



Sen. Toi W. Hutchinson

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09800SB3398sam003

LRB098 17325 MLW 58917 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, upon the request of the  
23 vehicle owner, a \$10 surcharge shall be collected in addition  
24 to the above fees for vehicles in the 12,000 lbs. and less flat  
25 weight plate categories as described in subsection (a) to be  
26 deposited into the Secretary of State Special License Plate

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

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

19 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
20 Gross Weight in Lbs.	Total Fees
21 Including Vehicle and	Each
22 Maximum Load	Calendar Year
23 8,000 lbs and less	\$78
24 8,001 Lbs. to 10,000 Lbs	90
25 10,001 Lbs. and Over	102
26 CAMPING TRAILER OR TRAVEL TRAILER	

	Total Fees
1 Gross Weight in Lbs.	
2 Including Vehicle and	Each
3 Maximum Load	Calendar Year
4 3,000 Lbs. and Less	\$18
5 3,001 Lbs. to 8,000 Lbs.	30
6 8,001 Lbs. to 10,000 Lbs.	38
7 10,001 Lbs. and Over	50

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

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

18 SCHEDULE OF FEES AND TAXES

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

1	32,001 to 36,000 lbs.	VL	610
2	36,001 to 45,000 lbs.	VP	810
3	45,001 to 54,999 lbs.	VR	1,026
4	55,000 to 64,000 lbs.	VT	1,202
5	64,001 to 73,280 lbs.	VV	1,290
6	73,281 to 77,000 lbs.	VX	1,350
7	77,001 to 80,000 lbs.	VZ	1,490

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

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

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

20           (e) An owner may only apply for and receive 5 farm truck  
21 registrations, and only 2 of those 5 vehicles shall exceed  
22 59,500 gross weight in pounds per vehicle.

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

1 (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;  
2 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

3 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

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

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

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

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

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

1 between 9 and 15 passengers, including the driver, for direct  
2 compensation; or the vehicle is used in the transportation of  
3 hazardous materials in a quantity requiring placarding under  
4 the Illinois Hazardous Materials Transportation Act. This  
5 definition shall not include farm machinery, fertilizer  
6 spreaders, and other special agricultural movement equipment  
7 described in Section 3-809 nor implements of husbandry as  
8 defined in Section 1-130. †

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

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

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

24 (A) agricultural commodities;

25 (B) livestock; or

26 (C) machinery or supplies; and



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

2           (A) registered as a farm truck under subsection (c)  
3 of Section 3-815 of this Code; or

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

16           (C) a truck registered for 12,000 lbs. or less as a  
17 covered farm vehicle under subsections (a) and (a-5) of  
18 Section 3-815 of this Code or subsection (a) of Section  
19 3-818 of this Code containing in the cab of the motor  
20 vehicle a registration designating the vehicle as a  
21 covered farm vehicle under subsections (a) and (a-5) of  
22 Section 3-815 of this Code that is towing an implement  
23 of husbandry as part of a farming operation; and

24           (4) is not used in for-hire motor carrier operations;  
25 however, for-hire motor carrier operations do not include  
26 the operation of a vehicle meeting the definition of a

1 covered farm vehicle by a tenant pursuant to a crop share  
2 farm lease agreement to transport the landlord's portion of  
3 the crops under that agreement; and

4 (5) has a gross vehicle weight rating (GVWR), a gross  
5 combination weight rating (GCWR), or a gross vehicle weight  
6 or gross vehicle combination weight, whichever is greater,  
7 that is:

8 (A) 26,001 lbs. or less, for vehicles operating in  
9 interstate commerce; or

10 (B) greater than 26,001 lbs., operating in  
11 interstate commerce and registered in this State; or

12 (C) greater than 26,001 lbs. and traveling  
13 interstate within 150 air miles of the farm or ranch  
14 for which the vehicle is being operated, regardless of  
15 whether it is registered in this State; or

16 (D) greater than 10,000 lbs. and traveling  
17 intrastate.

18 "Direct compensation" means payment made to the motor  
19 carrier by the passengers or a person acting on behalf of the  
20 passengers for the transportation services provided, and not  
21 included in a total package charge or other assessment for  
22 highway transportation services.†

23 "Farm supplies for agricultural purposes" means products  
24 directly related to the growing or harvesting of agricultural  
25 commodities and livestock feed at any time of the year.†

26 "Livestock" means cattle, sheep, goats, swine, poultry

1 (including egg-producing poultry), fish used for food, and  
2 other animals designated by the Secretary of the United States  
3 Department of Transportation (at his or her sole discretion)  
4 that are part of a foundation herd (including producing dairy  
5 cattle) or offspring.†

6 "Officer" means Illinois State Police Officer.†

7 "Person" means any natural person or individual,  
8 governmental body, firm, association, partnership,  
9 copartnership, joint venture, company, corporation, joint  
10 stock company, trust, estate or any other legal entity or their  
11 legal representative, agent or assigns.

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

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law."