

# HB0387



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB0387

by Rep. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-402.1	from Ch. 95 1/2, par. 3-402.1
625 ILCS 5/20-101	from Ch. 95 1/2, par. 20-101
625 ILCS 5/3-815.1 rep.	

Amends the Illinois Vehicle Code. Repeals a provision providing for the collection of an annual commercial distribution fee on vehicles of the second division weighing more than 8,000 pounds. Makes conforming changes. Effective July 1, 2016.

LRB099 06316 RJF 26385 b

FISCAL NOTE ACT  
MAY APPLY

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 Illinois Vehicle Code is amended by changing  
5 Sections 3-402.1 and 20-101 as follows:

6 (625 ILCS 5/3-402.1) (from Ch. 95 1/2, par. 3-402.1)

7 Sec. 3-402.1. Proportional Registration. Any owner or  
8 rental owner engaged in operating a fleet of apportionable  
9 vehicles in this state and one or more other states may, in  
10 lieu of registration of such vehicles under the general  
11 provisions of sections 3-402, 3-815, ~~3-815.1~~, and 3-819,  
12 register and license such fleet for operations in this state by  
13 filing an application statement, signed under penalties of  
14 perjury, with the Secretary of State which shall be in such  
15 form and contain such information as the Secretary of State  
16 shall require, declaring the total mileage operated in all  
17 states by such fleet, the total mileage operated in this state  
18 by such fleet during the preceding year, and describing and  
19 identifying each apportionable vehicle to be operated in this  
20 state during the ensuing year. If mileage data is not available  
21 for the preceding year, the Secretary of State may accept the  
22 latest 12-month period available. "Preceding year" means the  
23 period of 12 consecutive months immediately prior to July 1st

1 of the year immediately preceding the registration or license  
2 year for which proportional registration is sought.

3 Such owner shall determine the proportion of in-state miles  
4 to total fleet miles. Such percentage figure shall be such  
5 owner's apportionment factor. In determining the total fee  
6 payment, such owner shall first compute the license fee or fees  
7 for each vehicle within the fleet which would otherwise be  
8 required, and then multiply the said amount by the Illinois  
9 apportionment factor adding the fees for each vehicle to arrive  
10 at a total amount for the fleet. Apportionable trailers and  
11 semitrailers will be registered in accordance with the  
12 provisions of Section 3-813 of this Code.

13 Upon receipt of the appropriate fees from such owner as  
14 computed under the provisions of this section, the Secretary of  
15 State shall, when this state is the base jurisdiction, issue to  
16 such owner number plates or other distinctive tags or such  
17 evidence of registration as the Secretary of State shall deem  
18 appropriate to identify each vehicle in the fleet as a part of  
19 a proportionally registered interstate fleet.

20 Vehicles registered under the provision of this section  
21 shall be considered fully licensed and properly registered in  
22 Illinois for any type of movement or operation. The  
23 proportional registration and licensing provisions of this  
24 section shall apply to vehicles added to fleets and operated in  
25 this state during the registration year, applying the same  
26 apportionment factor to such fees as would be payable for the

1 remainder of the registration year.

2 Apportionment factors for apportionable vehicles not  
3 operated in this state during the preceding year shall be  
4 determined by the Secretary of State on the basis of a full  
5 statement of the proposed methods of operation and in  
6 conformity with an estimated mileage chart as calculated by the  
7 Secretary of State. An established fleet adding states at the  
8 time of renewal shall estimate mileage for the added states in  
9 conformity with a mileage chart developed by the Secretary of  
10 State.

11 (Source: P.A. 93-23, eff. 6-20-03.)

12 (625 ILCS 5/20-101) (from Ch. 95 1/2, par. 20-101)

13 Sec. 20-101. Moneys derived from registration, operation  
14 and use of automobiles and from fuel taxes - Use. From and  
15 after the effective date of this Act, ~~except as provided in~~  
16 ~~Section 3-815.1 of this Code~~, no public moneys derived from  
17 fees, excises or license taxes relating to registration,  
18 operation and use of vehicles on public highways or to fuels  
19 used for the propulsion of such vehicles, shall be appropriated  
20 or expended other than for costs of administering the laws  
21 imposing such fees, excises and license taxes, statutory  
22 refunds and adjustments allowed thereunder, administrative  
23 costs of the Department of Transportation, payment of debts and  
24 liabilities incurred in construction and reconstruction of  
25 public highways and bridges, acquisition of rights-of-way for,

1 and the cost of construction, reconstruction, maintenance,  
2 repair and operation of public highways and bridges under the  
3 direction and supervision of the State, political subdivision  
4 or municipality collecting such moneys, and the costs for  
5 patrolling and policing the public highways (by the State,  
6 political subdivision or municipality collecting such money)  
7 for enforcement of traffic laws; provided, that such moneys may  
8 be used for the retirement of and interest on bonds heretofore  
9 issued for purposes other than the construction of public  
10 highways or bridges but not to a greater extent, nor a greater  
11 length of time, than is provided in acts heretofore adopted and  
12 now in force. Further the separation of grades of such highways  
13 with railroads and costs associated with protection of at-grade  
14 highway and railroad crossings shall also be permissible.

15 (Source: P.A. 93-23, eff. 6-20-03.)

16 (625 ILCS 5/3-815.1 rep.)

17 Section 10. The Illinois Vehicle Code is amended by  
18 repealing Section 3-815.1.

19 Section 99. Effective date. This Act takes effect July 1,  
20 2016.