24 calendar year and continue through June 30 of the next calendar  
 25 year. Not later than June 1 of each year, that Department shall  
 26 publish on its website the rate that will take effect on July 1

1 of that calendar year. The rate shall be equal to the product  
 2 of the rate in effect multiplied by the transportation fee  
 3 index factor determined under Section 2e of the Motor Fuel Tax  
 4 Law. Each new rate shall be rounded to the nearest dollar and  
 5 may not exceed 102.5% of the fee in effect on June 30 of the  
 6 previous year.

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

14 SCHEDULE OF TRAILER FLAT

15 WEIGHT TAX REQUIRED

16 BY LAW

| 17 Gross Weight in Lbs.             |       | Total Fees                   |
|-------------------------------------|-------|------------------------------|
| 18 Including Vehicle and            |       | each                         |
| 19 Maximum Load                     | Class | Fiscal Year                  |
| 20 3,000 lbs. and less              | TA    | <u>\$118</u> <del>\$18</del> |
| 21 5,000 lbs. and more than 3,000   | TB    | <u>154</u> <del>54</del>     |
| 22 8,000 lbs. and more than 5,000   | TC    | <u>158</u> <del>58</del>     |
| 23 10,000 lbs. and more than 8,000  | TD    | <u>206</u> <del>106</del>    |
| 24 14,000 lbs. and more than 10,000 | TE    | <u>270</u> <del>170</del>    |
| 25 20,000 lbs. and more than 14,000 | TG    | <u>358</u> <del>258</del>    |
| 26 32,000 lbs. and more than 20,000 | TK    | <u>822</u> <del>722</del>    |

|   |                                  |    |                               |
|---|----------------------------------|----|-------------------------------|
| 1 | 36,000 lbs. and more than 32,000 | TL | <u>1,182</u> <del>1,082</del> |
| 2 | 40,000 lbs. and more than 36,000 | TN | <u>1,602</u> <del>1,502</del> |

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

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

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

19       (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)  
20       Sec. 3-821. Miscellaneous registration and title fees.

21       (a) Except as provided under subsection (h), the fee to be  
22 paid to the Secretary of State for the following certificates,  
23 registrations or evidences of proper registration, or for  
24 corrected or duplicate documents shall be in accordance with  
25 the following schedule:



|    |  |                              |
|----|--|------------------------------|
| 1  | Certificate of Title, except for an all-terrain          |                              |
| 2  | vehicle or off-highway motorcycle                        | <u>\$155</u> <del>\$95</del> |
| 3  | Certificate of Title for an all-terrain vehicle          |                              |
| 4  | or off-highway motorcycle                                | \$30                         |
| 5  | Certificate of Title for an all-terrain vehicle          |                              |
| 6  | or off-highway motorcycle used for production            |                              |
| 7  | agriculture, or accepted by a dealer in trade            | 13                           |
| 8  | Certificate of Title for a low-speed vehicle             | 30                           |
| 9  | Transfer of Registration or any evidence of              |                              |
| 10 | proper registration                                      | \$25                         |
| 11 | Duplicate Registration Card for plates or other          |                              |
| 12 | evidence of proper registration                          | 3                            |
| 13 | Duplicate Registration Sticker or Stickers, each         | 20                           |
| 14 | Duplicate Certificate of Title                           | <u>155</u> <del>95</del>     |
| 15 | Corrected Registration Card or Card for other            |                              |
| 16 | evidence of proper registration                          | 3                            |
| 17 | Corrected Certificate of Title                           | <u>155</u> <del>95</del>     |
| 18 | Salvage Certificate                                      | 4                            |
| 19 | Fleet Reciprocity Permit                                 | 15                           |
| 20 | Prorate Decal  | 1                            |
| 21 | Prorate Backing Plate                                    | 3                            |
| 22 | Special Corrected Certificate of Title                   | 15                           |
| 23 | Expedited Title Service (to be charged in addition       |                              |
| 24 | to other applicable fees)                                | 30                           |
| 25 | Dealer Lien Release Certificate of Title                 | 20                           |
| 26 | A special corrected certificate of title shall be issued |                              |

1 (i) to remove a co-owner's name due to the death of the  
2 co-owner, to transfer title to a spouse if the decedent-spouse  
3 was the sole owner on the title, or due to a divorce; (ii) to  
4 change a co-owner's name due to a marriage; or (iii) due to a  
5 name change under Article XXI of the Code of Civil Procedure.

6 There shall be no fee paid for a Junking Certificate.

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

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

16 (a-10) The Secretary of State may issue, in connection with  
17 the sale of a motor vehicle, a corrected title to a motor  
18 vehicle dealer upon application and submittal of a lien release  
19 letter from the lienholder listed in the files of the  
20 Secretary. In the case of a title issued by another state, the  
21 dealer must submit proof from the state that issued the last  
22 title. The corrected title, which shall be known as a dealer  
23 lien release certificate of title, shall be issued in the name  
24 of the vehicle owner without the named lienholder. If the motor  
25 vehicle is currently titled in a state other than Illinois, the  
26 applicant must submit either (i) a letter from the current

1     lienholder releasing the lien and stating that the lienholder  
2     has possession of the title; or (ii) a letter from the current  
3     lienholder releasing the lien and a copy of the records of the  
4     department of motor vehicles for the state in which the vehicle  
5     is titled, showing that the vehicle is titled in the name of  
6     the applicant and that no liens are recorded other than the  
7     lien for which a release has been submitted. The fee for the  
8     dealer lien release certificate of title is \$20.

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

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

21           If the total amount then due and owing exceeds the sum of  
22     \$100 and has not been paid in full within 60 days from the date  
23     the dishonored payment was first delivered to the Secretary of  
24     State, the Secretary of State shall assess a penalty of 25% of  
25     such amount remaining unpaid.

26           All amounts payable under this Section shall be computed to

1 the nearest dollar. Out of each fee collected for dishonored  
2 payments, \$5 shall be deposited in the Secretary of State  
3 Special Services Fund.

4 (d) The minimum fee and tax to be paid by any applicant for  
5 apportionment of a fleet of vehicles under this Code shall be  
6 \$15 if the application was filed on or before the date  
7 specified by the Secretary together with fees and taxes due. If  
8 an application and the fees or taxes due are filed after the  
9 date specified by the Secretary, the Secretary may prescribe  
10 the payment of interest at the rate of 1/2 of 1% per month or  
11 fraction thereof after such due date and a minimum of \$8.

12 (e) Trucks, truck tractors, truck tractors with loads, and  
13 motor buses, any one of which having a combined total weight in  
14 excess of 12,000 lbs. shall file an application for a Fleet  
15 Reciprocity Permit issued by the Secretary of State. This  
16 permit shall be in the possession of any driver operating a  
17 vehicle on Illinois highways. Any foreign licensed vehicle of  
18 the second division operating at any time in Illinois without a  
19 Fleet Reciprocity Permit or other proper Illinois  
20 registration, shall subject the operator to the penalties  
21 provided in Section 3-834 of this Code. For the purposes of  
22 this Code, "Fleet Reciprocity Permit" means any second division  
23 motor vehicle with a foreign license and used only in  
24 interstate transportation of goods. The fee for such permit  
25 shall be \$15 per fleet which shall include all vehicles of the  
26 fleet being registered.

1 (f) For purposes of this Section, "all-terrain vehicle or  
2 off-highway motorcycle used for production agriculture" means  
3 any all-terrain vehicle or off-highway motorcycle used in the  
4 raising of or the propagation of livestock, crops for sale for  
5 human consumption, crops for livestock consumption, and  
6 production seed stock grown for the propagation of feed grains  
7 and the husbandry of animals or for the purpose of providing a  
8 food product, including the husbandry of blood stock as a main  
9 source of providing a food product. "All-terrain vehicle or  
10 off-highway motorcycle used in production agriculture" also  
11 means any all-terrain vehicle or off-highway motorcycle used in  
12 animal husbandry, floriculture, aquaculture, horticulture, and  
13 viticulture.

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

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

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

23 (625 ILCS 5/6-118)

24 Sec. 6-118. Fees.

25 (a) The fees ~~fee~~ for licenses and permits under this

1 Article are ~~is~~ as follows:

2 Original driver's license ..... \$60 ~~\$30~~

3 Original or renewal driver's license

4 issued to 18, 19 and 20 year olds ..... 10 ~~5~~

5 All driver's licenses for persons

6 age 69 through age 80 ..... 10 ~~5~~

7 All driver's licenses for persons

8 age 81 through age 86 ..... 2

9 All driver's licenses for persons

10 age 87 or older ..... 0

11 Renewal driver's license (except for

12 applicants ages 18, 19 and 20 or

13 age 69 and older) ..... 60 ~~30~~

14 Original instruction permit issued to

15 persons (except those age 69 and older)

16 who do not hold or have not previously

17 held an Illinois instruction permit or

18 driver's license ..... 20

19 Instruction permit issued to any person

20 holding an Illinois driver's license

21 who wishes a change in classifications,

22 other than at the time of renewal ..... 5

23 Any instruction permit issued to a person

24 age 69 and older ..... 5

25 Instruction permit issued to any person,

26 under age 69, not currently holding a

1 valid Illinois driver's license or  
2 instruction permit but who has  
3 previously been issued either document  
4 in Illinois ..... 10  
5 Restricted driving permit ..... 8  
6 Monitoring device driving permit ..... 8  
7 Duplicate or corrected driver's license  
8 or permit ..... 5  
9 Duplicate or corrected restricted  
10 driving permit ..... 5  
11 Duplicate or corrected monitoring  
12 device driving permit ..... 5  
13 Duplicate driver's license or permit issued to  
14 an active-duty member of the  
15 United States Armed Forces,  
16 the member's spouse, or  
17 the dependent children living  
18 with the member ..... 0  
19 Original or renewal M or L endorsement..... 5

20 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

21 The fees for commercial driver licenses and permits  
22 under Article V shall be as follows:

23 Commercial driver's license:

- 24 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
- 25 (Commercial Driver's License Information
- 26 System/American Association of Motor Vehicle

1 Administrators network/National Motor Vehicle  
2 Title Information Service Trust Fund);  
3 \$20 for the Motor Carrier Safety Inspection Fund;  
4 \$10 for the driver's license;  
5 and \$24 for the CDL: ..... \$60  
6 Renewal commercial driver's license:  
7 \$6 for the CDLIS/AAMVANet/NMVTIS Trust Fund;  
8 \$20 for the Motor Carrier Safety Inspection Fund;  
9 \$10 for the driver's license; and  
10 \$24 for the CDL: ..... \$60  
11 Commercial learner's permit  
12 issued to any person holding a valid  
13 Illinois driver's license for the  
14 purpose of changing to a  
15 CDL classification: \$6 for the  
16 CDLIS/AAMVANet/NMVTIS Trust Fund;  
17 \$20 for the Motor Carrier  
18 Safety Inspection Fund; and  
19 \$24 for the CDL classification ..... \$50  
20 Commercial learner's permit  
21 issued to any person holding a valid  
22 Illinois CDL for the purpose of  
23 making a change in a classification,  
24 endorsement or restriction ..... \$5  
25 CDL duplicate or corrected license ..... \$5  
26 In order to ensure the proper implementation of the Uniform



1 Commercial Driver License Act, Article V of this Chapter, the  
2 Secretary of State is empowered to prorate ~~pro-rate~~ the \$24 fee  
3 for the commercial driver's license proportionate to the  
4 expiration date of the applicant's Illinois driver's license.

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

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

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

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

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

21 (b) Any person whose license or privilege to operate a  
22 motor vehicle in this State has been suspended or revoked under  
23 Section 3-707, any provision of Chapter 6, Chapter 11, or  
24 Section 7-205, 7-303, or 7-702 of the Family Financial  
25 Responsibility Law of this Code, shall in addition to any other  
26 fees required by this Code, pay a reinstatement fee as follows:

|   |   |       |
|---|---|-------|
| 1 | Suspension under Section 3-707 .....            | \$100 |
| 2 | Suspension under Section 11-1431 .....          | \$100 |
| 3 | Summary suspension under Section 11-501.1 ..... | \$250 |
| 4 | Suspension under Section 11-501.9 .....         | \$250 |
| 5 | Summary revocation under Section 11-501.1 ..... | \$500 |
| 6 | Other suspension .....                          | \$70  |
| 7 | Revocation .....                                | \$500 |

8       However, any person whose license or privilege to operate a  
9 motor vehicle in this State has been suspended or revoked for a  
10 second or subsequent time for a violation of Section 11-501,  
11 11-501.1, or 11-501.9 of this Code or a similar provision of a  
12 local ordinance or a similar out-of-state offense or Section  
13 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012  
14 and each suspension or revocation was for a violation of  
15 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar  
16 provision of a local ordinance or a similar out-of-state  
17 offense or Section 9-3 of the Criminal Code of 1961 or the  
18 Criminal Code of 2012 shall pay, in addition to any other fees  
19 required by this Code, a reinstatement fee as follows:

|    |   |       |
|----|---|-------|
| 20 | Summary suspension under Section 11-501.1 ..... | \$500 |
| 21 | Suspension under Section 11-501.9 .....         | \$500 |
| 22 | Summary revocation under Section 11-501.1 ..... | \$500 |
| 23 | Revocation .....                                | \$500 |

24       (c) All fees collected under the provisions of this Chapter  
25 6 shall be disbursed under subsection (g) of Section 2-119 of  
26 this Code, except as follows:

1           1. The following amounts shall be paid into the Drivers  
2 Education Fund:

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

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

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

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

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

13           2. \$30 of the \$250 fee for reinstatement of a license  
14 summarily suspended under Section 11-501.1 or suspended  
15 under Section 11-501.9 shall be deposited into the Drunk  
16 and Drugged Driving Prevention Fund. However, for a person  
17 whose license or privilege to operate a motor vehicle in  
18 this State has been suspended or revoked for a second or  
19 subsequent time for a violation of Section 11-501,  
20 11-501.1, or 11-501.9 of this Code or Section 9-3 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of  
22 the \$500 fee for reinstatement of a license summarily  
23 suspended under Section 11-501.1 or suspended under  
24 Section 11-501.9, and \$190 of the \$500 fee for  
25 reinstatement of a revoked license shall be deposited into  
26 the Drunk and Drugged Driving Prevention Fund. \$190 of the

1           \$500 fee for reinstatement of a license summarily revoked  
2           pursuant to Section 11-501.1 shall be deposited into the  
3           Drunk and Drugged Driving Prevention Fund.

4           3. \$6 of the original or renewal fee for a commercial  
5           driver's license and \$6 of the commercial learner's permit  
6           fee when the permit is issued to any person holding a valid  
7           Illinois driver's license, shall be paid into the  
8           CDLIS/AAMVAnet/NMVTIS Trust Fund.

9           4. \$30 of the \$70 fee for reinstatement of a license  
10          suspended under the Family Financial Responsibility Law  
11          shall be paid into the Family Responsibility Fund.

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

15          6. \$20 of any original or renewal fee for a commercial  
16          driver's license or commercial learner's permit shall be  
17          paid into the Motor Carrier Safety Inspection Fund.

18          7. The following amounts shall be paid into the General  
19          Revenue Fund:

20                 (A) \$190 of the \$250 reinstatement fee for a  
21                 summary suspension under Section 11-501.1 or a  
22                 suspension under Section 11-501.9;

23                 (B) \$40 of the \$70 reinstatement fee for any other  
24                 suspension provided in subsection (b) of this Section;  
25                 and

26                 (C) \$440 of the \$500 reinstatement fee for a first

1 offense revocation and \$310 of the \$500 reinstatement  
2 fee for a second or subsequent revocation.

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

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

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

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

22 (g) The additional fees imposed under this Section by this  
23 amendatory Act of the 101st General Assembly take effect July  
24 1, 2019.

25 (Source: P.A. 99-127, eff. 1-1-16; 99-438, eff. 1-1-16; 99-642,  
26 eff. 7-28-16; 99-933, eff. 1-27-17; 100-590, eff. 6-8-18;

1 100-803, eff. 1-1-19; revised 10-24-18.)

2 (625 ILCS 5/20-101) (from Ch. 95 1/2, par. 20-101)

3 Sec. 20-101. Moneys derived from registration, operation  
4 and use of automobiles and from fuel taxes - Use. From and  
5 after the effective date of this Act, ~~except as provided in~~  
6 ~~Section 3-815.1 of this Code~~, no public moneys derived from  
7 fees, excises or license taxes relating to registration,  
8 operation and use of vehicles on public highways or to fuels  
9 used for the propulsion of such vehicles, shall be appropriated  
10 or expended other than for costs of administering the laws  
11 imposing such fees, excises and license taxes, statutory  
12 refunds and adjustments allowed thereunder, administrative  
13 costs of the Department of Transportation, payment of debts and  
14 liabilities incurred in construction and reconstruction of  
15 public highways and bridges, acquisition of rights-of-way for,  
16 and the cost of construction, reconstruction, maintenance,  
17 repair and operation of public highways and bridges under the  
18 direction and supervision of the State, political subdivision  
19 or municipality collecting such moneys, and the costs for  
20 patrolling and policing the public highways (by the State,  
21 political subdivision or municipality collecting such money)  
22 for enforcement of traffic laws; provided, that such moneys may  
23 be used for the retirement of and interest on bonds heretofore  
24 issued for purposes other than the construction of public  
25 highways or bridges but not to a greater extent, nor a greater

1 length of time, than is provided in acts heretofore adopted and  
2 now in force. Further the separation of grades of such highways  
3 with railroads and costs associated with protection of at-grade  
4 highway and railroad crossings shall also be permissible.

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

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

8 (720 ILCS 5/49-7 new)

9 Sec. 49-7. Violation of civil rights.

10 (a) As used in this Section:

11 "Age", "disability", "military status", "national origin",  
12 "order of protection status", "pregnancy", "religion", "sex",  
13 "sexual orientation", "unfavorable military discharge", and  
14 "unlawful discrimination" have the meanings ascribed to them in  
15 Section 1-103 of the Illinois Human Rights Act.

16 "Employer", "employee", "employment agency", and "labor  
17 organization" have the meanings ascribed to them in Section  
18 2-101 of the Illinois Human Rights Act.

19 "Operator", "place of public accommodation", and "public  
20 official" have the meanings ascribed to them in Section 5-101  
21 of the Illinois Human Rights Act.

22 "Public works" has the meaning ascribed to it in Section 2  
23 of the Prevailing Wage Act.

24 (b) A person commits violation of civil rights or when he

1 or she knowingly:

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

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

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

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

24 (5) as an employer, because of unlawful  
25 discrimination, to refuse to hire, to segregate, or  
26 otherwise to discriminate against that person with respect



1 to: hiring, selection, and training for apprenticeship in a  
2 trade or craft, tenure, terms, or conditions of employment;

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

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

25 (8) as an employer, employment agency, or labor  
26 organization, discriminates against a person because he or

1       she, reasonably and in good faith, has opposed a practice  
2       forbidden in this Section, or because he or she, reasonably  
3       and in good faith, has made a charge, testified, or  
4       assisted in an investigation, proceeding, or hearing under  
5       the Illinois Human Rights Act;

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

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

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

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

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

21       (625 ILCS 5/3-815.1 rep.)

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

24       Section 99. Effective date. This Act takes effect upon

1 becoming law.".