



Sen. Martin A. Sandoval

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1 AMENDMENT TO HOUSE BILL 3233

2 AMENDMENT NO. _____. Amend House Bill 3233 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 careers 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 other joint venture entering into
21 a 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 other joint venture that has
5 contracted with the contractor to perform all or part of the
6 work to 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 statewide network of 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 the 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 advise the Department on the drafting of requests for proposals
22 to aid the Department in finding the most effective
23 community-based organizations to partner with to recruit,
24 prescreen, and provide preapprenticeship training to create a
25 pipeline of a more diversified workforce in the construction
26 trades. The Task Force shall also meet, at least quarterly, to

1 review and evaluate the programmatic effectiveness of the
2 collaborative efforts of community-based organizations and
3 industries to diversify the workforce.

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

7 Section 1-20. Illinois Works Apprenticeship Initiative.

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

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

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

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

23 (1) the contractor or subcontractor has demonstrated
24 that it has utilized its best efforts to meet the
25 established percentage requirement but remains unable to

1 fulfill the goal;

2 (2) the contractor or subcontractor has demonstrated
3 that insufficient apprentices are available to meet the
4 utilization goals;

5 (3) the reasonable and necessary requirements of the
6 contract render apprentice utilization infeasible at the
7 required levels;

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

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

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

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

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

26 (2) The percentage of apprentices in training on public

1 works projects who have graduated to journey level during
2 the reporting year.

3 Section 1-25. Illinois Works Credit Bank.

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

17 (b) The Department shall create a bid credit program that
18 allows any construction contractor or subcontractor to earn bid
19 credits on public work jobs, which may be used toward future
20 public work bids, for hiring and retaining employees from
21 minority populations, disadvantaged persons, and women.
22 Contractors shall earn bid credits at a rate established by the
23 Department and published on the agency's website. A contractor
24 or subcontractor shall also be eligible for a one-time, \$5,000
25 bid credit when it hires an apprentice who has successfully

1 completed the Illinois Works Jobs Program and retains that
2 person for not less than 160 hours. Each contractor or
3 subcontractor seeking to receive the one-time hiring bid credit
4 must provide the Department with documentation of the
5 employee's successful completion of the Illinois Works Jobs
6 Program, proof of employment, actual hours worked, and wages
7 paid to the employee.

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

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

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

1 Section 5-1. Short title. This Article may be cited as the
2 Transportation Funding Protection Act. References in this
3 Article to "this Act" mean this Article.

4 Section 5-10. Transportation funding.

5 (a) It is known that transportation funding is generated by
6 several transportation fees outlined in Section 2 of the Motor
7 Fuel Tax Act, Section 5-1035.1 of the Counties Code, Section
8 8-11-2.3 of the Illinois Municipal Code, and Sections 3-805,
9 3-806, 3-815, 3-818, 3-819, 3-821, and 6-118 of the Illinois
10 Vehicle Code.

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

19 Article 10.

20 Section 10-5. The Department of Transportation Law of the
21 Civil Administrative Code of Illinois is amended by adding
22 Sections 2705-203 and 2705-615 as follows:

1 (20 ILCS 2705/2705-203 new)

2 Sec. 2705-203. Transportation asset management plan and
3 performance-based programming.

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

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

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

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

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

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

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

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

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

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

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

1 organizations, transit authorities, transportation
2 authorities, representatives of labor and private businesses,
3 and other stakeholders in its development of the prioritization
4 process pursuant to this subsection.

5 The selection process shall include a defined, public means
6 by which candidate projects shall be submitted, evaluated, and
7 selected. The process shall include both a quantitative
8 analysis of the evaluation factors and qualitative review by
9 the Department. The Department may apply different weights to
10 the performance measures based on regional geography or project
11 type. Projects selected as part of the process shall be
12 included in the State's multi-year transportation plan and the
13 annual element of the multi-year plan. Starting April 1, 2021,
14 no project shall be included in the multi-year transportation
15 plan or annual element without being evaluated under the
16 selection process described in this Section. The policies that
17 guide the performance-based project selection process shall be
18 derived from State and regional long-range transportation
19 plans. The Department shall certify that it is making progress
20 toward condition targets anticipated in its transportation
21 asset management plan before programming projects using the
22 process described in this subsection. All plan and program
23 development based on the project selection process described in
24 this subsection shall include consideration of regional
25 equity. The selection process shall be based on an objective
26 and quantifiable analysis that considers, at a minimum, the

1 following factors: (1) congestion mitigation or improved
2 traffic operations, (2) economic development, (3) livability,
3 (4) environmental impact, (5) accessibility, and (6) safety.

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

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

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

12 (3) projects funded by the Transportation Alternatives
13 funds set-aside pursuant to 23 U.S.C. 133(h) and State
14 matching funds;

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

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

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

23 (20 ILCS 2705/2705-615 new)

24 Sec. 2705-615. Supplemental funding; Illinois
25 Transportation Enhancement Program.

1 (a) In addition to any other funding that may be provided
2 to the Illinois Transportation Enhancement Program from
3 federal, State, or other sources, including, but not limited
4 to, the Transportation Alternatives Set-Aside of the Surface
5 Transportation Block Grant Program, the Department shall set
6 aside \$50,000,000 received by the Department from the Road Fund
7 for the projects in the following categories: pedestrian and
8 bicycle facilities and the conversion of abandoned railroad
9 corridors to trails.

10 (b) Except as provided in subsection (c), funds set aside
11 under subsection (a) shall be administered according to the
12 requirements of the current Guidelines Manual published by the
13 Department for the Illinois Transportation Enhancement
14 Program, including, but not limited to, decision-making by the
15 Department and the applicable Metropolitan Planning
16 Organization and proportional fund distribution according to
17 population size.

18 (c) For projects funded under this Section:

19 (1) Local matching funding shall be required according
20 to a sliding scale based on community size, median income,
21 and total property tax base.

22 (2) Phase I Studies and Phase I Engineering Reports are
23 not required to be completed before application is made.

24 (3) At least 25% of funding shall be directed toward
25 projects in high-need communities, based on community
26 median income and total property tax base.

1 (d) The Department shall adopt rules necessary to implement
2 this Section.

3 (e) The Department shall adhere to a 2-year funding cycle
4 for the Illinois Transportation Enhancement Program with calls
5 for projects at least every other year.

6 (f) The Department shall make all funded and unfunded
7 Illinois Transportation Enhancement Program applications
8 publicly available upon the completion of each funding cycle,
9 including how each application scored on the program criteria.

10 Section 10-10. The State Finance Act is amended by adding
11 Sections 5.891, 5.893, 5.894, and 6z-107 as follows:

12 (30 ILCS 105/5.891 new)

13 Sec. 5.891. The Illinois Works Fund.

14 (30 ILCS 105/5.893 new)

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

16 (30 ILCS 105/5.894 new)

17 Sec. 5.894. The Transit Capital Projects Fund.

18 (30 ILCS 105/6z-107 new)

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

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

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

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

15 Section 10-15. The Property Tax Code is amended by changing
16 Section 15-60 as follows:

17 (35 ILCS 200/15-60)

18 Sec. 15-60. Taxing district property. All property
19 belonging to any county or municipality used exclusively for
20 the maintenance of the poor is exempt, as is all property owned
21 by a taxing district that is being held for future expansion or
22 development, except if leased by the taxing district to lessees
23 for use for other than public purposes.

24 Also exempt are:

1 (a) all swamp or overflowed lands belonging to any
2 county;

3 (b) all public buildings belonging to any county,
4 township, or municipality, with the ground on which the
5 buildings are erected;

6 (c) all property owned by any municipality located
7 within its incorporated limits. Any such property leased by
8 a municipality shall remain exempt, and the leasehold
9 interest of the lessee shall be assessed under Section
10 9-195 of this Act, (i) for a lease entered into on or after
11 January 1, 1994, unless the lease expressly provides that
12 this exemption shall not apply; (ii) for a lease entered
13 into on or after the effective date of Public Act 87-1280
14 and before January 1, 1994, unless the lease expressly
15 provides that this exemption shall not apply or unless
16 evidence other than the lease itself substantiates the
17 intent of the parties to the lease that this exemption
18 shall not apply; and (iii) for a lease entered into before
19 the effective date of Public Act 87-1280, if the terms of
20 the lease do not bind the lessee to pay the taxes on the
21 leased property or if, notwithstanding the terms of the
22 lease, the municipality has filed or hereafter files a
23 timely exemption petition or complaint with respect to
24 property consisting of or including the leased property for
25 an assessment year which includes part or all of the first
26 12 months of the lease period. The foregoing clause (iii)

1 added by Public Act 87-1280 shall not operate to exempt
2 property for any assessment year as to which no timely
3 exemption petition or complaint has been filed by the
4 municipality or as to which an administrative or court
5 decision denying exemption has become final and
6 nonappealable. For each assessment year or portion thereof
7 that property is made exempt by operation of the foregoing
8 clause (iii), whether such year or portion is before or
9 after the effective date of Public Act 87-1280, the
10 leasehold interest of the lessee shall, if necessary, be
11 considered omitted property for purposes of this Act;

12 (c-5) Notwithstanding clause (i) of subsection (c), or
13 any other law to the contrary, for a municipality with a
14 population over 100,000, all property owned by the a
15 municipality, or property interests or rights held by the
16 municipality, regardless of whether such property,
17 interests, or rights are, in whole or in part, within or
18 without its corporate limits, with a population of over
19 500,000 that is used for toll road or toll bridge purposes
20 and that is leased or licensed for those purposes to
21 another entity whose property or property interests or
22 rights are is not exempt shall remain exempt, and any
23 leasehold interest in such the property, interests, or
24 rights shall not be subject to taxation under Section 9-195
25 of this Code Act;

26 (d) all property owned by any municipality located

1 outside its incorporated limits but within the same county
2 when used as a tuberculosis sanitarium, farm colony in
3 connection with a house of correction, or nursery, garden,
4 or farm, or for the growing of shrubs, trees, flowers,
5 vegetables, and plants for use in beautifying,
6 maintaining, and operating playgrounds, parks, parkways,
7 public grounds, buildings, and institutions owned or
8 controlled by the municipality;

9 (e) all property owned by a township and operated as
10 senior citizen housing under Sections 35-50 through
11 35-50.6 of the Township Code; and

12 (f) all property owned by the Executive Board of the
13 Mutual Aid Box Alarm System (MABAS), a unit of
14 intergovernmental cooperation, that is used for the public
15 purpose of disaster preparedness and response for units of
16 local government and the State of Illinois pursuant to
17 Section 10 of Article VII of the Illinois Constitution and
18 the Intergovernmental Cooperation Act.

19 All property owned by any municipality outside of its
20 corporate limits is exempt if used exclusively for municipal or
21 public purposes.

22 For purposes of this Section, "municipality" means a
23 municipality, as defined in Section 1-1-2 of the Illinois
24 Municipal Code.

25 (Source: P.A. 98-206, eff. 1-1-14.)

1 Section 10-20. The Motor Fuel Tax Law is amended by
2 changing 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 38 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
25 rate in effect multiplied by the transportation fee index

1 factor determined under Section 2e. The rate shall be rounded
2 to the nearest one-tenth of one cent. 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 4.5 ~~2~~
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 (a-5) \$16,250,000 shall be transferred each month to the
23 Transit Capital Projects Fund to be used by transit agencies
24 for the purposes specified in Section 6z-107 of the State
25 Finance Act.

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

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

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

1 Fund. The annual project plan shall identify projects for the
2 succeeding fiscal year and the 5-year project plan shall
3 identify projects for the 5 directly succeeding fiscal years.
4 The Commission shall submit the annual and 5-year project plans
5 for this Fund to the Governor, the President of the Senate, the
6 Senate Minority Leader, the Speaker of the House of
7 Representatives, and the Minority Leader of the House of
8 Representatives on the first Wednesday in April of each year;

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

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

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

18 (3) refunds provided for in Section 13, refunds for
19 overpayment of decal fees paid under Section 13a.4 of this
20 Act, and refunds provided for under the terms of the
21 International Fuel Tax Agreement referenced in Section
22 14a;

23 (4) from October 1, 1985 until June 30, 1994, the
24 administration of the Vehicle Emissions Inspection Law,
25 which amount shall be certified monthly by the
26 Environmental Protection Agency to the State Comptroller

1 and shall promptly be transferred by the State Comptroller
2 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
3 Inspection Fund, and for the period July 1, 1994 through
4 June 30, 2000, one-twelfth of \$25,000,000 each month, for
5 the period July 1, 2000 through June 30, 2003, one-twelfth
6 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
7 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
8 July 1 and October 1, or as soon thereafter as may be
9 practical, during the period July 1, 2004 through June 30,
10 2012, and \$30,000,000 on June 1, 2013, or as soon
11 thereafter as may be practical, and \$15,000,000 on July 1
12 and October 1, or as soon thereafter as may be practical,
13 during the period of July 1, 2013 through June 30, 2015,
14 for the administration of the Vehicle Emissions Inspection
15 Law of 2005, to be transferred by the State Comptroller and
16 Treasurer from the Motor Fuel Tax Fund into the Vehicle
17 Inspection Fund;

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

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

26 (e) after allocations for the purposes set forth in

1 subsections (a), (a-5), (b), (c) and (d), the remaining amount
2 shall be apportioned as follows:

3 (1) Until January 1, 2000, 58.4%, and beginning January
4 1, 2000, 45.6% shall be deposited as follows:

5 (A) 37% into the State Construction Account Fund,
6 and

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

12 (2) Until January 1, 2000, 41.6%, and beginning January
13 1, 2000, 54.4% shall be transferred to the Department of
14 Transportation to be distributed as follows:

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

16 (B) 16.74% to the counties of the State having
17 1,000,000 or more inhabitants,

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

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

21 As soon as may be after the first day of each month the
22 Department of Transportation shall allot to each municipality
23 its share of the amount apportioned to the several
24 municipalities which shall be in proportion to the population
25 of such municipalities as determined by the last preceding
26 municipal census if conducted by the Federal Government or

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

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

1 motor vehicle license fees received from the residents of each
2 county, respectively, during the preceding calendar year. The
3 Department of Transportation shall, each month, use for
4 allotment purposes the last such report received from the
5 Secretary of State.

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

1 equal to or greater than \$12,000 per mile of road under the
2 jurisdiction of the road district, whichever is less. Beginning
3 July 1, 2011 and each July 1 thereafter, an allocation shall be
4 made for any road district if it levied a tax for road and
5 bridge purposes. In counties other than DuPage County, if the
6 amount of the tax levy requires the extension of the tax
7 against the taxable property in the road district at a rate
8 that is less than 0.08% of the value thereof, based upon the
9 assessment for the year immediately prior to the year in which
10 the tax was levied and as equalized by the Department of
11 Revenue, then the amount of the allocation for that road
12 district shall be a percentage of the maximum allocation equal
13 to the percentage obtained by dividing the rate extended by the
14 district by 0.08%. In DuPage County, if the amount of the tax
15 levy requires the extension of the tax against the taxable
16 property in the road district at a rate that is less than the
17 lesser of (i) 0.08% of the value of the taxable property in the
18 road district, based upon the assessment for the year
19 immediately prior to the year in which such tax was levied and
20 as equalized by the Department of Revenue, or (ii) a rate that
21 will yield an amount equal to \$12,000 per mile of road under
22 the jurisdiction of the road district, then the amount of the
23 allocation for the road district shall be a percentage of the
24 maximum allocation equal to the percentage obtained by dividing
25 the rate extended by the district by the lesser of (i) 0.08% or
26 (ii) the rate that will yield an amount equal to \$12,000 per

1 mile of road under the jurisdiction of the road district.

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

1 of (i) 0.08% or (ii) \$12,000 per mile of road under the
2 jurisdiction of the road district, and if the levy for the
3 special tax is more than any other levy for road and bridge
4 purposes, then the levy for the special tax qualifies the road
5 district for a proportionate, rather than full, allotment under
6 this Section. If the levy for the special tax is equal to or
7 less than any other levy for road and bridge purposes, then any
8 allotment under this Section shall be determined by the other
9 levy for road and bridge purposes.

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

20 In counties in which a property tax extension limitation is
21 imposed under the Property Tax Extension Limitation Law, road
22 districts may retain their entitlement to a motor fuel tax
23 allotment or, beginning in 2011, their entitlement to a full
24 allotment if, at the time the property tax extension limitation
25 was imposed, the road district was levying a road and bridge
26 tax at a rate sufficient to entitle it to a motor fuel tax

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

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

25 Payment of motor fuel tax moneys to municipalities and
26 counties shall be made as soon as possible after the allotment

1 is made. The treasurer of the municipality or county may invest
2 these funds until their use is required and the interest earned
3 by these investments shall be limited to the same uses as the
4 principal funds.

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

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

24 Section 10-25. The Counties Code is amended by changing
25 Section 5-1035.1 as follows:

1 (55 ILCS 5/5-1035.1) (from Ch. 34, par. 5-1035.1)

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

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

1 (a-5) By June 1, 2020 and by June 1 of each year
2 thereafter, the Department shall determine an annual rate
3 increase to take effect on July 1 of that calendar year and
4 continue through June 30 of the next calendar year. Not later
5 than June 1 of each year, the Department shall publish on the
6 Department's website the rate that will take effect on July 1
7 of that calendar year. The rate shall be equal to the product
8 of the rate in effect multiplied by the transportation fee
9 index factor determined under Section 2e of the Motor Fuel Tax
10 Law. The rate shall be rounded to the nearest one-tenth of one
11 cent. Each new rate may not exceed the rate in effect on June
12 30 of the previous year plus one cent.

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

26 (c) Whenever the Department determines that a refund shall

1 be made under this Section to a claimant instead of issuing a
2 credit memorandum, the Department shall notify the State
3 Comptroller, who shall cause the order to be drawn for the
4 amount specified, and to the person named, in the notification
5 from the Department. The refund shall be paid by the State
6 Treasurer out of the County Option Motor Fuel Tax Fund.

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

1 Comptroller the amount so retained by the State Treasurer,
2 which shall be transferred into the Tax Compliance and
3 Administration Fund.

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

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

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

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

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

4 Section 10-30. The Illinois Municipal Code is amended by
5 changing Section 1-2-9.2 and by adding Section 8-11-2.3 as
6 follows:

7 (65 ILCS 5/1-2-9.2) (from Ch. 24, par. 1-2-9.2)

8 Sec. 1-2-9.2. Service of notice of violation of ordinance
9 governing parking or standing of vehicles in cities with a
10 population over 500,000. In cities with a population over
11 500,000, the notice of violation of an ordinance governing the
12 parking or standing of vehicles is the summons and complaint
13 for purposes of the Code of Civil Procedure, as now or
14 hereafter amended.

15 A police officer, parking enforcement aide, or other person
16 authorized by ordinance to issue a notice of a vehicle parking
17 or standing violation complaint may serve the summons and
18 complaint for a vehicle parking or standing violation by any
19 means permitted by subsection (b) of Section 11-208.3 of the
20 Illinois Vehicle Code ~~affixing the original or a facsimile~~
21 ~~thereof to an unlawfully parked or standing vehicle or by~~
22 ~~handing the notice to the operator of the vehicle if the~~
23 ~~operator is present.~~

24 This Section is not intended to change the law in effect

1 before the effective date of this amendatory Act of 1989, but
2 is intended to clarify existing law. The service of a summons
3 and complaint in accordance with this Section is legally
4 sufficient regardless of whether service was made before, on,
5 or after the effective date of this amendatory Act of 1989.

6 (Source: P.A. 86-947.)

7 (65 ILCS 5/8-11-2.3 new)

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

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

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

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

1 Executive Order No. 11375.

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

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

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

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

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

26 A license that is issued to a distributor or a receiver

1 under the Motor Fuel Tax Law shall permit that distributor or
2 receiver to act as a distributor or receiver, as applicable,
3 under this Section. The provisions of Sections 2b, 2d, 6, 6a,
4 12, 12a, 13, 13a.2, 13a.7, 13a.8, 15.1, and 21 of the Motor
5 Fuel Tax Law that are not inconsistent with this Section shall
6 apply as far as practicable to the subject matter of this
7 Section to the same extent as if those provisions were included
8 in this Section.

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

1 paid to the municipality, less 1.5% of the remainder, which the
2 Department shall transfer into the Tax Compliance and
3 Administration Fund. The Department, at the time of each
4 monthly disbursement, shall prepare and certify to the State
5 Comptroller the amount to be transferred into the Tax
6 Compliance and Administration Fund under this Section. Within
7 10 days after receipt by the Comptroller of the disbursement
8 certification to the municipalities and the Tax Compliance and
9 Administration Fund provided for in this Section to be given to
10 the Comptroller by the Department, the Comptroller shall cause
11 the orders to be drawn for the respective amounts in accordance
12 with the directions contained in the certification.

13 Section 10-35. The Regional Transportation Authority Act
14 is amended by changing Section 4.03 and by adding Section 2.39
15 as follows:

16 (70 ILCS 3615/2.39 new)

17 Sec. 2.39. Prioritization process for Northeastern
18 Illinois transit projects.

19 (a) The Authority shall develop a transparent
20 prioritization process for Northeastern Illinois transit
21 projects receiving State capital funding. The prioritization
22 process must consider, at a minimum: (1) access to jobs, (2)
23 reliability improvement, (3) capacity needs, (4) safety, (5)
24 state of good repair, (6) equity, (7) economic development, and

1 (7) ridership demand. All State capital funding awards shall be
2 made by the Regional Transportation Authority in accordance
3 with the prioritization process. An appropriate public input
4 process shall be established. The Authority shall make a report
5 to the General Assembly each year describing its prioritization
6 process and its use in funding awards.

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

10 (c) Starting April 1, 2021, no project shall be included in
11 the 5-year capital program, amendments to that program, or any
12 other capital program without being evaluated under the
13 selection process described in this Section.

14 (70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

15 Sec. 4.03. Taxes.

16 (a) In order to carry out any of the powers or purposes of
17 the Authority, the Board may by ordinance adopted with the
18 concurrence of 12 of the then Directors, impose throughout the
19 metropolitan region any or all of the taxes provided in this
20 Section. Except as otherwise provided in this Act, taxes
21 imposed under this Section and civil penalties imposed incident
22 thereto shall be collected and enforced by the State Department
23 of Revenue. The Department shall have the power to administer
24 and enforce the taxes and to determine all rights for refunds
25 for erroneous payments of the taxes. Nothing in Public Act

1 95-708 is intended to invalidate any taxes currently imposed by
2 the Authority. The increased vote requirements to impose a tax
3 shall only apply to actions taken after January 1, 2008 (the
4 effective date of Public Act 95-708).

5 (b) The Board may impose a public transportation tax upon
6 all persons engaged in the metropolitan region in the business
7 of selling at retail motor fuel for operation of motor vehicles
8 upon public highways. The tax shall be at a rate not to exceed
9 5% of the gross receipts from the sales of motor fuel in the
10 course of the business. As used in this Act, the term "motor
11 fuel" shall have the same meaning as in the Motor Fuel Tax Law.
12 The Board may provide for details of the tax. The provisions of
13 any tax shall conform, as closely as may be practicable, to the
14 provisions of the Municipal Retailers Occupation Tax Act,
15 including without limitation, conformity to penalties with
16 respect to the tax imposed and as to the powers of the State
17 Department of Revenue to promulgate and enforce rules and
18 regulations relating to the administration and enforcement of
19 the provisions of the tax imposed, except that reference in the
20 Act to any municipality shall refer to the Authority and the
21 tax shall be imposed only with regard to receipts from sales of
22 motor fuel in the metropolitan region, at rates as limited by
23 this Section.

24 (c) In connection with the tax imposed under paragraph (b)
25 of this Section the Board may impose a tax upon the privilege
26 of using in the metropolitan region motor fuel for the

1 operation of a motor vehicle upon public highways, the tax to
2 be at a rate not in excess of the rate of tax imposed under
3 paragraph (b) of this Section. The Board may provide for
4 details of the tax.

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

25 (e) The Board may impose a Regional Transportation
26 Authority Retailers' Occupation Tax upon all persons engaged in

1 the business of selling tangible personal property at retail in
2 the metropolitan region. In Cook County, the tax rate shall be
3 1.25% of the gross receipts from sales of tangible personal
4 property taxed at the 1% rate under the Retailers' Occupation
5 Tax Act, and 1% of the gross receipts from other taxable sales
6 made in the course of that business. In DuPage, Kane, Lake,
7 McHenry, and Will counties ~~Counties~~, the tax rate shall be
8 0.75% of the gross receipts from all taxable sales made in the
9 course of that business. The tax imposed under this Section and
10 all civil penalties that may be assessed as an incident thereof
11 shall be collected and enforced by the State Department of
12 Revenue. The Department shall have full power to administer and
13 enforce this Section; to collect all taxes and penalties so
14 collected in the manner hereinafter provided; and to determine
15 all rights to credit memoranda arising on account of the
16 erroneous payment of tax or penalty hereunder. In the
17 administration of, and compliance with this Section, the
18 Department and persons who are subject to this Section shall
19 have the same rights, remedies, privileges, immunities, powers
20 and duties, and be subject to the same conditions,
21 restrictions, limitations, penalties, exclusions, exemptions
22 and definitions of terms, and employ the same modes of
23 procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,
24 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions
25 therein other than the State rate of tax), 2c, 3 (except as to
26 the disposition of taxes and penalties collected), 4, 5, 5a,

1 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d,
2 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act
3 and Section 3-7 of the Uniform Penalty and Interest Act, as
4 fully as if those provisions were set forth herein.

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

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

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

22 For the purpose of determining whether a tax authorized
23 under this Section is applicable, a retail sale by a producer
24 of coal or other mineral mined in Illinois, is a sale at retail
25 at the place where the coal or other mineral mined in Illinois
26 is extracted from the earth. This paragraph does not apply to

1 coal or other mineral when it is delivered or shipped by the
2 seller to the purchaser at a point outside Illinois so that the
3 sale is exempt under the Federal Constitution as a sale in
4 interstate or foreign commerce.

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

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

14 (f) If a tax has been imposed under paragraph (e), a
15 Regional Transportation Authority Service Occupation Tax shall
16 also be imposed upon all persons engaged, in the metropolitan
17 region in the business of making sales of service, who as an
18 incident to making the sales of service, transfer tangible
19 personal property within the metropolitan region, either in the
20 form of tangible personal property or in the form of real
21 estate as an incident to a sale of service. In Cook County, the
22 tax rate shall be: (1) 1.25% of the serviceman's cost price of
23 food prepared for immediate consumption and transferred
24 incident to a sale of service subject to the service occupation
25 tax by an entity licensed under the Hospital Licensing Act, the
26 Nursing Home Care Act, the Specialized Mental Health

1 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
2 the MC/DD Act that is located in the metropolitan region; (2)
3 1.25% of the selling price of tangible personal property taxed
4 at the 1% rate under the Service Occupation Tax Act; and (3) 1%
5 of the selling price from other taxable sales of tangible
6 personal property transferred. In DuPage, Kane, Lake, McHenry,
7 and Will counties, ~~Counties~~ the rate shall be 0.75% of the
8 selling price of all tangible personal property transferred.

9 The tax imposed under this paragraph and all civil
10 penalties that may be assessed as an incident thereof shall be
11 collected and enforced by the State Department of Revenue. The
12 Department shall have full power to administer and enforce this
13 paragraph; to collect all taxes and penalties due hereunder; to
14 dispose of taxes and penalties collected in the manner
15 hereinafter provided; and to determine all rights to credit
16 memoranda arising on account of the erroneous payment of tax or
17 penalty hereunder. In the administration of and compliance with
18 this paragraph, the Department and persons who are subject to
19 this paragraph shall have the same rights, remedies,
20 privileges, immunities, powers and duties, and be subject to
21 the same conditions, restrictions, limitations, penalties,
22 exclusions, exemptions and definitions of terms, and employ the
23 same modes of procedure, as are prescribed in Sections 1a-1, 2,
24 2a, 3 through 3-50 (in respect to all provisions therein other
25 than the State rate of tax), 4 (except that the reference to
26 the State shall be to the Authority), 5, 7, 8 (except that the

1 jurisdiction to which the tax shall be a debt to the extent
2 indicated in that Section 8 shall be the Authority), 9 (except
3 as to the disposition of taxes and penalties collected, and
4 except that the returned merchandise credit for this tax may
5 not be taken against any State tax), 10, 11, 12 (except the
6 reference therein to Section 2b of the Retailers' Occupation
7 Tax Act), 13 (except that any reference to the State shall mean
8 the Authority), the first paragraph of Section 15, 16, 17, 18,
9 19 and 20 of the Service Occupation Tax Act and Section 3-7 of
10 the Uniform Penalty and Interest Act, as fully as if those
11 provisions were set forth herein.

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

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

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

5 (g) If a tax has been imposed under paragraph (e), a tax
6 shall also be imposed upon the privilege of using in the
7 metropolitan region, any item of tangible personal property
8 that is purchased outside the metropolitan region at retail
9 from a retailer, and that is titled or registered with an
10 agency of this State's government. In Cook County, the tax rate
11 shall be 1% of the selling price of the tangible personal
12 property, as "selling price" is defined in the Use Tax Act. In
13 DuPage, Kane, Lake, McHenry and Will counties, the tax rate
14 shall be 0.75% of the selling price of the tangible personal
15 property, as "selling price" is defined in the Use Tax Act. The
16 tax shall be collected from persons whose Illinois address for
17 titling or registration purposes is given as being in the
18 metropolitan region. The tax shall be collected by the
19 Department of Revenue for the Regional Transportation
20 Authority. The tax must be paid to the State, or an exemption
21 determination must be obtained from the Department of Revenue,
22 before the title or certificate of registration for the
23 property may be issued. The tax or proof of exemption may be
24 transmitted to the Department by way of the State agency with
25 which, or the State officer with whom, the tangible personal
26 property must be titled or registered if the Department and the

1 State agency or State officer determine that this procedure
2 will expedite the processing of applications for title or
3 registration.

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

25 Whenever the Department determines that a refund should be
26 made under this paragraph to a claimant instead of issuing a

1 credit memorandum, the Department shall notify the State
2 Comptroller, who shall cause the order to be drawn for the
3 amount specified, and to the person named in the notification
4 from the Department. The refund shall be paid by the State
5 Treasurer out of the Regional Transportation Authority tax fund
6 established under paragraph (n) of this Section.

7 (h) The Authority may impose a replacement vehicle tax of
8 \$50 on any passenger car as defined in Section 1-157 of the
9 Illinois Vehicle Code purchased within the metropolitan region
10 by or on behalf of an insurance company to replace a passenger
11 car of an insured person in settlement of a total loss claim.
12 The tax imposed may not become effective before the first day
13 of the month following the passage of the ordinance imposing
14 the tax and receipt of a certified copy of the ordinance by the
15 Department of Revenue. The Department of Revenue shall collect
16 the tax for the Authority in accordance with Sections 3-2002
17 and 3-2003 of the Illinois Vehicle Code.

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

21 As soon as possible after the first day of each month,
22 beginning January 1, 2011, upon certification of the Department
23 of Revenue, the Comptroller shall order transferred, and the
24 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
25 local sales tax increment, as defined in the Innovation
26 Development and Economy Act, collected under this Section

1 during the second preceding calendar month for sales within a
2 STAR bond district.

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

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

20 (j) A certificate of registration issued by the State
21 Department of Revenue to a retailer under the Retailers'
22 Occupation Tax Act or under the Service Occupation Tax Act
23 shall permit the registrant to engage in a business that is
24 taxed under the tax imposed under paragraphs (b), (e), (f) or
25 (g) of this Section and no additional registration shall be
26 required under the tax. A certificate issued under the Use Tax

1 Act or the Service Use Tax Act shall be applicable with regard
2 to any tax imposed under paragraph (c) of this Section.

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

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

26 (m) Any ordinance imposing or discontinuing any tax under

1 this Section shall be adopted and a certified copy thereof
2 filed with the Department on or before June 1, whereupon the
3 Department of Revenue shall proceed to administer and enforce
4 this Section on behalf of the Regional Transportation Authority
5 as of September 1 next following such adoption and filing.
6 Beginning January 1, 1992, an ordinance or resolution imposing
7 or discontinuing the tax hereunder shall be adopted and a
8 certified copy thereof filed with the Department on or before
9 the first day of July, whereupon the Department shall proceed
10 to administer and enforce this Section as of the first day of
11 October next following such adoption and filing. Beginning
12 January 1, 1993, an ordinance or resolution imposing,
13 increasing, decreasing, or discontinuing the tax hereunder
14 shall be adopted and a certified copy thereof filed with the
15 Department, whereupon the Department shall proceed to
16 administer and enforce this Section as of the first day of the
17 first month to occur not less than 60 days following such
18 adoption and filing. Any ordinance or resolution of the
19 Authority imposing a tax under this Section and in effect on
20 August 1, 2007 shall remain in full force and effect and shall
21 be administered by the Department of Revenue under the terms
22 and conditions and rates of tax established by such ordinance
23 or resolution until the Department begins administering and
24 enforcing an increased tax under this Section as authorized by
25 Public Act 95-708. The tax rates authorized by Public Act
26 95-708 are effective only if imposed by ordinance of the

1 Authority.

2 (n) Except as otherwise provided in this subsection (n),
3 the State Department of Revenue shall, upon collecting any
4 taxes as provided in this Section, pay the taxes over to the
5 State Treasurer as trustee for the Authority. The taxes shall
6 be held in a trust fund outside the State Treasury. On or
7 before the 25th day of each calendar month, the State
8 Department of Revenue shall prepare and certify to the
9 Comptroller of the State of Illinois and to the Authority (i)
10 the amount of taxes collected in each county ~~County~~ other than
11 Cook County in the metropolitan region, (ii) the amount of
12 taxes collected within the City of Chicago, and (iii) the
13 amount collected in that portion of Cook County outside of
14 Chicago, each amount less the amount necessary for the payment
15 of refunds to taxpayers located in those areas described in
16 items (i), (ii), and (iii), and less 1.5% of the remainder,
17 which shall be transferred from the trust fund into the Tax
18 Compliance and Administration Fund. The Department, at the time
19 of each monthly disbursement to the Authority, shall prepare
20 and certify to the State Comptroller the amount to be
21 transferred into the Tax Compliance and Administration Fund
22 under this subsection. Within 10 days after receipt by the
23 Comptroller of the certification of the amounts, the
24 Comptroller shall cause an order to be drawn for the transfer
25 of the amount certified into the Tax Compliance and
26 Administration Fund and the payment of two-thirds of the

1 amounts certified in item (i) of this subsection to the
2 Authority and one-third of the amounts certified in item (i) of
3 this subsection to the respective counties other than Cook
4 County and the amount certified in items (ii) and (iii) of this
5 subsection to the Authority.

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

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

26 (p) (Blank). ~~At no time shall a public transportation tax~~

1 ~~or motor vehicle parking tax authorized under paragraphs (b),~~
2 ~~(c) and (d) of this Section be in effect at the same time as any~~
3 ~~retailers' occupation, use or service occupation tax~~
4 ~~authorized under paragraphs (e), (f) and (g) of this Section is~~
5 ~~in effect.~~

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

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

21 (Source: P.A. 99-180, eff. 7-29-15; 99-217, eff. 7-31-15;
22 99-642, eff. 7-28-16; 100-23, eff. 7-6-17; 100-587, eff.
23 6-4-18; 100-1171, eff. 1-4-19; revised 1-11-19.)

24 Section 10-40. The Illinois Highway Code is amended by
25 changing Sections 4-221 and 4-222 as follows:

1 (605 ILCS 5/4-221)

2 Sec. 4-221. Mix designs. To the extent allowed by federal
3 law, the Department specifications shall allow the use of
4 recycled asphalt roofing shingles, including asphalt
5 rejuvenating agents and binder performance grade modifiers, in
6 mix designs used for the construction and maintenance of State
7 highways. All asphalt roofing shingles used in Department
8 projects shall be from recycling facilities that are approved
9 by the Illinois Environmental Protection Agency and that are in
10 compliance with the operational guidelines and
11 asbestos-testing requirements set forth by the Agency under
12 ~~received from facilities authorized to process asphalt roofing~~
13 ~~shingles for recycling into asphalt pavement in accordance with~~
14 ~~(i) permits issued pursuant to Section 39 of the Environmental~~
15 ~~Protection Act or (ii) beneficial use determinations issued~~
16 ~~pursuant to Section 22.54 of the Environmental Protection Act.~~
17 In creating the mix designs used for construction and
18 maintenance of State highways, it shall be the goal of the
19 Department, through its specifications, to maximize the
20 percentage of recycled asphalt roofing shingles and binder
21 replacement and to maximize the use of recycled aggregates and
22 other lowest-cost constituents in the mix, including asphalt
23 additive agents and binder performance grade modifiers, so long
24 as there is no detrimental impact on life-cycle costs.

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

1 (605 ILCS 5/4-222)

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

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

23 (b) No producer of asphalt pavement, operating pursuant to
24 an air permit issued by the Illinois Environmental Protection
25 Agency, shall use recycled asphalt roofing shingles in its

1 pavement product unless the shingles have been processed for
2 recycling into asphalt pavement in accordance with (i) permits
3 issued pursuant to Section 39 of the Environmental Protection
4 Act or (ii) beneficial use determinations issued pursuant to
5 Section 22.54 of the Environmental Protection Act. The
6 prohibition in this subsection (b) shall apply in addition to
7 any other rules, specifications, or other requirements adopted
8 by the Department regarding the use of asphalt roofing shingles
9 in pavement product.

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

11 Section 10-43. The Toll Highway Act is amended by changing
12 Section 11 as follows:

13 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

14 Sec. 11. The Authority shall have power:

15 (a) To enter upon lands, waters and premises in the State
16 for the purpose of making surveys, soundings, drillings and
17 examinations as may be necessary, expedient or convenient for
18 the purposes of this Act, and such entry shall not be deemed to
19 be a trespass, nor shall an entry for such purpose be deemed an
20 entry under any condemnation proceedings which may be then
21 pending; provided, however, that the Authority shall make
22 reimbursement for any actual damage resulting to such lands,
23 waters and premises as the result of such activities.

24 (b) To construct, maintain and operate stations for the

1 collection of tolls or charges upon and along any toll
2 highways.

3 (c) To provide for the collection of tolls and charges for
4 the privilege of using the said toll highways. Before it adopts
5 an increase in the rates for toll, the Authority shall hold a
6 public hearing at which any person may appear, express
7 opinions, suggestions, or objections, or direct inquiries
8 relating to the proposed increase. Any person may submit a
9 written statement to the Authority at the hearing, whether
10 appearing in person or not. The hearing shall be held in the
11 county in which the proposed increase of the rates is to take
12 place. The Authority shall give notice of the hearing by
13 advertisement on 3 successive days at least 15 days prior to
14 the date of the hearing in a daily newspaper of general
15 circulation within the county within which the hearing is held.
16 The notice shall state the date, time, and place of the
17 hearing, shall contain a description of the proposed increase,
18 and shall specify how interested persons may obtain copies of
19 any reports, resolutions, or certificates describing the basis
20 on which the proposed change, alteration, or modification was
21 calculated. After consideration of any statements filed or oral
22 opinions, suggestions, objections, or inquiries made at the
23 hearing, the Authority may proceed to adopt the proposed
24 increase of the rates for toll. No change or alteration in or
25 modification of the rates for toll shall be effective unless at
26 least 30 days prior to the effective date of such rates notice

1 thereof shall be given to the public by publication in a
2 newspaper of general circulation, and such notice, or notices,
3 thereof shall be posted and publicly displayed at each and
4 every toll station upon or along said toll highways.

5 (d) To construct, at the Authority's discretion, grade
6 separations at intersections with any railroads, waterways,
7 street railways, streets, thoroughfares, public roads or
8 highways intersected by the said toll highways, and to change
9 and adjust the lines and grades thereof so as to accommodate
10 the same to the design of such grade separation and to
11 construct interchange improvements. The Authority is
12 authorized to provide such grade separations or interchange
13 improvements at its own cost or to enter into contracts or
14 agreements with reference to division of cost therefor with any
15 municipality or political subdivision of the State of Illinois,
16 or with the Federal Government, or any agency thereof, or with
17 any corporation, individual, firm, person or association.
18 Where such structures have been or will be built by the
19 Authority, the local highway agency or municipality with
20 jurisdiction shall enter into an agreement with the Authority
21 for the ongoing maintenance of the structures.↵

22 (e) To contract with and grant concessions to or lease or
23 license to any person, partnership, firm, association or
24 corporation so desiring the use of any part of any toll
25 highways, excluding the paved portion thereof, but including
26 the right of way adjoining, under, or over said paved portion

1 for the placing of telephone, telegraph, electric, power lines
2 and other utilities, and for the placing of pipe lines, and to
3 enter into operating agreements with or to contract with and
4 grant concessions to or to lease to any person, partnership,
5 firm, association or corporation so desiring the use of any
6 part of the toll highways, excluding the paved portion thereof,
7 but including the right of way adjoining, or over said paved
8 portion for motor fuel service stations and facilities,
9 garages, stores and restaurants, or for any other lawful
10 purpose, and to fix the terms, conditions, rents, rates and
11 charges for such use.

12 By January 1, 2016, the Authority shall construct and
13 maintain at least one electric vehicle charging station at any
14 location where the Authority has entered into an agreement with
15 any entity pursuant to this subsection (e) for the purposes of
16 providing motor fuel service stations and facilities, garages,
17 stores, or restaurants. The Authority shall charge a fee for
18 the use of these charging stations to offset the costs of
19 constructing and maintaining these charging stations. The
20 Authority shall adopt rules to implement the erection, user
21 fees, and maintenance of electric vehicle charging stations
22 pursuant to this subsection (e).

23 The Authority shall also have power to establish reasonable
24 regulations for the installation, construction, maintenance,
25 repair, renewal, relocation and removal of pipes, mains,
26 conduits, cables, wires, towers, poles and other equipment and

1 appliances (herein called public utilities) of any public
2 utility as defined in the Public Utilities Act along, over or
3 under any toll road project. Whenever the Authority shall
4 determine that it is necessary that any such public utility
5 facilities which now are located in, on, along, over or under
6 any project or projects be relocated or removed entirely from
7 any such project or projects, the public utility owning or
8 operating such facilities shall relocate or remove the same in
9 accordance with the order of the Authority. All costs and
10 expenses of such relocation or removal, including the cost of
11 installing such facilities in a new location or locations, and
12 the cost of any land or lands, or interest in land, or any
13 other rights required to accomplish such relocation or removal
14 shall be ascertained and paid by the Authority as a part of the
15 cost of any such project or projects, and further, there shall
16 be no rent, fee or other charge of any kind imposed upon the
17 public utility owning or operating any facilities ordered
18 relocated on the properties of the said Authority and the said
19 Authority shall grant to the said public utility owning or
20 operating said facilities and its successors and assigns the
21 right to operate the same in the new location or locations for
22 as long a period and upon the same terms and conditions as it
23 had the right to maintain and operate such facilities in their
24 former location or locations.

25 (f) To enter into an intergovernmental agreement or
26 contract with a unit of local government or other public or

1 private entity for the collection, enforcement, and
2 administration of tolls, fees, revenue, and violations,
3 including for a private bridge operator's collection,
4 enforcement, and administration of tolls, violations, fees,
5 finances, charges, and penalties in connection with a bridge
6 authorized under the Toll Bridge Act.

7 The General Assembly finds that electronic toll collection
8 systems in Illinois should be standardized to promote safety,
9 efficiency, and traveler convenience. The Authority shall
10 cooperate with other public and private entities to further the
11 goal of standardized toll collection in Illinois and is
12 authorized to provide toll collection and toll violation
13 enforcement services to such entities when doing so is in the
14 best interest of the Authority and consistent with its
15 obligations under Section 23 of this Act.

16 (Source: P.A. 100-71, eff. 1-1-18.)

17 Section 10-44. The Toll Bridge Act is amended by changing
18 Section 7 as follows:

19 (605 ILCS 115/7) (from Ch. 137, par. 7)

20 Sec. 7. The county board shall fix the rates of toll, and
21 may from time to time, alter and change the same, including by
22 establishing a toll rate schedule, setting a maximum toll rate
23 that may be adjusted from time to time, or by establishing
24 another toll rate structure, and in case of the neglect of the

1 owner of the bridge to keep the same in proper repair and safe
2 for the crossing of persons and property, may prohibit the
3 taking of toll. Except regarding toll bridges or as otherwise
4 provided by law, nothing in this amendatory Act of the 101st
5 General Assembly shall be construed to authorize a county,
6 municipality, local government, or private operator to impose a
7 toll upon any public road, street, or highway; nor shall any
8 provision of this amendatory Act of the 101st General Assembly
9 be construed to authorize, pursuant to an intergovernmental
10 agreement or otherwise, the imposition of any toll upon any
11 public road, street, or highway.

12 The General Assembly finds that electronic toll collection
13 systems in Illinois should be standardized to promote safety,
14 efficiency, and traveler convenience. If electronic toll
15 collection is used on such bridge, the county shall cause the
16 configuration of the electronic toll collection system to be
17 compatible with the electronic toll collection system used by
18 the Illinois State Toll Highway Authority. The municipality or
19 private operator may enter into an ~~intergovernmental~~ agreement
20 with the Illinois State Toll Highway Authority to provide for
21 such compatibility or to have the Authority provide electronic
22 toll collection or toll violation enforcement services. Any
23 toll bridges in Winnebago County that are in operation and
24 collecting tolls on the effective date of this amendatory Act
25 of the 97th General Assembly are exempt from the provisions of
26 the Act.

1 (Source: P.A. 97-252, eff. 8-4-11.)

2 Section 10-45. The Illinois Vehicle Code is amended by
3 changing Sections 2-119, 3-805, 3-806, 3-815, 3-815.1, 3-818,
4 3-819, 3-821, 6-118, and 11-208.3 and by adding Section 3-704.3
5 as follows:

6 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

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

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

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

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

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

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

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

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

23 All remaining moneys collected for certificates of title,
24 and all moneys collected for filing of security interests,

1 shall be deposited in the General Revenue Fund.

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

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

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

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

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

24 (e) (Blank).

25 (f) Of the total money collected for a commercial learner's
26 permit (CLP) or original or renewal issuance of a commercial

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

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

26 (h) (Blank).

1 (i) (Blank).

2 (j) (Blank).

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

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

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

1 (n) The Illinois Fire Fighters' Memorial Fund is created as
2 a special fund in the State Treasury. Moneys deposited into the
3 Fund shall, subject to appropriation, be used by the Office of
4 the State Fire Marshal for construction of the Illinois Fire
5 Fighters' Memorial to be located at the State Capitol grounds
6 in Springfield, Illinois. Upon the completion of the Memorial,
7 moneys in the Fund shall be used in accordance with Section
8 3-634.

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

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

15 (Source: P.A. 98-176 (See Section 10 of P.A. 98-722 and Section
16 10 of P.A. 99-414 for the effective date of changes made by
17 P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;
18 99-127, eff. 1-1-16; 99-933, eff. 1-27-17.)

19 (625 ILCS 5/3-704.3 new)

20 Sec. 3-704.3. Failure to satisfy fines or penalties for
21 toll bridge violations; suspension of vehicle registration.

22 (a) Notwithstanding any law to the contrary, upon the
23 Secretary's receipt of a report, as described in subsection
24 (b), from a private tolling authority stating that the owner of
25 a registered vehicle has failed to satisfy any fees, fines,

1 charges, or penalties resulting from a final invoice or notice
2 by the private tolling authority relating directly or
3 indirectly to 5 or more toll violations, the Secretary shall
4 suspend the vehicle registration of the person in accordance
5 with the procedures set forth in this Section.

6 (b) The report from the private tolling authority notifying
7 the Secretary of unsatisfied fees, fines, charges, or penalties
8 may be generated by the private tolling authority and received
9 by the Secretary by automated process. The report shall contain
10 the following:

11 (1) The name, last known address, and driver's license
12 number of the person who failed to satisfy the fees, fines,
13 charges, or penalties, and the registration number of any
14 vehicle known to be registered in this State to that
15 person.

16 (2) A statement that the private tolling authority sent
17 a notice of impending suspension of the person's vehicle
18 registration to the person named in the report at the
19 address recorded with the Secretary, the date on which the
20 notice was sent, and the address to which the notice was
21 sent.

22 (c) Following the Secretary's receipt of a report described
23 in subsection (b), the Secretary shall notify the person whose
24 name appears on the report that the person's vehicle
25 registration will be suspended at the end of a specified period
26 unless the Secretary is presented with a notice from the

1 private tolling authority stating that the fees, fines,
2 charges, or penalties owed to the private tolling authority
3 have been satisfied or that inclusion of that person's name on
4 the report described in subsection (b) was in error. The
5 Secretary's notice shall state in substance the information
6 contained in the private tolling authority's report to the
7 Secretary described in subsection (b), and shall be effective
8 as specified by subsection (c) of Section 6-211.

9 (d) The private tolling authority, after making a report to
10 the Secretary described in subsection (b), shall notify the
11 Secretary, on a form prescribed by the Secretary or by
12 automated process, whenever a person named in the report has
13 satisfied the previously reported fees, fines, charges, or
14 penalties or whenever the private tolling authority determines
15 that the original report was in error. A copy of the
16 notification shall also be given upon request and at no
17 additional charge to the person named therein. Upon receipt of
18 the private tolling authority's notification, the Secretary
19 shall lift the suspension.

20 (e) The private tolling authority shall establish
21 procedures for persons to challenge the accuracy of the report
22 described in subsection (b). The procedures shall provide the
23 grounds for a challenge, which may include:

24 (1) the person not having been the owner or lessee of
25 the vehicle or vehicles receiving 5 or more toll violations
26 on the date or dates the violations occurred; or

1 (2) the person having already satisfied the fees,
2 finances, charges, or penalties for the 5 or more toll
3 violations indicated on the report described in subsection
4 (b).

5 (f) The Secretary and the Authority may adopt rules
6 necessary to implement this Section.

7 (g) The Secretary, the Authority, and the private tolling
8 authority shall cooperate with one another in the
9 administration and implementation of this Section.

10 (h) The Secretary shall provide the Authority and the
11 private tolling authority with any information the Authority or
12 the private tolling authority may deem necessary for the
13 purposes of this Section or for the private tolling authority's
14 invoicing, collection, and administrative functions, including
15 regular and timely access to driver's license, vehicle
16 registration, and license plate information, and the
17 Secretary's driver, title, and vehicle record databases.
18 Section 2-123 does not apply to the provision of such
19 information, but the Secretary shall be entitled to
20 reimbursement for its costs in providing such information.

21 (i) The Authority shall provide the Secretary and the
22 private tolling authority with any information the Secretary or
23 the private tolling authority may deem necessary for purposes
24 of this Section or for the private tolling authority's
25 invoicing, collection, and administrative functions, including
26 regular and timely access to toll violation records.

1 (j) As used in this Section:

2 "Authority" means the Illinois State Toll Highway
3 Authority.

4 "Private tolling authority" means the owner, lessee,
5 licensee, or operator of a toll bridge authorized under the
6 Toll Bridge Act.

7 "Secretary" means the Illinois Secretary of State.

8 (625 ILCS 5/3-805) (from Ch. 95 1/2, par. 3-805)

9 Sec. 3-805. Electric vehicles.

10 The owner of a motor vehicle of the first division or a
11 motor vehicle of the second division weighing 8,000 pounds or
12 less propelled by an electric engine and not utilizing motor
13 fuel shall register the vehicle for a fee of \$300 for a
14 one-year registration period ~~, may register such vehicle for a~~
15 ~~fee not to exceed \$35 for a 2 year registration period.~~ The
16 Secretary may, in his discretion, prescribe that electric
17 vehicle registration plates be issued for an indefinite term,
18 such term to correspond to the term of registration plates
19 issued generally, as provided in Section 3-414.1. ~~In no event~~
20 ~~may the registration fee for electric vehicles exceed \$18 per~~
21 ~~registration year.~~

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

23 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)

24 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> \$98
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 (Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12;
14 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13; 98-777, eff.
15 1-1-15.)

16 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

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

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

SCHEDULE OF FLAT WEIGHT TAX

REQUIRED BY LAW

Gross Weight in Lbs. Including Vehicle and Maximum Load	Class	Total Fees each Fiscal year
8,000 lbs. and less	B	<u>\$148</u> \$98
8,001 lbs. to 10,000 lbs.	C	<u>218</u> 118
10,001 lbs. to 12,000 lbs.	D	<u>238</u> 138
12,001 lbs. to 16,000 lbs.	F	<u>342</u> 242
16,001 lbs. to 26,000 lbs.	H	<u>590</u> 490
26,001 lbs. to 28,000 lbs.	J	<u>730</u> 630
28,001 lbs. to 32,000 lbs.	K	<u>942</u> 842
32,001 lbs. to 36,000 lbs.	L	<u>1,082</u> 982
36,001 lbs. to 40,000 lbs.	N	<u>1,302</u> 1,202
40,001 lbs. to 45,000 lbs.	P	<u>1,490</u> 1,390
45,001 lbs. to 50,000 lbs.	Q	<u>1,638</u> 1,538
50,001 lbs. to 54,999 lbs.	R	<u>1,798</u> 1,698
55,000 lbs. to 59,500 lbs.	S	<u>1,930</u> 1,830
59,501 lbs. to 64,000 lbs.	T	<u>2,070</u> 1,970
64,001 lbs. to 73,280 lbs.	V	<u>2,394</u> 2,294
73,281 lbs. to 77,000 lbs.	X	<u>2,722</u> 2,622
77,001 lbs. to 80,000 lbs.	Z	<u>2,890</u> 2,790

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

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

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

13 Of the additional taxes imposed by this amendatory Act of
14 the 101st General Assembly under this subsection on vehicles
15 registered in the 8,000 pounds and less flat weight category,
16 \$34 of the proceeds per tax collected shall be deposited into
17 the Transit Capital Projects Fund.

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

1 vehicle as a Special Hauling Vehicle.

2 (a-5) Beginning January 1, 2015, 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 flat
5 weight plate categories as described in subsection (a) to be
6 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 flat weight plate categories 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 flat weight plate
12 categories. A designation as a covered farm vehicle under this
13 subsection (a-5) shall not alter a vehicle's registration as a
14 registration in the 12,000 lbs. or less flat weight category.
15 The Secretary shall adopt any rules necessary to implement this
16 subsection (a-5).

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

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

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

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

17 Gross Weight in Lbs.	Total Fees
18 Including Vehicle and	Each
19 Maximum Load	Calendar Year
20 8,000 lbs and less	\$78
21 8,001 Lbs. to 10,000 Lbs	90
22 10,001 Lbs. and Over	102

23 CAMPING TRAILER OR TRAVEL TRAILER

24 Gross Weight in Lbs.	Total Fees
25 Including Vehicle and	Each
26 Maximum Load	Calendar Year

1	3,000 Lbs. and Less	\$18
2	3,001 Lbs. to 8,000 Lbs.	30
3	8,001 Lbs. to 10,000 Lbs.	38
4	10,001 Lbs. and Over	50

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

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

15 SCHEDULE OF FEES AND TAXES

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

1	55,000 to 64,000 lbs.	VT	<u>1,302</u> 1,202
2	64,001 to 73,280 lbs.	VV	<u>1,390</u> 1,290
3	73,281 to 77,000 lbs.	VX	<u>1,450</u> 1,350
4	77,001 to 80,000 lbs.	VZ	<u>1,590</u> 1,490

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

8 Any combination of vehicles having 5 axles, with a distance
9 of 42 feet or less between extreme axles, that are subject to
10 the weight limitations in subsection (a) of Section 15-111 for
11 which the owner of the combination of vehicles has elected to
12 pay, in addition to the registration fee in subsection (c),
13 \$125 to the Secretary of State for each registration year shall
14 be designated by the Secretary as a Special Hauling Vehicle.

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

17 (e) An owner may only apply for and receive 5 farm truck
18 registrations, and only 2 of those 5 vehicles shall exceed
19 59,500 gross weight in pounds per vehicle.

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

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

1 (625 ILCS 5/3-815.1)

2 Sec. 3-815.1. Commercial distribution fee. Beginning July
3 1, 2003, in addition to any tax or fee imposed under this Code:

4 (a) Vehicles of the second division with a gross
5 vehicle weight that exceeds 8,000 pounds and that incur any
6 tax or fee under subsection (a) of Section 3-815 of this
7 Code or subsection (a) of Section 3-818 of this Code, as
8 applicable, shall pay to the Secretary of State a
9 commercial distribution fee, for each registration year,
10 for the use of the public highways, State infrastructure,
11 and State services, in an amount equal to: (i) for a
12 registration year beginning on or after July 1, 2003 and
13 before July 1, 2005, 36% of the taxes and fees incurred
14 under subsection (a) of Section 3-815 of this Code, or
15 subsection (a) of Section 3-818 of this Code, as
16 applicable, rounded up to the nearest whole dollar; (ii)
17 for a registration year beginning on or after July 1, 2005
18 and before July 1, 2006, 21.5% of the taxes and fees
19 incurred under subsection (a) of Section 3-815 of this
20 Code, or subsection (a) of Section 3-818 of this Code, as
21 applicable, rounded up to the nearest whole dollar; and
22 (iii) for a registration year beginning on or after July 1,
23 2006 and before July 1, 2020, 14.35% of the taxes and fees
24 incurred under subsection (a) of Section 3-815 of this
25 Code, or subsection (a) of Section 3-818 of this Code, as
26 applicable, rounded up to the nearest whole dollar.

1 (b) Until June 30, 2004, vehicles of the second
2 division with a gross vehicle weight of 8,000 pounds or
3 less and that incur any tax or fee under subsection (a) of
4 Section 3-815 of this Code or subsection (a) of Section
5 3-818 of this Code, as applicable, and have claimed the
6 rolling stock exemption under the Retailers' Occupation
7 Tax Act, Use Tax Act, Service Occupation Tax Act, or
8 Service Use Tax Act shall pay to the Illinois Department of
9 Revenue (or the Secretary of State under an
10 intergovernmental agreement) a commercial distribution
11 fee, for each registration year, for the use of the public
12 highways, State infrastructure, and State services, in an
13 amount equal to 36% of the taxes and fees incurred under
14 subsection (a) of Section 3-815 of this Code or subsection
15 (a) of Section 3-818 of this Code, as applicable, rounded
16 up to the nearest whole dollar.

17 The fees paid under this Section shall be deposited by the
18 Secretary of State into the General Revenue Fund.

19 This Section is repealed on July 1, 2020.

20 (Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

21 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

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

23 (a) Any owner of a vehicle of the second division may elect
24 to pay a mileage weight tax for such vehicle in lieu of the
25 flat weight tax set out in Section 3-815. Such election shall

1 be binding to the end of the registration year. Renewal of this
 2 election must be filed with the Secretary of State on or before
 3 July 1 of each registration period. In such event the owner
 4 shall, at the time of making such election, pay the \$10
 5 registration fee and the minimum guaranteed mileage weight tax,
 6 as hereinafter provided, which payment shall permit the owner
 7 to operate that vehicle the maximum mileage in this State
 8 hereinafter set forth. Any vehicle being operated on mileage
 9 plates cannot be operated outside of this State. In addition
 10 thereto, the owner of that vehicle shall pay a mileage weight
 11 tax at the following rates for each mile traveled in this State
 12 in excess of the maximum mileage provided under the minimum
 13 guaranteed basis:

14 BUS, TRUCK OR TRUCK TRACTOR

15			Maximum	Mileage	
16		Minimum	Mileage	Weight Tax	
17		Guaranteed	Permitted	for Mileage	
18	Gross Weight	Mileage	Under	in excess of	
19	Vehicle and	Weight	Guaranteed	Guaranteed	
20	Load	Class	Tax	Mileage	
21	12,000 lbs. or less	MD	<u>\$173</u> \$73	5,000	26 Mills
22	12,001 to 16,000 lbs.	MF	<u>220</u> 120	6,000	34 Mills
23	16,001 to 20,000 lbs.	MG	<u>280</u> 180	6,000	46 Mills
24	20,001 to 24,000 lbs.	MH	<u>335</u> 235	6,000	63 Mills
25	24,001 to 28,000 lbs.	MJ	<u>415</u> 315	7,000	63 Mills
26	28,001 to 32,000 lbs.	MK	<u>485</u> 385	7,000	83 Mills

1	32,001 to 36,000 lbs.	ML	<u>585</u> 485	7,000	99 Mills
2	36,001 to 40,000 lbs.	MN	<u>715</u> 615	7,000	128 Mills
3	40,001 to 45,000 lbs.	MP	<u>795</u> 695	7,000	139 Mills
4	45,001 to 54,999 lbs.	MR	<u>953</u> 853	7,000	156 Mills
5	55,000 to 59,500 lbs.	MS	<u>1,020</u> 920	7,000	178 Mills
6	59,501 to 64,000 lbs.	MT	<u>1,085</u> 985	7,000	195 Mills
7	64,001 to 73,280 lbs.	MV	<u>1,273</u> 1,173	7,000	225 Mills
8	73,281 to 77,000 lbs.	MX	<u>1,428</u> 1,328	7,000	258 Mills
9	77,001 to 80,000 lbs.	MZ	<u>1,515</u> 1,415	7,000	275 Mills

10 TRAILER

11				Maximum	Mileage
12			Minimum	Mileage	Weight Tax
13			Guaranteed	Permitted	for Mileage
14	Gross Weight		Mileage	Under	in excess of
15	Vehicle and		Weight	Guaranteed	Guaranteed
16	Load	Class	Tax	Tax	Mileage
17	14,000 lbs. or less	ME	<u>\$175</u> \$75	5,000	31 Mills
18	14,001 to 20,000 lbs.	MF	<u>235</u> 135	6,000	36 Mills
19	20,001 to 36,000 lbs.	ML	<u>640</u> 540	7,000	103 Mills
20	36,001 to 40,000 lbs.	MM	<u>850</u> 750	7,000	150 Mills

21 (a-1) A Special Hauling Vehicle is a vehicle or combination
 22 of vehicles of the second division registered under Section
 23 3-813 transporting asphalt or concrete in the plastic state or
 24 a vehicle or combination of vehicles that are subject to the
 25 gross weight limitations in subsection (a) of Section 15-111
 26 for which the owner of the vehicle or combination of vehicles

1 has elected to pay, in addition to the registration fee in
2 subsection (a), \$125 to the Secretary of State for each
3 registration year. The Secretary shall designate this class of
4 vehicle as a Special Hauling Vehicle.

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

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

11 Every owner of a second division motor vehicle for which he
12 has elected to pay a mileage weight tax shall keep a daily
13 record upon forms prescribed by the Secretary of State, showing
14 the mileage covered by that vehicle in this State. Such record
15 shall contain the license number of the vehicle and the miles
16 traveled by the vehicle in this State for each day of the
17 calendar month. Such owner shall also maintain records of fuel
18 consumed by each such motor vehicle and fuel purchases
19 therefor. On or before the 10th day of July the owner shall
20 certify to the Secretary of State upon forms prescribed
21 therefor, summaries of his daily records which shall show the
22 miles traveled by the vehicle in this State during the
23 preceding 12 months and such other information as the Secretary
24 of State may require. The daily record and fuel records shall
25 be filed, preserved and available for audit for a period of 3
26 years. Any owner filing a return hereunder shall certify that

1 such return is a true, correct and complete return. Any person
2 who willfully makes a false return hereunder is guilty of
3 perjury and shall be punished in the same manner and to the
4 same extent as is provided therefor.

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

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

19 Upon notice from the Secretary that the registrant has
20 failed to pay the excess mileage fees, the surety shall
21 immediately pay the fees together with any penalties and
22 interest thereon in an amount not to exceed the limits of the
23 bond.

24 (b) Beginning January 1, 2016, upon the request of the
25 vehicle owner, a \$10 surcharge shall be collected in addition
26 to the above fees for vehicles in the 12,000 lbs. and less

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

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

14 (625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

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

16 (a) Farm Trailer. Any farm trailer drawn by a motor vehicle
17 of the second division registered under paragraph (a) or (c) of
18 Section 3-815 and used exclusively by the owner for his own
19 agricultural, horticultural or livestock raising operations
20 and not used for hire, or any farm trailer utilized only in the
21 transportation for-hire of seasonal, fresh, perishable fruit
22 or vegetables from farm to the point of first processing, and
23 any trailer used with a farm tractor that is not an implement
24 of husbandry may be registered under this paragraph in lieu of
25 registration under paragraph (b) of this Section upon the

1 filing of a proper application and the payment of the \$10
 2 registration fee and the highway use tax herein for use of the
 3 public highways of this State, at the following rates which
 4 include the \$10 registration fee:

5 SCHEDULE OF FEES AND TAXES

6 Gross Weight in Lbs.	7 Class	8 Total Amount
9 Including Vehicle		each
10 and Maximum Load		Fiscal Year
11 10,000 lbs. or less	VDD	<u>\$160</u> \$60
12 10,001 to 14,000 lbs.	VDE	<u>206</u> 106
13 14,001 to 20,000 lbs.	VDG	<u>266</u> 166
14 20,001 to 28,000 lbs.	VDJ	<u>478</u> 378
15 28,001 to 36,000 lbs.	VDL	<u>750</u> 650

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

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

25 SCHEDULE OF TRAILER FLAT

26 WEIGHT TAX REQUIRED

BY LAW

27 Gross Weight in Lbs.	Total Fees
-------------------------	------------

1	Including Vehicle and		each
2	Maximum Load	Class	Fiscal Year
3	3,000 lbs. and less	TA	<u>\$118</u> \$18
4	5,000 lbs. and more than 3,000	TB	<u>154</u> 54
5	8,000 lbs. and more than 5,000	TC	<u>158</u> 58
6	10,000 lbs. and more than 8,000	TD	<u>206</u> 106
7	14,000 lbs. and more than 10,000	TE	<u>270</u> 170
8	20,000 lbs. and more than 14,000	TG	<u>358</u> 258
9	32,000 lbs. and more than 20,000	TK	<u>822</u> 722
10	36,000 lbs. and more than 32,000	TL	<u>1,182</u> 1,082
11	40,000 lbs. and more than 36,000	TN	<u>1,602</u> 1,502

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

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

15 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

16 Sec. 3-821. Miscellaneous registration and title fees.

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

22	Certificate of Title, except for an all-terrain		
23	vehicle or off-highway motorcycle		<u>\$155</u> \$95
24	Certificate of Title for an all-terrain vehicle		
25	or off-highway motorcycle		\$30

1	Certificate of Title for an all-terrain vehicle	
2	or off-highway motorcycle used for production	
3	agriculture, or accepted by a dealer in trade	13
4	Certificate of Title for a low-speed vehicle	30
5	Transfer of Registration or any evidence of	
6	proper registration	\$25
7	Duplicate Registration Card for plates or other	
8	evidence of proper registration	3
9	Duplicate Registration Sticker or Stickers, each	20
10	Duplicate Certificate of Title	<u>155</u> 95
11	Corrected Registration Card or Card for other	
12	evidence of proper registration	3
13	Corrected Certificate of Title	<u>155</u> 95
14	Salvage Certificate	4
15	Fleet Reciprocity Permit	15
16	Prorate Decal	1
17	Prorate Backing Plate	3
18	Special Corrected Certificate of Title	15
19	Expedited Title Service (to be charged in addition	
20	to other applicable fees)	30
21	Dealer Lien Release Certificate of Title	20
22	A special corrected certificate of title shall be issued	
23	(i) to remove a co-owner's name due to the death of the	
24	co-owner, to transfer title to a spouse if the decedent-spouse	
25	was the sole owner on the title, or due to a divorce; (ii) to	
26	change a co-owner's name due to a marriage; or (iii) due to a	

1 name change under Article XXI of the Code of Civil Procedure.

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

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

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

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

1 is titled, showing that the vehicle is titled in the name of
2 the applicant and that no liens are recorded other than the
3 lien for which a release has been submitted. The fee for the
4 dealer lien release certificate of title is \$20.

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

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

17 If the total amount then due and owing exceeds the sum of
18 \$100 and has not been paid in full within 60 days from the date
19 the dishonored payment was first delivered to the Secretary of
20 State, the Secretary of State shall assess a penalty of 25% of
21 such amount remaining unpaid.

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

26 (d) The minimum fee and tax to be paid by any applicant for

1 apportionment of a fleet of vehicles under this Code shall be
2 \$15 if the application was filed on or before the date
3 specified by the Secretary together with fees and taxes due. If
4 an application and the fees or taxes due are filed after the
5 date specified by the Secretary, the Secretary may prescribe
6 the payment of interest at the rate of 1/2 of 1% per month or
7 fraction thereof after such due date and a minimum of \$8.

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

23 (f) For purposes of this Section, "all-terrain vehicle or
24 off-highway motorcycle used for production agriculture" means
25 any all-terrain vehicle or off-highway motorcycle used in the
26 raising of or the propagation of livestock, crops for sale for

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

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

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

17 (Source: P.A. 99-260, eff. 1-1-16; 99-607, eff. 7-22-16;
 18 100-956, eff. 1-1-19.)

19 (625 ILCS 5/6-118)
 20 Sec. 6-118. Fees.

21 (a) The fees ~~fee~~ for licenses and permits under this
 22 Article are ~~is~~ as follows:

- 23 Original driver's license \$60 ~~\$30~~
- 24 Original or renewal driver's license
- 25 issued to 18, 19 and 20 year olds 10 ~~5~~

1 All driver's licenses for persons

2 age 69 through age 80 10 ~~5~~

3 All driver's licenses for persons

4 age 81 through age 86 2

5 All driver's licenses for persons

6 age 87 or older 0

7 Renewal driver's license (except for

8 applicants ages 18, 19 and 20 or

9 age 69 and older) 60 ~~30~~

10 Original instruction permit issued to

11 persons (except those age 69 and older)

12 who do not hold or have not previously

13 held an Illinois instruction permit or

14 driver's license 20

15 Instruction permit issued to any person

16 holding an Illinois driver's license

17 who wishes a change in classifications,

18 other than at the time of renewal 5

19 Any instruction permit issued to a person

20 age 69 and older 5

21 Instruction permit issued to any person,

22 under age 69, not currently holding a

23 valid Illinois driver's license or

24 instruction permit but who has

25 previously been issued either document

26 in Illinois 10

1 Restricted driving permit 8

2 Monitoring device driving permit 8

3 Duplicate or corrected driver's license

4 or permit 5

5 Duplicate or corrected restricted

6 driving permit 5

7 Duplicate or corrected monitoring

8 device driving permit 5

9 Duplicate driver's license or permit issued to

10 an active-duty member of the

11 United States Armed Forces,

12 the member's spouse, or

13 the dependent children living

14 with the member 0

15 Original or renewal M or L endorsement..... 5

16 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

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

19 Commercial driver's license:

20 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund

21 (Commercial Driver's License Information

22 System/American Association of Motor Vehicle

23 Administrators network/National Motor Vehicle

24 Title Information Service Trust Fund);

25 \$20 for the Motor Carrier Safety Inspection Fund;

26 \$10 for the driver's license;

1 and \$24 for the CDL: \$60

2 Renewal commercial driver's license:

3 \$6 for the CDLIS/AAMVANet/NMVTIS Trust Fund;

4 \$20 for the Motor Carrier Safety Inspection Fund;

5 \$10 for the driver's license; and

6 \$24 for the CDL: \$60

7 Commercial learner's permit

8 issued to any person holding a valid

9 Illinois driver's license for the

10 purpose of changing to a

11 CDL classification: \$6 for the

12 CDLIS/AAMVANet/NMVTIS Trust Fund;

13 \$20 for the Motor Carrier

14 Safety Inspection Fund; and

15 \$24 for the CDL classification \$50

16 Commercial learner's permit

17 issued to any person holding a valid

18 Illinois CDL for the purpose of

19 making a change in a classification,

20 endorsement or restriction \$5

21 CDL duplicate or corrected license \$5

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

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

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

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

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

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

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

23	Suspension under Section 3-707	\$100
24	Suspension under Section 11-1431	\$100
25	Summary suspension under Section 11-501.1	\$250
26	Suspension under Section 11-501.9	\$250

1	Summary revocation under Section 11-501.1	\$500
2	Other suspension	\$70
3	Revocation	\$500

4 However, any person whose license or privilege to operate a
5 motor vehicle in this State has been suspended or revoked for a
6 second or subsequent time for a violation of Section 11-501,
7 11-501.1, or 11-501.9 of this Code or a similar provision of a
8 local ordinance or a similar out-of-state offense or Section
9 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
10 and each suspension or revocation was for a violation of
11 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
12 provision of a local ordinance or a similar out-of-state
13 offense or Section 9-3 of the Criminal Code of 1961 or the
14 Criminal Code of 2012 shall pay, in addition to any other fees
15 required by this Code, a reinstatement fee as follows:

16	Summary suspension under Section 11-501.1	\$500
17	Suspension under Section 11-501.9	\$500
18	Summary revocation under Section 11-501.1	\$500
19	Revocation	\$500

20 (c) All fees collected under the provisions of this Chapter
21 6 shall be disbursed under subsection (g) of Section 2-119 of
22 this Code, except as follows:

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

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

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

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

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

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

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

26 3. \$6 of the original or renewal fee for a commercial

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

5 4. \$30 of the \$70 fee for reinstatement of a license
6 suspended under the Family Financial Responsibility Law
7 shall be paid into the Family Responsibility Fund.

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

11 6. \$20 of any original or renewal fee for a commercial
12 driver's license or commercial learner's permit shall be
13 paid into the Motor Carrier Safety Inspection Fund.

14 7. The following amounts shall be paid into the General
15 Revenue Fund:

16 (A) \$190 of the \$250 reinstatement fee for a
17 summary suspension under Section 11-501.1 or a
18 suspension under Section 11-501.9;

19 (B) \$40 of the \$70 reinstatement fee for any other
20 suspension provided in subsection (b) of this Section;
21 and

22 (C) \$440 of the \$500 reinstatement fee for a first
23 offense revocation and \$310 of the \$500 reinstatement
24 fee for a second or subsequent revocation.

25 8. Fees collected under paragraph (4) of subsection (d)
26 and subsection (h) of Section 6-205 of this Code;

1 subparagraph (C) of paragraph 3 of subsection (c) of
2 Section 6-206 of this Code; and paragraph (4) of subsection
3 (a) of Section 6-206.1 of this Code, shall be paid into the
4 funds set forth in those Sections.

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

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

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

18 (g) The additional fees imposed under this Section by this
19 amendatory Act of the 101st General Assembly take effect July
20 1, 2019.

21 (Source: P.A. 99-127, eff. 1-1-16; 99-438, eff. 1-1-16; 99-642,
22 eff. 7-28-16; 99-933, eff. 1-27-17; 100-590, eff. 6-8-18;
23 100-803, eff. 1-1-19; revised 10-24-18.)

24 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)
25 Sec. 11-208.3. Administrative adjudication of violations

1 of traffic regulations concerning the standing, parking, or
2 condition of vehicles, automated traffic law violations, and
3 automated speed enforcement system violations.

4 (a) Any municipality or county may provide by ordinance for
5 a system of administrative adjudication of vehicular standing
6 and parking violations and vehicle compliance violations as
7 described in this subsection, automated traffic law violations
8 as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and
9 automated speed enforcement system violations as defined in
10 Section 11-208.8. The administrative system shall have as its
11 purpose the fair and efficient enforcement of municipal or
12 county regulations through the administrative adjudication of
13 automated speed enforcement system or automated traffic law
14 violations and violations of municipal or county ordinances
15 regulating the standing and parking of vehicles, the condition
16 and use of vehicle equipment, and the display of municipal or
17 county wheel tax licenses within the municipality's or county's
18 borders. The administrative system shall only have authority to
19 adjudicate civil offenses carrying fines not in excess of \$500
20 or requiring the completion of a traffic education program, or
21 both, that occur after the effective date of the ordinance
22 adopting such a system under this Section. For purposes of this
23 Section, "compliance violation" means a violation of a
24 municipal or county regulation governing the condition or use
25 of equipment on a vehicle or governing the display of a
26 municipal or county wheel tax license.

1 (b) Any ordinance establishing a system of administrative
2 adjudication under this Section shall provide for:

3 (1) A traffic compliance administrator authorized to
4 adopt, distribute and process parking, compliance, and
5 automated speed enforcement system or automated traffic
6 law violation notices and other notices required by this
7 Section, collect money paid as fines and penalties for
8 violation of parking and compliance ordinances and
9 automated speed enforcement system or automated traffic
10 law violations, and operate an administrative adjudication
11 system. The traffic compliance administrator also may make
12 a certified report to the Secretary of State under Section
13 6-306.5.

14 (2) A parking, standing, compliance, automated speed
15 enforcement system, or automated traffic law violation
16 notice that shall specify or include the date, time, and
17 place of violation of a parking, standing, compliance,
18 automated speed enforcement system, or automated traffic
19 law regulation; the particular regulation violated; any
20 requirement to complete a traffic education program; the
21 fine and any penalty that may be assessed for late payment
22 or failure to complete a required traffic education
23 program, or both, when so provided by ordinance; the
24 vehicle make or a photograph of the vehicle; the ~~and~~ state
25 registration number of the vehicle; and the identification
26 number of the person issuing the notice. With regard to

1 automated speed enforcement system or automated traffic
2 law violations, vehicle make shall be specified on the
3 automated speed enforcement system or automated traffic
4 law violation notice if the notice does not include a
5 photograph of the vehicle and the make is available and
6 readily discernible. With regard to municipalities or
7 counties with a population of 1 million or more, it shall
8 be grounds for dismissal of a parking violation if the
9 state registration number or vehicle make specified is
10 incorrect. The violation notice shall state that the
11 completion of any required traffic education program, the
12 payment of any indicated fine, and the payment of any
13 applicable penalty for late payment or failure to complete
14 a required traffic education program, or both, shall
15 operate as a final disposition of the violation. The notice
16 also shall contain information as to the availability of a
17 hearing in which the violation may be contested on its
18 merits. The violation notice shall specify the time and
19 manner in which a hearing may be had.

20 (3) Service of a ~~the~~ parking, standing, or compliance
21 violation notice by: (i) affixing the original or a
22 facsimile of the notice to an unlawfully parked or standing
23 vehicle; ~~or~~ (ii) by handing the notice to the operator of a
24 vehicle if he or she is present; or (iii) mailing the
25 notice to the address of the registered owner or lessee of
26 the cited vehicle as recorded with the Secretary of State

1 or the lessor of the motor vehicle within 30 days after the
2 Secretary of State or the lessor of the motor vehicle
3 notifies the municipality or county of the identity of the
4 owner or lessee of the vehicle, but not later than 90 days
5 after date of the violation, except that in the case of a
6 lessee of a motor vehicle, service of a parking, standing,
7 or compliance violation notice may occur no later than 210
8 days after the violation; and service of an automated speed
9 enforcement system or automated traffic law violation
10 notice by mail to the address of the registered owner or
11 lessee of the cited vehicle as recorded with the Secretary
12 of State or the lessor of the motor vehicle within 30 days
13 after the Secretary of State or the lessor of the motor
14 vehicle notifies the municipality or county of the identity
15 of the owner or lessee of the vehicle, but not later than
16 90 days after the violation, except that in the case of a
17 lessee of a motor vehicle, service of an automated traffic
18 law violation notice may occur no later than 210 days after
19 the violation. A person authorized by ordinance to issue
20 and serve parking, standing, and compliance violation
21 notices shall certify as to the correctness of the facts
22 entered on the violation notice by signing his or her name
23 to the notice at the time of service or in the case of a
24 notice produced by a computerized device, by signing a
25 single certificate to be kept by the traffic compliance
26 administrator attesting to the correctness of all notices

1 produced by the device while it was under his or her
2 control. In the case of an automated traffic law violation,
3 the ordinance shall require a determination by a technician
4 employed or contracted by the municipality or county that,
5 based on inspection of recorded images, the motor vehicle
6 was being operated in violation of Section 11-208.6,
7 11-208.9, or 11-1201.1 or a local ordinance. If the
8 technician determines that the vehicle entered the
9 intersection as part of a funeral procession or in order to
10 yield the right-of-way to an emergency vehicle, a citation
11 shall not be issued. In municipalities with a population of
12 less than 1,000,000 inhabitants and counties with a
13 population of less than 3,000,000 inhabitants, the
14 automated traffic law ordinance shall require that all
15 determinations by a technician that a motor vehicle was
16 being operated in violation of Section 11-208.6, 11-208.9,
17 or 11-1201.1 or a local ordinance must be reviewed and
18 approved by a law enforcement officer or retired law
19 enforcement officer of the municipality or county issuing
20 the violation. In municipalities with a population of
21 1,000,000 or more inhabitants and counties with a
22 population of 3,000,000 or more inhabitants, the automated
23 traffic law ordinance shall require that all
24 determinations by a technician that a motor vehicle was
25 being operated in violation of Section 11-208.6, 11-208.9,
26 or 11-1201.1 or a local ordinance must be reviewed and

1 approved by a law enforcement officer or retired law
2 enforcement officer of the municipality or county issuing
3 the violation or by an additional fully-trained reviewing
4 technician who is not employed by the contractor who
5 employs the technician who made the initial determination.
6 In the case of an automated speed enforcement system
7 violation, the ordinance shall require a determination by a
8 technician employed by the municipality, based upon an
9 inspection of recorded images, video or other
10 documentation, including documentation of the speed limit
11 and automated speed enforcement signage, and documentation
12 of the inspection, calibration, and certification of the
13 speed equipment, that the vehicle was being operated in
14 violation of Article VI of Chapter 11 of this Code or a
15 similar local ordinance. If the technician determines that
16 the vehicle speed was not determined by a calibrated,
17 certified speed equipment device based upon the speed
18 equipment documentation, or if the vehicle was an emergency
19 vehicle, a citation may not be issued. The automated speed
20 enforcement ordinance shall require that all
21 determinations by a technician that a violation occurred be
22 reviewed and approved by a law enforcement officer or
23 retired law enforcement officer of the municipality
24 issuing the violation or by an additional fully trained
25 reviewing technician who is not employed by the contractor
26 who employs the technician who made the initial

1 determination. Routine and independent calibration of the
2 speeds produced by automated speed enforcement systems and
3 equipment shall be conducted annually by a qualified
4 technician. Speeds produced by an automated speed
5 enforcement system shall be compared with speeds produced
6 by lidar or other independent equipment. Radar or lidar
7 equipment shall undergo an internal validation test no less
8 frequently than once each week. Qualified technicians
9 shall test loop based equipment no less frequently than
10 once a year. Radar equipment shall be checked for accuracy
11 by a qualified technician when the unit is serviced, when
12 unusual or suspect readings persist, or when deemed
13 necessary by a reviewing technician. Radar equipment shall
14 be checked with the internal frequency generator and the
15 internal circuit test whenever the radar is turned on.
16 Technicians must be alert for any unusual or suspect
17 readings, and if unusual or suspect readings of a radar
18 unit persist, that unit shall immediately be removed from
19 service and not returned to service until it has been
20 checked by a qualified technician and determined to be
21 functioning properly. Documentation of the annual
22 calibration results, including the equipment tested, test
23 date, technician performing the test, and test results,
24 shall be maintained and available for use in the
25 determination of an automated speed enforcement system
26 violation and issuance of a citation. The technician

1 performing the calibration and testing of the automated
2 speed enforcement equipment shall be trained and certified
3 in the use of equipment for speed enforcement purposes.
4 Training on the speed enforcement equipment may be
5 conducted by law enforcement, civilian, or manufacturer's
6 personnel and if applicable may be equivalent to the
7 equipment use and operations training included in the Speed
8 Measuring Device Operator Program developed by the
9 National Highway Traffic Safety Administration (NHTSA).
10 The vendor or technician who performs the work shall keep
11 accurate records on each piece of equipment the technician
12 calibrates and tests. As used in this paragraph,
13 "fully-trained reviewing technician" means a person who
14 has received at least 40 hours of supervised training in
15 subjects which shall include image inspection and
16 interpretation, the elements necessary to prove a
17 violation, license plate identification, and traffic
18 safety and management. In all municipalities and counties,
19 the automated speed enforcement system or automated
20 traffic law ordinance shall require that no additional fee
21 shall be charged to the alleged violator for exercising his
22 or her right to an administrative hearing, and persons
23 shall be given at least 25 days following an administrative
24 hearing to pay any civil penalty imposed by a finding that
25 Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a
26 similar local ordinance has been violated. The original or

1 a facsimile of the violation notice or, in the case of a
2 notice produced by a computerized device, a printed record
3 generated by the device showing the facts entered on the
4 notice, shall be retained by the traffic compliance
5 administrator, and shall be a record kept in the ordinary
6 course of business. A parking, standing, compliance,
7 automated speed enforcement system, or automated traffic
8 law violation notice issued, signed and served in
9 accordance with this Section, a copy of the notice, or the
10 computer generated record shall be prima facie correct and
11 shall be prima facie evidence of the correctness of the
12 facts shown on the notice. The notice, copy, or computer
13 generated record shall be admissible in any subsequent
14 administrative or legal proceedings.

15 (4) An opportunity for a hearing for the registered
16 owner of the vehicle cited in the parking, standing,
17 compliance, automated speed enforcement system, or
18 automated traffic law violation notice in which the owner
19 may contest the merits of the alleged violation, and during
20 which formal or technical rules of evidence shall not
21 apply; provided, however, that under Section 11-1306 of
22 this Code the lessee of a vehicle cited in the violation
23 notice likewise shall be provided an opportunity for a
24 hearing of the same kind afforded the registered owner. The
25 hearings shall be recorded, and the person conducting the
26 hearing on behalf of the traffic compliance administrator

1 shall be empowered to administer oaths and to secure by
2 subpoena both the attendance and testimony of witnesses and
3 the production of relevant books and papers. Persons
4 appearing at a hearing under this Section may be
5 represented by counsel at their expense. The ordinance may
6 also provide for internal administrative review following
7 the decision of the hearing officer.

8 (5) Service of additional notices, sent by first class
9 United States mail, postage prepaid, to the address of the
10 registered owner of the cited vehicle as recorded with the
11 Secretary of State or, if any notice to that address is
12 returned as undeliverable, to the last known address
13 recorded in a United States Post Office approved database,
14 or, under Section 11-1306 or subsection (p) of Section
15 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8
16 of this Code, to the lessee of the cited vehicle at the
17 last address known to the lessor of the cited vehicle at
18 the time of lease or, if any notice to that address is
19 returned as undeliverable, to the last known address
20 recorded in a United States Post Office approved database.
21 The service shall be deemed complete as of the date of
22 deposit in the United States mail. The notices shall be in
23 the following sequence and shall include but not be limited
24 to the information specified herein:

25 (i) A second notice of parking, standing, or
26 compliance violation if the first notice of the

1 violation was issued by affixing the original or a
2 facsimile of the notice to the unlawfully parked
3 vehicle or by handing the notice to the operator. This
4 notice shall specify or include the date and location
5 of the violation cited in the parking, standing, or
6 compliance violation notice, the particular regulation
7 violated, the vehicle make or a photograph of the
8 vehicle, the ~~and~~ state registration number of the
9 vehicle, any requirement to complete a traffic
10 education program, the fine and any penalty that may be
11 assessed for late payment or failure to complete a
12 traffic education program, or both, when so provided by
13 ordinance, the availability of a hearing in which the
14 violation may be contested on its merits, and the time
15 and manner in which the hearing may be had. The notice
16 of violation shall also state that failure to complete
17 a required traffic education program, to pay the
18 indicated fine and any applicable penalty, or to appear
19 at a hearing on the merits in the time and manner
20 specified, will result in a final determination of
21 violation liability for the cited violation in the
22 amount of the fine or penalty indicated, and that, upon
23 the occurrence of a final determination of violation
24 liability for the failure, and the exhaustion of, or
25 failure to exhaust, available administrative or
26 judicial procedures for review, any incomplete traffic

1 education program or any unpaid fine or penalty, or
2 both, will constitute a debt due and owing the
3 municipality or county.

4 (ii) A notice of final determination of parking,
5 standing, compliance, automated speed enforcement
6 system, or automated traffic law violation liability.
7 This notice shall be sent following a final
8 determination of parking, standing, compliance,
9 automated speed enforcement system, or automated
10 traffic law violation liability and the conclusion of
11 judicial review procedures taken under this Section.
12 The notice shall state that the incomplete traffic
13 education program or the unpaid fine or penalty, or
14 both, is a debt due and owing the municipality or
15 county. The notice shall contain warnings that failure
16 to complete any required traffic education program or
17 to pay any fine or penalty due and owing the
18 municipality or county, or both, within the time
19 specified may result in the municipality's or county's
20 filing of a petition in the Circuit Court to have the
21 incomplete traffic education program or unpaid fine or
22 penalty, or both, rendered a judgment as provided by
23 this Section, or may result in suspension of the
24 person's drivers license for failure to complete a
25 traffic education program or to pay fines or penalties,
26 or both, for 10 or more parking violations under

1 Section 6-306.5, or a combination of 5 or more
2 automated traffic law violations under Section
3 11-208.6 or 11-208.9 or automated speed enforcement
4 system violations under Section 11-208.8.

5 (6) A notice of impending drivers license suspension.
6 This notice shall be sent to the person liable for failure
7 to complete a required traffic education program or to pay
8 any fine or penalty that remains due and owing, or both, on
9 10 or more parking violations or combination of 5 or more
10 unpaid automated speed enforcement system or automated
11 traffic law violations. The notice shall state that failure
12 to complete a required traffic education program or to pay
13 the fine or penalty owing, or both, within 45 days of the
14 notice's date will result in the municipality or county
15 notifying the Secretary of State that the person is
16 eligible for initiation of suspension proceedings under
17 Section 6-306.5 of this Code. The notice shall also state
18 that the person may obtain a photostatic copy of an
19 original ticket imposing a fine or penalty by sending a
20 self addressed, stamped envelope to the municipality or
21 county along with a request for the photostatic copy. The
22 notice of impending drivers license suspension shall be
23 sent by first class United States mail, postage prepaid, to
24 the address recorded with the Secretary of State or, if any
25 notice to that address is returned as undeliverable, to the
26 last known address recorded in a United States Post Office

1 approved database.

2 (7) Final determinations of violation liability. A
3 final determination of violation liability shall occur
4 following failure to complete the required traffic
5 education program or to pay the fine or penalty, or both,
6 after a hearing officer's determination of violation
7 liability and the exhaustion of or failure to exhaust any
8 administrative review procedures provided by ordinance.
9 Where a person fails to appear at a hearing to contest the
10 alleged violation in the time and manner specified in a
11 prior mailed notice, the hearing officer's determination
12 of violation liability shall become final: (A) upon denial
13 of a timely petition to set aside that determination, or
14 (B) upon expiration of the period for filing the petition
15 without a filing having been made.

16 (8) A petition to set aside a determination of parking,
17 standing, compliance, automated speed enforcement system,
18 or automated traffic law violation liability that may be
19 filed by a person owing an unpaid fine or penalty. A
20 petition to set aside a determination of liability may also
21 be filed by a person required to complete a traffic
22 education program. The petition shall be filed with and
23 ruled upon by the traffic compliance administrator in the
24 manner and within the time specified by ordinance. The
25 grounds for the petition may be limited to: (A) the person
26 not having been the owner or lessee of the cited vehicle on

1 the date the violation notice was issued, (B) the person
2 having already completed the required traffic education
3 program or paid the fine or penalty, or both, for the
4 violation in question, and (C) excusable failure to appear
5 at or request a new date for a hearing. With regard to
6 municipalities or counties with a population of 1 million
7 or more, it shall be grounds for dismissal of a parking
8 violation if the state registration number⁷ or vehicle
9 make, only if specified in the violation notice, is
10 incorrect. After the determination of parking, standing,
11 compliance, automated speed enforcement system, or
12 automated traffic law violation liability has been set
13 aside upon a showing of just cause, the registered owner
14 shall be provided with a hearing on the merits for that
15 violation.

16 (9) Procedures for non-residents. Procedures by which
17 persons who are not residents of the municipality or county
18 may contest the merits of the alleged violation without
19 attending a hearing.

20 (10) A schedule of civil fines for violations of
21 vehicular standing, parking, compliance, automated speed
22 enforcement system, or automated traffic law regulations
23 enacted by ordinance pursuant to this Section, and a
24 schedule of penalties for late payment of the fines or
25 failure to complete required traffic education programs,
26 provided, however, that the total amount of the fine and

1 penalty for any one violation shall not exceed \$250, except
2 as provided in subsection (c) of Section 11-1301.3 of this
3 Code.

4 (11) Other provisions as are necessary and proper to
5 carry into effect the powers granted and purposes stated in
6 this Section.

7 (c) Any municipality or county establishing vehicular
8 standing, parking, compliance, automated speed enforcement
9 system, or automated traffic law regulations under this Section
10 may also provide by ordinance for a program of vehicle
11 immobilization for the purpose of facilitating enforcement of
12 those regulations. The program of vehicle immobilization shall
13 provide for immobilizing any eligible vehicle upon the public
14 way by presence of a restraint in a manner to prevent operation
15 of the vehicle. Any ordinance establishing a program of vehicle
16 immobilization under this Section shall provide:

17 (1) Criteria for the designation of vehicles eligible
18 for immobilization. A vehicle shall be eligible for
19 immobilization when the registered owner of the vehicle has
20 accumulated the number of incomplete traffic education
21 programs or unpaid final determinations of parking,
22 standing, compliance, automated speed enforcement system,
23 or automated traffic law violation liability, or both, as
24 determined by ordinance.

25 (2) A notice of impending vehicle immobilization and a
26 right to a hearing to challenge the validity of the notice

1 by disproving liability for the incomplete traffic
2 education programs or unpaid final determinations of
3 parking, standing, compliance, automated speed enforcement
4 system, or automated traffic law violation liability, or
5 both, listed on the notice.

6 (3) The right to a prompt hearing after a vehicle has
7 been immobilized or subsequently towed without the
8 completion of the required traffic education program or
9 payment of the outstanding fines and penalties on parking,
10 standing, compliance, automated speed enforcement system,
11 or automated traffic law violations, or both, for which
12 final determinations have been issued. An order issued
13 after the hearing is a final administrative decision within
14 the meaning of Section 3-101 of the Code of Civil
15 Procedure.

16 (4) A post immobilization and post-towing notice
17 advising the registered owner of the vehicle of the right
18 to a hearing to challenge the validity of the impoundment.

19 (d) Judicial review of final determinations of parking,
20 standing, compliance, automated speed enforcement system, or
21 automated traffic law violations and final administrative
22 decisions issued after hearings regarding vehicle
23 immobilization and impoundment made under this Section shall be
24 subject to the provisions of the Administrative Review Law.

25 (e) Any fine, penalty, incomplete traffic education
26 program, or part of any fine or any penalty remaining unpaid

1 after the exhaustion of, or the failure to exhaust,
2 administrative remedies created under this Section and the
3 conclusion of any judicial review procedures shall be a debt
4 due and owing the municipality or county and, as such, may be
5 collected in accordance with applicable law. Completion of any
6 required traffic education program and payment in full of any
7 fine or penalty resulting from a standing, parking, compliance,
8 automated speed enforcement system, or automated traffic law
9 violation shall constitute a final disposition of that
10 violation.

11 (f) After the expiration of the period within which
12 judicial review may be sought for a final determination of
13 parking, standing, compliance, automated speed enforcement
14 system, or automated traffic law violation, the municipality or
15 county may commence a proceeding in the Circuit Court for
16 purposes of obtaining a judgment on the final determination of
17 violation. Nothing in this Section shall prevent a municipality
18 or county from consolidating multiple final determinations of
19 parking, standing, compliance, automated speed enforcement
20 system, or automated traffic law violations against a person in
21 a proceeding. Upon commencement of the action, the municipality
22 or county shall file a certified copy or record of the final
23 determination of parking, standing, compliance, automated
24 speed enforcement system, or automated traffic law violation,
25 which shall be accompanied by a certification that recites
26 facts sufficient to show that the final determination of

1 violation was issued in accordance with this Section and the
2 applicable municipal or county ordinance. Service of the
3 summons and a copy of the petition may be by any method
4 provided by Section 2-203 of the Code of Civil Procedure or by
5 certified mail, return receipt requested, provided that the
6 total amount of fines and penalties for final determinations of
7 parking, standing, compliance, automated speed enforcement
8 system, or automated traffic law violations does not exceed
9 \$2500. If the court is satisfied that the final determination
10 of parking, standing, compliance, automated speed enforcement
11 system, or automated traffic law violation was entered in
12 accordance with the requirements of this Section and the
13 applicable municipal or county ordinance, and that the
14 registered owner or the lessee, as the case may be, had an
15 opportunity for an administrative hearing and for judicial
16 review as provided in this Section, the court shall render
17 judgment in favor of the municipality or county and against the
18 registered owner or the lessee for the amount indicated in the
19 final determination of parking, standing, compliance,
20 automated speed enforcement system, or automated traffic law
21 violation, plus costs. The judgment shall have the same effect
22 and may be enforced in the same manner as other judgments for
23 the recovery of money.

24 (g) The fee for participating in a traffic education
25 program under this Section shall not exceed \$25.

26 A low-income individual required to complete a traffic

1 education program under this Section who provides proof of
2 eligibility for the federal earned income tax credit under
3 Section 32 of the Internal Revenue Code or the Illinois earned
4 income tax credit under Section 212 of the Illinois Income Tax
5 Act shall not be required to pay any fee for participating in a
6 required traffic education program.

7 (Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672,
8 eff. 7-1-12; 98-556, eff. 1-1-14; 98-1028, eff. 8-22-14.)

9 Article 99.

10 Section 99-97. Severability. The provisions of this Act are
11 severable under Section 1.31 of the Statute on Statutes.

12 Section 99-99. Effective date. This Act takes effect
13 January 1, 2020, except that the changes to Section 2 of the
14 Motor Fuel Tax Law, Section 6-118 of the Illinois Vehicle Code,
15 and this Section take effect upon becoming law."