

# HB1238



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1238

Introduced 2/18/2009, by Rep. Jack D. Franks

### SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Makes a technical change in a Section concerning tolls and charges.

LRB096 10211 AJT 20379 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Toll Highway Act is amended by changing  
5 Section 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. The ~~The~~ Authority shall fix and revise from time  
8 to time, tolls or charges or rates for the privilege of using  
9 each of the toll highways constructed pursuant to this Act.  
10 Such tolls shall be so fixed and adjusted at rates calculated  
11 to provide the lowest reasonable toll rates that will provide  
12 funds sufficient with other revenues of the Authority to pay,  
13 (a) the cost of the construction of a toll highway authorized  
14 by joint resolution of the General Assembly pursuant to Section  
15 14.1 and the reconstruction, major repairs or improvements of  
16 toll highways, (b) the cost of maintaining, repairing,  
17 regulating and operating the toll highways including only the  
18 necessary expenses of the Authority, and (c) the principal of  
19 all bonds, interest thereon and all sinking fund requirements  
20 and other requirements provided by resolutions authorizing the  
21 issuance of the bonds as they shall become due. In fixing the  
22 toll rates pursuant to this Section 19 and Section 10(c) of  
23 this Act, the Authority shall take into account the effect of

1 the provisions of this Section 19 permitting the use of the  
2 toll highway system without payment of the covenants of the  
3 Authority contained in the resolutions and trust indentures  
4 authorizing the issuance of bonds of the Authority. No such  
5 provision permitting the use of the toll highway system without  
6 payment of tolls after the date of this amendatory Act of the  
7 95th General Assembly shall be applied in a manner that impairs  
8 the rights of bondholders pursuant to any resolution or trust  
9 indentures authorizing the issuance of bonds of the Authority.  
10 The use and disposition of any sinking or reserve fund shall be  
11 subject to such regulation as may be provided in the resolution  
12 or trust indenture authorizing the issuance of the bonds.  
13 Subject to the provisions of any resolution or trust indenture  
14 authorizing the issuance of bonds any moneys in any such  
15 sinking fund in excess of an amount equal to one year's  
16 interest on the bonds then outstanding secured by such sinking  
17 fund may be applied to the purchase or redemption of bonds. All  
18 such bonds so redeemed or purchased shall forthwith be  
19 cancelled and shall not again be issued. No person shall be  
20 permitted to use any toll highway without paying the toll  
21 established under this Section except when on official Toll  
22 Highway Authority business which includes police and other  
23 emergency vehicles. However, any law enforcement agency  
24 vehicle, fire department vehicle, or other emergency vehicle  
25 that is plainly marked shall not be required to pay a toll to  
26 use a toll highway. A law enforcement, fire protection, or

1 emergency services officer driving a law enforcement, fire  
2 protection, or emergency services agency vehicle that is not  
3 plainly marked must present an Official Permit Card which the  
4 law enforcement, fire protection, or emergency services  
5 officer receives from his or her law enforcement, fire  
6 protection, or emergency services agency in order to use a toll  
7 highway without paying the toll. A law enforcement, fire  
8 protection, or emergency services agency must apply to the  
9 Authority to receive a permit, and the Authority shall adopt  
10 rules for the issuance of a permit, that allows all law  
11 enforcement, fire protection, or emergency services agency  
12 vehicles of the law enforcement, fire protection, or emergency  
13 services agency that are not plainly marked to use any toll  
14 highway without paying the toll established under this Section.  
15 The Authority shall maintain in its office a list of all  
16 persons that are authorized to use any toll highway without  
17 charge when on official business of the Authority and such list  
18 shall be open to the public for inspection. In recognition of  
19 the unique role of the Suburban Bus Division of the Regional  
20 Transportation Authority in providing effective transportation  
21 in the Authority's service region and to give effect to the  
22 exemption set forth in subsection (b) of Section 2.06 of the  
23 Regional Transportation Authority Act, a vehicle owned or  
24 operated by the Suburban Bus Division of the Regional  
25 Transportation Authority that is being used to transport  
26 passengers for hire may use any toll highway without paying the

1 toll.

2 Among other matters, this amendatory Act of 1990 is  
3 intended to clarify and confirm the prior intent of the General  
4 Assembly to allow toll revenues from the toll highway system to  
5 be used to pay a portion of the cost of the construction of the  
6 North-South Toll Highway authorized by Senate Joint Resolution  
7 122 of the 83rd General Assembly in 1984.

8 (Source: P.A. 95-327, eff. 1-1-08.)