

1 AN ACT in regard to highways.

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 10 and by adding Sections 20.2 and 23.5 as follows:

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

7 Sec. 10. Authority powers. The Authority shall have  
8 power:

9 (a) To pass resolutions, make by-laws, rules and  
10 regulations for the management, regulation and control of its  
11 affairs, and to fix tolls, and to make, enact and enforce all  
12 needful rules and regulations in connection with the  
13 construction, operation, management, care, regulation or  
14 protection of its property or any toll highways, constructed  
15 or reconstructed hereunder.

16 (a-5) To fix, assess, and collect civil fines for a  
17 vehicle's operation on a toll highway without the required  
18 toll having been paid. The Authority may establish by rule a  
19 system of civil administrative adjudication to adjudicate  
20 only alleged instances of a vehicle's operation on a toll  
21 highway without the required toll having been paid, as  
22 detected by the Authority's video surveillance system. Rules  
23 establishing a system of civil administrative adjudication  
24 must provide for written notice of the alleged violation and  
25 an opportunity to be heard on the question of the violation  
26 and must provide for the establishment of a toll-free  
27 telephone number to receive inquiries concerning alleged  
28 violations. Only civil fines may be imposed by  
29 administrative adjudication. A fine may be imposed under  
30 this paragraph only if a violation is established by a  
31 preponderance of the evidence. Judicial review of all final

1 orders of the Authority under this paragraph shall be  
2 conducted in accordance with the Administrative Review Law.

3 (b) To prescribe rules and regulations applicable to  
4 traffic on highways under the jurisdiction of the Authority,  
5 concerning:

6 (1) Types of vehicles permitted to use such  
7 highways or parts thereof, and classification of such  
8 vehicles;

9 (2) Designation of the lanes of traffic to be used  
10 by the different types of vehicles permitted upon said  
11 highways;

12 (3) Stopping, standing, and parking of vehicles;

13 (4) Control of traffic by means of police officers  
14 or traffic control signals;

15 (5) Control or prohibition of processions, convoys,  
16 and assemblages of vehicles and persons;

17 (6) Movement of traffic in one direction only on  
18 designated portions of said highways;

19 (7) Control of the access, entrance, and exit of  
20 vehicles and persons to and from said highways; and

21 (8) Preparation, location and installation of all  
22 traffic signs; and to prescribe further rules and  
23 regulations applicable to such traffic, concerning  
24 matters not provided for either in the foregoing  
25 enumeration or in the Illinois Vehicle Code. Notice of  
26 such rules and regulations shall be posted conspicuously  
27 and displayed at appropriate points and at reasonable  
28 intervals along said highways, by clearly legible markers  
29 or signs, to provide notice of the existence of such  
30 rules and regulations to persons traveling on said  
31 highways. At each toll station, the Authority shall make  
32 available, free of charge, pamphlets containing all of  
33 such rules and regulations.

34 (c) The Authority, in fixing the rate for tolls for the

1 privilege of using the said toll highways, is authorized and  
2 directed, in fixing such rates, to base the same upon annual  
3 estimates to be made, recorded and filed with the Authority.  
4 Said estimates shall include the following: The estimated  
5 total amount of the use of the toll highways; the estimated  
6 amount of the revenue to be derived therefrom, which said  
7 revenue, when added to all other receipts and income, will be  
8 sufficient to pay the expense of maintaining and operating  
9 said toll highways, including the administrative expenses of  
10 the Authority, and to discharge all obligations of the  
11 Authority as they become due and payable.

12 (d) To accept from any municipality or political  
13 subdivision any lands, easements or rights in land needed for  
14 the operation, construction, relocation or maintenance of any  
15 toll highways, with or without payment therefor, and in its  
16 discretion to reimburse any such municipality or political  
17 subdivision out of its funds for any cost or expense incurred  
18 in the acquisition of land, easements or rights in land, in  
19 connection with the construction and relocation of the said  
20 toll highways, widening, extending roads, streets or avenues  
21 in connection therewith, or for the construction of any roads  
22 or streets forming extension to and connections with or  
23 between any toll highways, or for the cost or expense of  
24 widening, grading, surfacing or improving any existing  
25 streets or roads or the construction of any streets and roads  
26 forming extensions of or connections with any toll highways  
27 constructed, relocated, operated, maintained or regulated  
28 hereunder by the Authority. Where property owned by a  
29 municipality or political subdivision is necessary to the  
30 construction of an approved toll highway, if the Authority  
31 cannot reach an agreement with such municipality or political  
32 subdivision and if the use to which the property is being put  
33 in the hands of the municipality or political subdivision is  
34 not essential to the existence or the administration of such

1 municipality or political subdivision, the Authority may  
2 acquire the property by condemnation.

3 (e) To enter into a contract with a unit of local  
4 government or other public or private entity under which the  
5 Authority agrees to collect tolls, fees, or revenues by  
6 electronic means on behalf of that entity.

7 (Source: P.A. 89-120, eff. 7-7-95.)

8 (605 ILCS 10/20.2 new)

9 Sec. 20.2. Comprehensive Strategic Financial Plan. The  
10 Authority must submit to the General Assembly, not later than  
11 January 1, 2003, a 20-year comprehensive strategic financial  
12 plan. The plan must include detailed information regarding  
13 the Authority's income, expenditures, debt, capital needs,  
14 and the cost of any planned toll highway extensions. The  
15 Authority must provide detailed and specific information  
16 regarding how it will fund its debt, unfunded capital needs,  
17 and the planned toll highway extensions. This information  
18 must include the possibility of obtaining federal funds, both  
19 loans and grants, under the Transportation Infrastructure  
20 Innovation Act or other federal programs.

21 (605 ILCS 10/23.5 new)

22 Sec. 23.5 Management audit.

23 (a) The Auditor General shall conduct a management audit  
24 of the State's toll highway operations and management.

25 (b) The purpose of the audit shall be to determine  
26 whether the Authority is managing or using its resources,  
27 including toll and investment-generated revenue, personnel,  
28 property, equipment, and space, in an economical and  
29 efficient manner. The audit shall also determine the causes  
30 of any inefficiencies or uneconomical practices, including  
31 inadequacies in management information systems, internal and  
32 administrative procedures, organizational structure, use of

1 resources, allocation of personnel, purchasing policies, and  
2 equipment. In addition to these matters, the audit shall  
3 specifically examine the process by which the Authority  
4 collects, transports, and counts toll collections.

5 (c) The Auditor General shall report his or her findings  
6 to the Governor and the General Assembly no later than  
7 December 31, 2003.

8 (d) The Authority shall pay the cost of the audit  
9 conducted under this Section.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.