

HB0837



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0837

Introduced 2/10/2021, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-818
625 ILCS 5/3-819

from Ch. 95 1/2, par. 3-818
from Ch. 95 1/2, par. 3-819

Amends the Illinois Vehicle Code. Decreases the minimum mileage weight tax and flat weight tax for certain trailers.

LRB102 14757 RAM 20110 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
5 changing Sections 3-818 and 3-819 as follows:

6 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

7 Sec. 3-818. Mileage weight tax option.

8 (a) Any owner of a vehicle of the second division may elect
9 to pay a mileage weight tax for such vehicle in lieu of the
10 flat weight tax set out in Section 3-815. Such election shall
11 be binding to the end of the registration year. Renewal of this
12 election must be filed with the Secretary of State on or before
13 July 1 of each registration period. In such event the owner
14 shall, at the time of making such election, pay the \$10
15 registration fee and the minimum guaranteed mileage weight
16 tax, as hereinafter provided, which payment shall permit the
17 owner to operate that vehicle the maximum mileage in this
18 State hereinafter set forth. Any vehicle being operated on
19 mileage plates cannot be operated outside of this State. In
20 addition thereto, the owner of that vehicle shall pay a
21 mileage weight tax at the following rates for each mile
22 traveled in this State in excess of the maximum mileage
23 provided under the minimum guaranteed basis:

BUS, TRUCK OR TRUCK TRACTOR

			Maximum	Mileage	
		Minimum	Mileage	Weight Tax	
		Guaranteed	Permitted	for Mileage	
5	Gross Weight	Mileage	Under	in excess of	
6	Vehicle and	Weight	Guaranteed	Guaranteed	
7	Load	Class	Tax	Tax	Mileage
8	12,000 lbs. or less	MD	\$173	5,000	26 Mills
9	12,001 to 16,000 lbs.	MF	220	6,000	34 Mills
10	16,001 to 20,000 lbs.	MG	280	6,000	46 Mills
11	20,001 to 24,000 lbs.	MH	335	6,000	63 Mills
12	24,001 to 28,000 lbs.	MJ	415	7,000	63 Mills
13	28,001 to 32,000 lbs.	MK	485	7,000	83 Mills
14	32,001 to 36,000 lbs.	ML	585	7,000	99 Mills
15	36,001 to 40,000 lbs.	MN	715	7,000	128 Mills
16	40,001 to 45,000 lbs.	MP	795	7,000	139 Mills
17	45,001 to 54,999 lbs.	MR	953	7,000	156 Mills
18	55,000 to 59,500 lbs.	MS	1,020	7,000	178 Mills
19	59,501 to 64,000 lbs.	MT	1,085	7,000	195 Mills
20	64,001 to 73,280 lbs.	MV	1,273	7,000	225 Mills
21	73,281 to 77,000 lbs.	MX	1,428	7,000	258 Mills
22	77,001 to 80,000 lbs.	MZ	1,515	7,000	275 Mills

TRAILER

			Maximum	Mileage	
		Minimum	Mileage	Weight Tax	
		Guaranteed	Permitted	for Mileage	

1	Gross Weight	Mileage	Under	in excess of
2	Vehicle and	Weight	Guaranteed	Guaranteed
3	Load	Class	Tax	Mileage
4	14,000 lbs. or less	ME	<u>\$135</u> \$175	5,000 31 Mills
5	14,001 to 20,000 lbs.	MF	<u>195</u> 235	6,000 36 Mills
6	20,001 to 36,000 lbs.	ML	640	7,000 103 Mills
7	36,001 to 40,000 lbs.	MM	850	7,000 150 Mills

8 Of the fees collected under this subsection, \$1 of the
9 fees shall be deposited into the Secretary of State Special
10 Services Fund and \$99 of the fees shall be deposited into the
11 Road Fund.

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

22 In preparing rate schedules on registration applications,
23 the Secretary of State shall add to the above rates, the \$10
24 registration fee. The Secretary may decline to accept any
25 renewal filed after July 1st.

26 The number of axles necessary to carry the maximum load

1 provided shall be determined from Chapter 15 of this Code.

2 Every owner of a second division motor vehicle for which
3 he has elected to pay a mileage weight tax shall keep a daily
4 record upon forms prescribed by the Secretary of State,
5 showing the mileage covered by that vehicle in this State.
6 Such record shall contain the license number of the vehicle
7 and the miles traveled by the vehicle in this State for each
8 day of the calendar month. Such owner shall also maintain
9 records of fuel consumed by each such motor vehicle and fuel
10 purchases therefor. On or before the 10th day of July the owner
11 shall certify to the Secretary of State upon forms prescribed
12 therefor, summaries of his daily records which shall show the
13 miles traveled by the vehicle in this State during the
14 preceding 12 months and such other information as the
15 Secretary of State may require. The daily record and fuel
16 records shall be filed, preserved and available for audit for
17 a period of 3 years. Any owner filing a return hereunder shall
18 certify that such return is a true, correct and complete
19 return. Any person who willfully makes a false return
20 hereunder is guilty of perjury and shall be punished in the
21 same manner and to the same extent as is provided therefor.

22 At the time of filing his return, each owner shall pay to
23 the Secretary of State the proper amount of tax at the rate
24 herein imposed.

25 Every owner of a vehicle of the second division who elects
26 to pay on a mileage weight tax basis and who operates the

1 vehicle within this State, shall file with the Secretary of
2 State a bond in the amount of \$500. The bond shall be in a form
3 approved by the Secretary of State and with a surety company
4 approved by the Illinois Department of Insurance to transact
5 business in this State as surety, and shall be conditioned
6 upon such applicant's paying to the State of Illinois all
7 money becoming due by reason of the operation of the second
8 division vehicle in this State, together with all penalties
9 and interest thereon.

10 Upon notice from the Secretary that the registrant has
11 failed to pay the excess mileage fees, the surety shall
12 immediately pay the fees together with any penalties and
13 interest thereon in an amount not to exceed the limits of the
14 bond.

15 (b) Beginning January 1, 2016, upon the request of the
16 vehicle owner, a \$10 surcharge shall be collected in addition
17 to the above fees for vehicles in the 12,000 lbs. and less
18 mileage weight plate category as described in subsection (a)
19 to be deposited into the Secretary of State Special License
20 Plate Fund. The \$10 surcharge is to identify vehicles in the
21 12,000 lbs. and less mileage weight plate category as a
22 covered farm vehicle. The \$10 surcharge is an annual flat fee
23 that shall be based on an applicant's new or existing
24 registration year for each vehicle in the 12,000 lbs. and less
25 mileage weight plate category. A designation as a covered farm
26 vehicle under this subsection (b) shall not alter a vehicle's

1 registration as a registration in the 12,000 lbs. or less
2 mileage weight category. The Secretary shall adopt any rules
3 necessary to implement this subsection (b).

4 (Source: P.A. 101-32, eff. 6-28-19.)

5 (625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

6 Sec. 3-819. Trailer; Flat weight tax.

7 (a) Farm Trailer. Any farm trailer drawn by a motor
8 vehicle of the second division registered under paragraph (a)
9 or (c) of Section 3-815 and used exclusively by the owner for
10 his own agricultural, horticultural or livestock raising
11 operations and not used for hire, or any farm trailer utilized
12 only in the transportation for-hire of seasonal, fresh,
13 perishable fruit or vegetables from farm to the point of first
14 processing, and any trailer used with a farm tractor that is
15 not an implement of husbandry may be registered under this
16 paragraph in lieu of registration under paragraph (b) of this
17 Section upon the filing of a proper application and the
18 payment of the \$10 registration fee and the highway use tax
19 herein for use of the public highways of this State, at the
20 following rates which include the \$10 registration fee:

21 SCHEDULE OF FEES AND TAXES

22 Gross Weight in Lbs.	Class	Total Amount
23 Including Vehicle		each
24 and Maximum Load		Fiscal Year
25 10,000 lbs. or less	VDD	<u>\$85</u> \$160

1 36,000 lbs. and more than 32,000 TL 1,182

2 40,000 lbs. and more than 36,000 TN 1,602

3 Of the fees collected under this subsection, \$1 of the
4 fees shall be deposited into the Secretary of State Special
5 Services Fund and \$99 of the additional fees shall be
6 deposited into the Road Fund.

7 (c) The number of axles necessary to carry the maximum
8 load provided shall be determined from Chapter 15 of this
9 Code.

10 (Source: P.A. 101-32, eff. 6-28-19.)