



Sen. Toi W. Hutchinson

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09800SB3398sam001

LRB098 17325 MLW 58398 a

1 AMENDMENT TO SENATE BILL 3398

2 AMENDMENT NO. _____. Amend Senate Bill 3398 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-815 and 18b-101 as follows:

6 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

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

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

16 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	\$98
8,001 lbs. to 12,000 lbs.	D	138
12,001 lbs. to 16,000 lbs.	F	242
16,001 lbs. to 26,000 lbs.	H	490
26,001 lbs. to 28,000 lbs.	J	630
28,001 lbs. to 32,000 lbs.	K	842
32,001 lbs. to 36,000 lbs.	L	982
36,001 lbs. to 40,000 lbs.	N	1,202
40,001 lbs. to 45,000 lbs.	P	1,390
45,001 lbs. to 50,000 lbs.	Q	1,538
50,001 lbs. to 54,999 lbs.	R	1,698
55,000 lbs. to 59,500 lbs.	S	1,830
59,501 lbs. to 64,000 lbs.	T	1,970
64,001 lbs. to 73,280 lbs.	V	2,294
73,281 lbs. to 77,000 lbs.	X	2,622
77,001 lbs. to 80,000 lbs.	Z	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.

Beginning with the 2014 registration year, a \$2 surcharge

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

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

12 (a-1) A Special Hauling Vehicle is a vehicle or combination
13 of vehicles of the second division registered under Section
14 3-813 transporting asphalt or concrete in the plastic state or
15 a vehicle or combination of vehicles that are subject to the
16 gross weight limitations in subsection (a) of Section 15-111
17 for which the owner of the vehicle or combination of vehicles
18 has elected to pay, in addition to the registration fee in
19 subsection (a), \$125 to the Secretary of State for each
20 registration year. The Secretary shall designate this class of
21 vehicle as a Special Hauling Vehicle.

22 (a-5) Beginning January 1, 2015, a \$10 surcharge shall be
23 collected in addition to the above fees for vehicles in the
24 12,000 lbs. and less flat weight plate categories as described
25 in subsection (a) to be deposited into the Secretary of State
26 Special License Plate Fund. The \$10 surcharge is to identify

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

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

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
8,000 lbs and less	\$78
8,001 Lbs. to 10,000 Lbs	90
10,001 Lbs. and Over	102
CAMPING TRAILER OR TRAVEL TRAILER	
Gross Weight in Lbs.	Total Fees

	Each Calendar Year
1 Including Vehicle and	
2 Maximum Load	
3 3,000 Lbs. and Less	\$18
4 3,001 Lbs. to 8,000 Lbs.	30
5 8,001 Lbs. to 10,000 Lbs.	38
6 10,001 Lbs. and Over	50

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

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

17 SCHEDULE OF FEES AND TAXES

Gross Weight in Lbs. Including Truck and Maximum Load	Class	Total Amount for each Fiscal Year
21 16,000 lbs. or less	VF	\$150
22 16,001 to 20,000 lbs.	VG	226
23 20,001 to 24,000 lbs.	VH	290
24 24,001 to 28,000 lbs.	VJ	378
25 28,001 to 32,000 lbs.	VK	506
26 32,001 to 36,000 lbs.	VL	610

1	36,001 to 45,000 lbs.	VP	810
2	45,001 to 54,999 lbs.	VR	1,026
3	55,000 to 64,000 lbs.	VT	1,202
4	64,001 to 73,280 lbs.	VV	1,290
5	73,281 to 77,000 lbs.	VX	1,350
6	77,001 to 80,000 lbs.	VZ	1,490

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

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

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

19 (e) An owner may only apply for and receive 5 farm truck
20 registrations, and only 2 of those 5 vehicles shall exceed
21 59,500 gross weight in pounds per vehicle.

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

26 (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;

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

2 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

3 Sec. 18b-101. Definitions. Unless the context otherwise
4 clearly requires, as used in this Chapter:

5 "Agricultural commodities" means any agricultural
6 commodity, non-processed food, feed, fiber, or livestock,
7 including insects.

8 "Agricultural operations" means the operation of a motor
9 vehicle or combination of vehicles transporting agricultural
10 commodities or farm supplies for agricultural purposes.

11 "Air mile" means a nautical mile, which is equivalent to
12 6,076 feet or 1,852 meters. Accordingly, 100 air miles are
13 equivalent to 115.08 statute miles or 185.2 kilometers.

14 "Commercial motor vehicle" means any self propelled or
15 towed vehicle used on public highways in interstate and
16 intrastate commerce to transport passengers or property when
17 the vehicle has a gross vehicle weight, a gross vehicle weight
18 rating, a gross combination weight, or a gross combination
19 weight rating of 10,001 or more pounds; or the vehicle is used
20 or designed to transport more than 15 passengers, including the
21 driver; or the vehicle is designed to carry 15 or fewer
22 passengers and is operated by a contract carrier transporting
23 employees in the course of their employment on a highway of
24 this State; or the vehicle is used or designed to transport
25 between 9 and 15 passengers, including the driver, for direct

1 compensation; or the vehicle is used in the transportation of
2 hazardous materials in a quantity requiring placarding under
3 the Illinois Hazardous Materials Transportation Act. This
4 definition shall not include farm machinery, fertilizer
5 spreaders, and other special agricultural movement equipment
6 described in Section 3-809 nor implements of husbandry as
7 defined in Section 1-130. †

8 "Covered farm vehicle", for purposes of this Chapter and
9 rule-making under this Chapter, means a straight truck or
10 articulated vehicle, excluding vehicles transporting hazardous
11 materials of a type or quantity that requires the vehicle to be
12 placarded in accordance with the Illinois Hazardous Materials
13 Transportation Act, registered in this State or another state
14 and equipped with a special license plate or other designation
15 by the state in which the vehicle is registered identifying the
16 vehicle as a farm vehicle for law enforcement personnel and:

17 (1) is operated by a farm or ranch owner or operator,
18 or an employee or family member of the farm or ranch owner
19 or operator; and

20 (2) is being used to transport the following to or from
21 a farm or ranch:

22 (A) agricultural commodities;

23 (B) livestock; or

24 (C) machinery or supplies; and

25 (3) if registered in this State, is:

26 (A) registered as a farm truck under subsection (c)

1 of Section 3-815 of this Code; or

2 (B) operated in combination as an articulated
3 vehicle when the truck in the combination is registered
4 for 12,000 lbs. or less as a covered farm vehicle under
5 subsections (a) and (a-5) of Section 3-815 of this Code
6 or subsection (a) of Section 3-818 of this Code and the
7 trailer in the combination is registered as a farm
8 trailer under subsection (a) of Section 3-819 of this
9 Code and displays a farm registration license plate; or

10 (C) a truck registered for 12,000 lbs. or less as a
11 covered farm vehicle under subsections (a) and (a-5) of
12 Section 3-815 of this Code or subsection (a) of Section
13 3-818 of this Code towing an implement of husbandry as
14 part of a farming operation; and

15 (4) is not used in for-hire motor carrier operations,
16 except for the transport of a landlord's portion of crops
17 by a tenant under a crop share farm lease agreement; and

18 (5) has a gross vehicle weight rating (GVWR), a gross
19 combination weight rating (GCWR), or a gross vehicle weight
20 or gross vehicle combination weight, whichever is greater,
21 that is:

22 (A) 26,001 lbs. or less, for vehicles traveling
23 interstate; or

24 (B) greater than 26,001 lbs., traveling intrastate
25 and registered in this State; or

26 (C) greater than 26,001 lbs. and traveling

1 interstate within 150 miles of the farm or ranch for
2 which the vehicle is being operated, regardless of
3 whether it is registered in this State; or

4 (D) greater than 10,000 lbs. and traveling
5 intrastate.

6 "Direct compensation" means payment made to the motor
7 carrier by the passengers or a person acting on behalf of the
8 passengers for the transportation services provided, and not
9 included in a total package charge or other assessment for
10 highway transportation services.~~+~~

11 "Farm supplies for agricultural purposes" means products
12 directly related to the growing or harvesting of agricultural
13 commodities and livestock feed at any time of the year.~~+~~

14 "Livestock" means cattle, sheep, goats, swine, poultry
15 (including egg-producing poultry), fish used for food, and
16 other animals designated by the Secretary of the United States
17 Department of Transportation (at his or her sole discretion)
18 that are part of a foundation herd (including producing dairy
19 cattle) or offspring.~~+~~

20 "Officer" means Illinois State Police Officer.~~+~~

21 "Person" means any natural person or individual,
22 governmental body, firm, association, partnership,
23 copartnership, joint venture, company, corporation, joint
24 stock company, trust, estate or any other legal entity or their
25 legal representative, agent or assigns.

26 (Source: P.A. 97-795, eff. 1-1-13.)

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