

1 AN ACT concerning alternate fuels.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Alternate Fuels Act is amended by
5 changing Sections 10, 35, and 40 as follows:

6 (415 ILCS 120/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Agency" means the Environmental Protection Agency.

9 "Alternate fuel" means liquid petroleum gas, natural gas,
10 E85 blend fuel, fuel composed of a minimum 80% ethanol,
11 bio-based methanol, fuels that are at least 70% derived from
12 biomass, or electricity, excluding on-board electric
13 generation.

14 "Alternate fuel vehicle" means any vehicle that is
15 operated in Illinois and is capable of using an alternate
16 fuel.

17 "Conventional", when used to modify the word "vehicle",
18 "engine", or "fuel", means gasoline or diesel or any
19 reformulations of those fuels.

20 ~~"Covered--Area"--means--the--counties--of--Cook,--DuPage,--Kane,~~
21 ~~Lake,--McHenry,--and--Will--and--those--portions--of--Grundy--County~~
22 ~~and--Kendall--County--that--are--included--in--the--following--ZIP~~
23 ~~code--areas,--as--designated--by--the--U.S.--Postal--Service--on--the~~
24 ~~effective--date--of--this--amendatory--Act--of--1998:--60416,--60444,~~
25 ~~60447,--60450,--60481,--60538,--and--60543.~~

26 "Director" means the Director of the Environmental
27 Protection Agency.

28 "Domestic renewable fuel" means a fuel, produced in the
29 United States, composed of a minimum 80% ethanol, bio-based
30 methanol, and fuels derived from bio-mass.

31 "E85 blend fuel" means fuel that contains 85% ethanol and

1 15% gasoline.

2 "GVWR" means Gross Vehicle Weight Rating.

3 "Location" means (i) a parcel of real property or (ii)
4 multiple, contiguous parcels of real property that are
5 separated by private roadways, public roadways, or private or
6 public rights-of-way and are owned, operated, leased, or
7 under common control of one party.

8 "Original equipment manufacturer" or "OEM" means a
9 manufacturer of alternate fuel vehicles or a manufacturer or
10 remanufacturer of alternate fuel engines used in vehicles
11 greater than 8500 pounds GVWR.

12 "Rental vehicle" means any motor vehicle that is owned or
13 controlled primarily for the purpose of short-term leasing or
14 rental pursuant to a contract.

15 (Source: P.A. 91-357, eff. 7-29-99; 92-858, eff. 1-3-03.)

16 (415 ILCS 120/35)

17 Sec. 35. User fees.

18 (a) Beginning in fiscal year 2004, ~~During--fiscal--years~~
19 ~~1999₇--2000₇--2001₇--and--2002~~ the Office of the Secretary of
20 State shall collect annual user fees from any individual,
21 partnership, association, corporation, or agency of the
22 United States government that registers any combination of 10
23 or more of the following types of motor vehicles in the State
24 ~~Covered-Area~~: (1) vehicles of the First Division, as defined
25 in the Illinois Vehicle Code; (2) vehicles of the Second
26 Division registered under the B, D, F, H, MD, MF, MG, MH and
27 MJ plate categories, as defined in the Illinois Vehicle Code;
28 and (3) commuter vans and livery vehicles as defined in the
29 Illinois Vehicle Code. This Section does not apply to
30 vehicles registered under the International Registration Plan
31 under Section 3-402.1 of the Illinois Vehicle Code. The user
32 fee shall be \$25 ~~\$20~~ for each vehicle registered in the State
33 ~~Covered--Area~~ for each fiscal year. The Office of the

1 Secretary of State shall collect the user fee \$20 when a
2 vehicle's registration fee is paid.

3 (b) Owners of State, county, and local government
4 vehicles, rental vehicles, antique vehicles, electric
5 vehicles, and motorcycles are exempt from paying the user
6 fees on such vehicles.

7 (c) The Office of the Secretary of State shall deposit
8 the user fees collected into the Alternate Fuels Fund.

9 (Source: P.A. 92-858, eff. 1-3-03.)

10 (415 ILCS 120/40)

11 Sec. 40. Appropriations from the Alternate Fuels Fund.

12 (a) User Fees Funds. The Agency shall estimate the
13 amount of user fees expected to be collected under Section 35
14 of this Act for each fiscal year years-1999, 2000, 2001, and
15 2002. User fee funds shall be deposited into and distributed
16 from the Alternate Fuels Fund in the following manner:

17 (1) In each of fiscal years 1999, 2000, 2001, and
18 2002, and 2003, an amount not to exceed \$200,000, and
19 beginning fiscal year 2004, an amount not to exceed
20 \$225,000, may be appropriated to the Agency from the
21 Alternate Fuels Fund to pay its costs of administering
22 the programs authorized by Section 30 of this Act. Up to
23 \$200,000 may be appropriated to the Office of the
24 Secretary of State in each of fiscal years 1999, 2000,
25 2001, and 2002, and 2003 from the Alternate Fuels Fund to
26 pay the Secretary of State's costs of administering the
27 programs authorized under this Act. Beginning in fiscal
28 year 2004 and in each fiscal year thereafter, an amount
29 not to exceed \$225,000 may be appropriated to the
30 Secretary of State from the Alternate Fuels Fund to pay
31 the Secretary of State's costs of administering the
32 programs authorized under this Act.

33 (2) In fiscal years 1999, 2000, 2001, and 2002,

1 after appropriation of the amounts authorized by item (1)
 2 of subsection (a) of this Section, the remaining moneys
 3 estimated to be collected during each fiscal year shall
 4 be appropriated as follows: 80% of the remaining moneys
 5 shall be appropriated to fund the programs authorized by
 6 Section 30, and 20% shall be appropriated to fund the
 7 programs authorized by Section 25. In fiscal year 2004
 8 and each fiscal year thereafter, after appropriation of
 9 the amounts authorized by item (1) of subsection (a) of
 10 this Section, the remaining moneys estimated to be
 11 collected during each fiscal year shall be appropriated
 12 as follows: 70% of the remaining moneys shall be
 13 appropriated to fund the programs authorized by Section
 14 30 and 30% shall be appropriated to fund the programs
 15 authorized by Section 31.

16 (3) ~~(Blank) Additional appropriations to the Agency~~
 17 ~~from the Alternate Fuels Fund to pay its costs of~~
 18 ~~administering the programs authorized by Section 30 of~~
 19 ~~this Act may be made in fiscal years following 2002, not~~
 20 ~~to exceed the amount of \$200,000 in any fiscal year, if~~
 21 ~~funds are still available and program costs are still~~
 22 ~~being incurred.~~

23 (4) Moneys appropriated to fund the programs
 24 authorized in Sections 25 and 30 shall be expended only
 25 after they have been collected and deposited into the
 26 Alternate Fuels Fund.

27 (b) General Revenue Fund Appropriations. General Revenue
 28 Fund amounts appropriated to and deposited into the Alternate
 29 Fuels Fund shall be distributed from the Alternate Fuels Fund
 30 in the following manner:

31 (1) In each of fiscal years 2003 and 2004, an
 32 amount not to exceed \$50,000 may be appropriated to the
 33 Department of Commerce and Community Affairs from the
 34 Alternate Fuels Fund to pay its costs of administering

1 the programs authorized by Sections 31 and 32.

2 (2) In each of fiscal years 2003 and 2004, an
3 amount not to exceed \$50,000 may be appropriated to the
4 Department of Commerce and Community Affairs to fund the
5 programs authorized by Section 32.

6 (3) In each of fiscal years 2003 and 2004, after
7 appropriation of the amounts authorized in items (1) and
8 (2) of subsection (b) of this Section, the remaining
9 moneys received from the General Revenue Fund shall be
10 appropriated as follows: 52.632% of the remaining moneys
11 shall be appropriated to fund the programs authorized by
12 Sections 25 and 30 and 47.368% of the remaining moneys
13 shall be appropriated to fund the programs authorized by
14 Section 31. The moneys appropriated to fund the
15 programs authorized by Sections 25 and 30 shall be used
16 as follows: 20% shall be used to fund the programs
17 authorized by Section 25, and 80% shall be used to fund
18 the programs authorized by Section 30.

19 Moneys appropriated to fund the programs authorized in
20 Section 31 shall be expended only after they have been
21 deposited into the Alternate Fuels Fund.

22 (Source: P.A. 92-858, eff. 1-3-03.)

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