



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2475

Introduced 2/26/2021, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-203 new
70 ILCS 3615/2.39 new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Requires the Department of Transportation to establish and implement a transportation performance program for all transportation facilities under its jurisdiction. Provides that the Department shall develop a risk-based, statewide highway system asset management plan to preserve and improve the conditions of highway and bridge assets and enhance the performance of the system while minimizing life-cycle cost. Provides requirements for the asset management plan. Provides that the Department shall develop a needs-based asset management plan for State-supported public transportation assets, including vehicles, facilities, equipment, and other infrastructure. Limits the plan to certain transit services. Provides that the Department shall develop a performance-based project selection process to prioritize taxpayer investment in transportation assets that go above and beyond maintaining the existing system in a state of good repair and to evaluate projects that add capacity. Adds various requirements regarding the new asset management plan and performance-based programming. Amends the Regional Transportation Authority Act. Requires the Regional Transportation Authority to develop a transparent prioritization process for Northeastern Illinois transit projects receiving State capital funding. Adds process and reporting requirements. Provides that, starting April 1, 2022, no project shall be included in a capital program of the Authority without being evaluated under the selection process. Effective immediately.

LRB102 16361 RAM 21748 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 Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Section 2705-203 as follows:

7 (20 ILCS 2705/2705-203 new)

8 Sec. 2705-203. Transportation asset management plan and
9 performance-based programming.

10 (a) The General Assembly declares it to be in the public
11 interest that a statewide transportation performance program
12 and project prioritization process be developed and
13 implemented to improve the efficiency and effectiveness of the
14 State's transportation system, transportation safety, and
15 transportation accessibility for people and goods and
16 environmental quality and to promote inclusive economic growth
17 throughout the State.

18 (b) The Department of Transportation shall establish and
19 implement a statewide transportation performance program for
20 all transportation facilities under its jurisdiction. The
21 purposes of the statewide transportation performance program
22 are to:

23 (1) establish a strategic approach that uses

1 transportation system information to make investment and
2 policy decisions to achieve statewide and regional
3 performance goals;

4 (2) ensure transportation investment decisions emerge
5 from an objective and quantifiable technical analysis;

6 (3) evaluate the need and financial support necessary
7 for maintaining, expanding, and modernizing existing
8 transportation infrastructure;

9 (4) ensure that all State transportation funds
10 invested are directed to support progress toward the
11 achievement of performance targets established in asset
12 management plans and the State and regional performance
13 targets under the National Performance Management Measures
14 Program;

15 (5) make investment decisions transparent and
16 accessible to the public;

17 (6) decrease carbon emissions and reduce
18 infrastructure vulnerability to climate change; and

19 (7) reduce disparities in transportation system
20 performance experienced by racially marginalized
21 communities, low-to-moderate-income residents, and other
22 disadvantaged groups.

23 (c) The Department shall develop a risk-based, statewide
24 highway system asset management plan to preserve and improve
25 the conditions of highway and bridge assets and enhance the
26 performance of the system while minimizing life-cycle cost.

1 The asset management plan shall include, at a minimum,
2 strategies leading to a program of projects that would make
3 progress toward achievement of targets for asset condition and
4 performance of the State highway system. The asset management
5 plan shall be made publicly available on the Department's
6 website.

7 (d) The Department shall develop a needs-based asset
8 management plan for State-supported public transportation
9 assets, including vehicles, facilities, equipment, and other
10 infrastructure. The transit asset management plan shall
11 include transit services using federal funding under 49 U.S.C.
12 5311, transit services having fewer than 100 vehicles
13 operating in the peak hours in all fixed-route modes, and
14 transit services having fewer than 100 vehicles in one
15 nonfixed route, and that do not develop their own asset
16 management plans. The goal of the transit asset management
17 plan is to preserve and modernize capital transit assets that
18 will enhance the performance of the system. The transit asset
19 management plan shall establish a strategic and systematic
20 process to invest in operating, maintaining, and improving
21 public transportation capital assets effectively through their
22 entire life cycle. Federally required transit asset management
23 plans developed by the Regional Transportation Authority (RTA)
24 or service boards, as defined in Section 1.03 of the Regional
25 Transportation Authority Act, shall become the transportation
26 asset management plan for all public transportation assets

1 owned and operated by the service boards. The Department's
2 transit asset management plan shall be made publicly available
3 on the Department's website. The RTA shall be responsible for
4 making public transit asset management plans for its service
5 area publicly available.

6 (e) The Department shall develop a performance-based
7 project selection process to prioritize taxpayer investment in
8 transportation State-owned assets that go above and beyond
9 maintaining the existing system in a state of good repair and
10 to evaluate projects that add capacity, make operational
11 improvements, or modernize the system. The goal of the process
12 is to select projects equitably through an evaluation process
13 that assesses the costs and benefits of new investment. This
14 process shall provide the flexibility to take into
15 consideration the unique needs of communities across the
16 State. The Department shall solicit input from localities,
17 metropolitan planning organizations, transit authorities,
18 transportation authorities, representatives of labor and
19 private businesses, and other stakeholders in its development
20 of the prioritization process pursuant to this subsection.

21 The selection process shall include a defined, public
22 means by which candidate projects shall be identified,
23 evaluated, and selected. The process shall include both a
24 quantitative analysis of the evaluation factors and
25 qualitative review by the Department. The Department may apply
26 different weights to the performance measures based on

1 regional geography or project type. Projects selected as part
2 of the process shall be included in the State's multi-year
3 transportation plan and the annual element of the multi-year
4 plan. The policies that guide the performance-based project
5 selection process shall be derived from State and regional
6 long-range transportation plans. Starting January 1, 2022, no
7 system expansion or safety or system modernization project (or
8 similar category of project) shall be included in the
9 multi-year transportation plan or annual element without being
10 evaluated under the selection process described in this
11 subsection. The Department shall certify that it is making
12 progress toward condition targets anticipated in its
13 transportation asset management plan before including system
14 expansion or safety or system modernization projects in the
15 multi-year plan using the process described in this
16 subsection. All plan and program development based on the
17 project selection process described in this subsection shall
18 include consideration of regional balance. The selection
19 process shall be based on an objective and quantifiable
20 analysis that considers, at a minimum, the following factors:
21 (1) congestion mitigation or improved traffic operations, (2)
22 economic development, (3) livability, (4) environmental
23 impact, (5) accessibility, (6) increased benefits and reduced
24 harms to racially marginalized black, brown, and indigenous
25 communities and low-to-moderate-income communities, and (7)
26 safety.

1 (f) The prioritization process developed under subsection
2 (e) shall apply to projects funded with both State and federal
3 transportation funds but shall not apply to:

4 (1) projects funded by the Congestion Mitigation and
5 Air Quality Improvement funds apportioned to the State
6 pursuant to 23 U.S.C. 104(b) (4) and State matching funds;

7 (2) projects funded by the Highway Safety Improvement
8 Program funds apportioned to the State pursuant to 23
9 U.S.C. 104(b) (3) and State matching funds;

10 (3) projects funded by the Transportation Alternatives
11 funds set-aside pursuant to 23 U.S.C. 213 and State
12 matching funds;

13 (4) projects funded by the National Highway Freight
14 Program pursuant to 23 U.S.C. 167 and State matching
15 funds; and

16 (5) funds to be allocated to urban areas based on
17 population under federal law.

18 (g) A summary of the project evaluation process, measures,
19 program, and scores for all candidate projects shall be
20 published on the website of the Department in a timely manner.

21 Section 10. The Regional Transportation Authority Act is
22 amended by adding Section 2.39 as follows:

23 (70 ILCS 3615/2.39 new)

24 Sec. 2.39. Prioritization process for Northeastern

1 Illinois transit projects.

2 (a) The Authority shall develop a transparent
3 prioritization process for Northeastern Illinois transit
4 projects receiving State capital funding. The prioritization
5 process shall consider, at a minimum: (1) access to key
6 destinations (for example, jobs, retail, healthcare,
7 recreation); (2) reliability improvement; (3) capacity needs;
8 (4) safety; (5) state of good repair; (6) racial equity and
9 mobility justice; and (7) economic development. All State
10 capital funding awards shall be made by the Regional
11 Transportation Authority in accordance with the prioritization
12 process. An appropriate public input process shall be
13 established. The Authority shall make a report to the General
14 Assembly each year describing its prioritization process and
15 its use in funding awards.

16 (b) A summary of the project evaluation process, measures,
17 program, and scores for all candidate projects shall be
18 published on the website of the Authority in a timely manner.

19 (c) Starting April 1, 2022, no project shall be included
20 in the 5-year capital program, amendments to that program, or
21 any other capital program without being evaluated under the
22 selection process described in this Section.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.