



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB0394**

Introduced 2/8/2021, by Rep. Martin J. Moylan

#### SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that the Illinois State Toll Highway Authority shall not charge a toll for a vehicle of the first division pulling a trailer with no more than 2 axles at a rate higher than an amount calculated by multiplying the toll charged to passenger vehicles using an I-PASS device by the total number of axles on the trailer. Provides that the toll rate applies to drivers who use an I-PASS device or use cash to pay a toll. Effective immediately.

LRB102 03970 HEP 13986 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 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. Toll rates. The Authority shall fix and revise  
8 from time to time, tolls or charges or rates for the privilege  
9 of using each of the toll highways constructed pursuant to  
10 this Act. Such tolls shall be so fixed and adjusted at rates  
11 calculated to provide the lowest reasonable toll rates that  
12 will provide funds sufficient with other revenues of the  
13 Authority to pay, (a) the cost of the construction of a toll  
14 highway authorized by joint resolution of the General Assembly  
15 pursuant to Section 14.1 and the reconstruction, major repairs  
16 or improvements of toll highways, (b) the cost of maintaining,  
17 repairing, regulating and operating the toll highways  
18 including only the necessary expenses of the Authority, and  
19 (c) the principal of all bonds, interest thereon and all  
20 sinking fund requirements and other requirements provided by  
21 resolutions authorizing the issuance of the bonds as they  
22 shall become due. In fixing the toll rates pursuant to this  
23 Section 19 and Section 10(c) of this Act, the Authority shall

1 take into account the effect of the provisions of this Section  
2 19 permitting the use of the toll highway system without  
3 payment of the covenants of the Authority contained in the  
4 resolutions and trust indentures authorizing the issuance of  
5 bonds of the Authority. No such provision permitting the use  
6 of the toll highway system without payment of tolls after the  
7 date of this amendatory Act of the 95th General Assembly shall  
8 be applied in a manner that impairs the rights of bondholders  
9 pursuant to any resolution or trust indentures authorizing the  
10 issuance of bonds of the Authority. The use and disposition of  
11 any sinking or reserve fund shall be subject to such  
12 regulation as may be provided in the resolution or trust  
13 indenture authorizing the issuance of the bonds. Subject to  
14 the provisions of any resolution or trust indenture  
15 authorizing the issuance of bonds any moneys in any such  
16 sinking fund in excess of an amount equal to one year's  
17 interest on the bonds then outstanding secured by such sinking  
18 fund may be applied to the purchase or redemption of bonds. All  
19 such bonds so redeemed or purchased shall forthwith be  
20 cancelled and shall not again be issued. The Authority shall  
21 not charge a toll for a motor vehicle of the first division, as  
22 defined in the Illinois Vehicle Code, pulling a trailer, as  
23 defined in the Illinois Vehicle Code, with no more than 2 axles  
24 at a rate higher than an amount calculated by multiplying the  
25 toll charged to passenger vehicles using an I-PASS device by  
26 the total number of axles on the trailer. This toll rate set by

1 this amendatory Act of the 102nd General Assembly applies to  
2 both a driver who uses an I-PASS device and a driver who uses  
3 cash to pay tolls. No person shall be permitted to use any toll  
4 highway without paying the toll established under this Section  
5 except when on official Toll Highway Authority business which  
6 includes police and other emergency vehicles. However, any law  
7 enforcement agency vehicle, fire department vehicle, public or  
8 private ambulance service vehicle engaged in the performance  
9 of an emergency service or duty that necessitates the use of  
10 the toll highway system, or other emergency vehicle that is  
11 plainly marked shall not be required to pay a toll to use a  
12 toll highway. A law enforcement, fire protection, or emergency  
13 services officer driving a law enforcement, fire protection,  
14 emergency services agency vehicle, or public or private  
15 ambulance service vehicle engaging in the performance of  
16 emergency services or duties that is not plainly marked must  
17 present an Official Permit Card which the law enforcement,  
18 fire protection, or emergency services officer receives from  
19 his or her law enforcement, fire protection, emergency  
20 services agency, or public or private ambulance service in  
21 order to use a toll highway without paying the toll. A law  
22 enforcement, fire protection, emergency services agency, or  
23 public or private ambulance service engaging in the  
24 performance of emergency services or duties must apply to the  
25 Authority to receive a permit, and the Authority shall adopt  
26 rules for the issuance of a permit, that allows public or

1 private ambulance service vehicles engaged in the performance  
2 of emergency services or duties that necessitate the use of  
3 the toll highway system and all law enforcement, fire  
4 protection, or emergency services agency vehicles of the law  
5 enforcement, fire protection, or emergency services agency to  
6 use any toll highway without paying the toll established under  
7 this Section. The Authority shall maintain in its office a  
8 list of all persons that are authorized to use any toll highway  
9 without charge when on official business of the Authority and  
10 such list shall be open to the public for inspection. In  
11 recognition of the unique role of public transportation in  
12 providing effective transportation in the Authority's service  
13 region, and to give effect to the exemption set forth in  
14 subsection (b) of Section 2.06 of the Regional Transportation  
15 Authority Act, the following vehicles may use any toll highway  
16 without paying the toll: (1) a vehicle owned or operated by the  
17 Suburban Bus Division of the Regional Transportation Authority  
18 that is being used to transport passengers for hire; and (2)  
19 any revenue vehicle that is owned or operated by a Mass Transit  
20 District created under Section 3 of the Local Mass Transit  
21 District Act and running regular scheduled service.

22 Among other matters, this amendatory Act of 1990 is  
23 intended to clarify and confirm the prior intent of the  
24 General Assembly to allow toll revenues from the toll highway  
25 system to be used to pay a portion of the cost of the  
26 construction of the North-South Toll Highway authorized by

1 Senate Joint Resolution 122 of the 83rd General Assembly in  
2 1984.

3 (Source: P.A. 100-739, eff. 1-1-19.)

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.