



Sen. Rachel Ventura

**Filed: 3/3/2023**

10300SB1767sam001

LRB103 29085 HLH 58507 a

1 AMENDMENT TO SENATE BILL 1767

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1767 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Cargo  
5 Transportation Fee Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Revenue.

8 "Commercial motor vehicle" has the meaning given to that  
9 term in Section 18b-101 of the Illinois Vehicle Code.

10 "Interstate carrier" has the meaning given to that term in  
11 Section 18c-1104 of the Illinois Vehicle Code.

12 "Interstate commerce" has the meaning given to that term  
13 in Section 18c-1104 of the Illinois Vehicle Code.

14 "Secretary" means the Secretary of State.

15 Section 10. Fee imposed. On and after January 1, 2024, a

1 fee is imposed upon each interstate carrier that (i)  
2 transports by common carrier tangible personal property into  
3 the State from a point outside of the State, (ii) transports  
4 that tangible personal property for the purpose of selling  
5 that tangible personal property at retail outside of the  
6 State, and (iii) receives tangible personal property directly  
7 from an inland port located on more than 3,500 acres. The fee  
8 shall be imposed each time a commercial motor vehicle owned by  
9 a qualified interstate carrier receives tangible personal  
10 property directly from an inland port located on more than  
11 3,500 acres. The fee is imposed in the following amounts:

12 (1) \$0.50 for each such commercial motor vehicle with  
13 a gross weight vehicle and load of 12,000 lbs. or less;

14 (2) \$1 for each such commercial motor vehicle with a  
15 gross weight vehicle and load of 12,001 to 16,000 lbs.;

16 (3) \$1.50 for each such commercial motor vehicle with  
17 a gross weight vehicle and load of 16,001 to 20,000 lbs.;

18 (4) \$2 for each such commercial motor vehicle with a  
19 gross weight vehicle and load of 20,001 to 24,000 lbs.;

20 (5) \$2.50 for each such commercial motor vehicle with  
21 a gross weight vehicle and load of 24,001 to 28,000 lbs.;

22 (6) \$3 for each such commercial motor vehicle with a  
23 gross weight vehicle and load of 28,001 to 32,000 lbs.;

24 (7) \$3.50 for each such commercial motor vehicle with  
25 a gross weight vehicle and load of 32,001 to 36,000 lbs.;

26 (8) \$4 for each such commercial motor vehicle with a

1 gross weight vehicle and load of 36,001 to 40,000 lbs.;

2 (9) \$4.50 for each such commercial motor vehicle with  
3 a gross weight vehicle and load of 40,001 to 45,000 lbs.;

4 (10) \$5 for each such commercial motor vehicle with a  
5 gross weight vehicle and load of 45,001 to 54,999 lbs.;

6 (11) \$5.50 for each such commercial motor vehicle with  
7 a gross weight vehicle and load of 55,000 to 59,500 lbs.;

8 (12) \$6 for each such commercial motor vehicle with a  
9 gross weight vehicle and load of 59,501 to 64,000 lbs.;

10 (13) \$6.50 for each such commercial motor vehicle with  
11 a gross weight vehicle and load of 64,001 to 73,280 lbs.;

12 (14) \$7 for each such commercial motor vehicle with a  
13 gross weight vehicle and load of 73,281 to 77,000 lbs.;

14 (15) \$7.50 for each such commercial motor vehicle with  
15 a gross weight vehicle and load of 77,001 to 80,000 lbs.;

16 and

17 (16) \$8 for each such commercial motor vehicle with a  
18 gross weight vehicle and load of 80,001 lbs. or more.

19 Section 15. Returns.

20 (a) Except as otherwise provided in this Section, on or  
21 before the 15th day of each month, each interstate carrier  
22 that is liable for the payment of the fee under this Act shall  
23 make a return to the Department for the preceding calendar  
24 month stating:

25 (1) the name of the interstate carrier;

1           (2) the address of the carrier's principal place of  
2           business;

3           (3) the amount of the fee imposed under this Act; and

4           (4) such other reasonable information as the  
5           Department may require.

6           (b) Any person required to make payments under this Act  
7           may make the payments by electronic funds transfer. The  
8           Department shall adopt rules necessary to effectuate a program  
9           of electronic funds transfer.

10          (c) If the person's average monthly liability to the  
11          Department under this Act does not exceed \$100, the Department  
12          may authorize his returns to be filed on a quarter annual  
13          basis, with the return for January, February, and March of a  
14          given year being due by April 30 of that year; with the return  
15          for April, May, and June of a given year being due by July 31  
16          of that year; with the return for July, August, and September  
17          of a given year being due by October 31 of that year, and with  
18          the return for October, November, and December of a given year  
19          being due by January 31 of the following year.

20          (d) If the persons's average monthly liability to the  
21          Department under this Act does not exceed \$20, the Department  
22          may authorize his returns to be filed on an annual basis, with  
23          the return for a given year being due by January 31 of the  
24          following year.

25          (e) The interstate carrier making the return provided for  
26          in this Section shall, at the time of making that return, pay

1 to the Department the amount of the fee imposed by this Act.

2 Section 20. Incorporation of Retailers' Occupation Tax  
3 Act. All of the provisions of Sections 4, 5, 5a, 5b, 5c, 5d,  
4 5e, 5f, 5g, 5i, 5j, 6b, and 6c of the Retailers' Occupation Tax  
5 Act that are not inconsistent with this Act, and Section 3-7 of  
6 the Uniform Penalty and Interest Act shall apply, as far as  
7 practicable, to the subject matter of this Act to the same  
8 extent as if such provisions were included in this Act.  
9 References in those incorporated Sections of the Retailers'  
10 Occupation Tax Act to retailers, to sellers, or to persons  
11 engaged in the business of selling tangible personal property  
12 mean interstate carriers for the purpose of this Act.

13 Section 25. Distribution of proceeds. The proceeds from  
14 the fee imposed by this Act shall be deposited into the Cargo  
15 Transportation Fee Fund, a special fund created in the State  
16 treasury. Moneys in the Fund shall be used by the Secretary for  
17 road projects in areas of the State with heightened levels of  
18 traffic as a result of the transportation of tangible personal  
19 property located in counties that contain, in whole or in  
20 part, an inland port located on more than 3,500 acres.

21 Section 30. Rules. The Department shall adopt rules to  
22 implement and administer this Act.

1           Section 900. The State Finance Act is amended by adding  
2           Section 5.990 as follows:

3           (30 ILCS 105/5.990 new)

4           Sec. 5.990. The Cargo Transportation Fee Fund."