



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB1549

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-200  
605 ILCS 5/4-303

was 20 ILCS 2705/49.16  
from Ch. 121, par. 4-303

Amends the Illinois Vehicle Code. Directs the Department of Transportation to establish a Technical Advisory Group that will determine performance measures for all future transportation infrastructure projects. Provides that the Department of Transportation and the Technical Advisory Group shall develop prioritization and performance standards with input from local Metropolitan Planning Groups. Requires the Department of Transportation to report its findings in fiscal year 2014 and implement the plan beginning in fiscal year 2015. Effective immediately.

LRB098 07443 MLW 37511 b

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 changing  
6 Section 2705-200 as follows:

7 (20 ILCS 2705/2705-200) (was 20 ILCS 2705/49.16)

8 Sec. 2705-200. Master plan; reporting requirements.

9 (a) The Department has the power to develop and maintain a  
10 continuing, comprehensive, and integrated planning process  
11 that shall develop and periodically revise a statewide master  
12 plan for transportation to guide program development and to  
13 foster efficient and economical transportation services in  
14 ground, air, water, and all other modes of transportation  
15 throughout the State. The Department shall coordinate its  
16 transportation planning activities with those of other State  
17 agencies and authorities and shall supervise and review any  
18 transportation planning performed by other Executive agencies  
19 under the direction of the Governor. The Department shall  
20 cooperate and participate with federal, regional, interstate,  
21 State, and local agencies, in accordance with Sections 5-301  
22 and 7-301 of the Illinois Highway Code, and with interested  
23 private individuals and organizations in the coordination of

1 plans and policies for development of the state's  
2 transportation system.

3 To meet the provisions of this Section, the Department  
4 shall publish and deliver to the Governor and General Assembly  
5 by December 31, 2012 and every 5 years thereafter, its master  
6 plan for highway, waterway, aeronautic, mass transportation,  
7 and railroad systems. The plan shall identify priority  
8 subsystems or components of each system that are critical to  
9 the economic and general welfare of this State regardless of  
10 public jurisdictional responsibility or private ownership.

11 The master plan shall include a comprehensive and  
12 multimodal freight mobility plan which shall analyze commodity  
13 flows, assess the freight transportation network, and identify  
14 significant freight system trends, needs, and economic  
15 opportunities. It shall recommend improvements in the  
16 operation and management of the freight system, projects that  
17 will eliminate inefficiencies in the State's freight network,  
18 methods of funding needed for freight system improvements, and  
19 policies to ensure the safe, reliable, and efficient movement  
20 of goods within and through the State and to ensure the State's  
21 economic vitality. The freight mobility plan shall incorporate  
22 and maintain compatibility with any federally required rail  
23 plan affecting this State.

24 The master plan shall provide particular emphasis and  
25 detail of at least the 5-year period in the immediate future.

26 Annual and 5-year, or longer, project programs for each

1 State system in this Section shall be published and furnished  
2 the General Assembly on the first Wednesday in April of each  
3 year.

4 Identified needs included in the project programs shall be  
5 listed and mapped in a distinctive fashion to clearly identify  
6 the priority status of the projects: (1) projects to be  
7 committed for execution; (2) tentative projects that are  
8 dependent upon funding or other constraints; and (3) needed  
9 projects that are not programmed due to lack of funding or  
10 other constraints.

11 All projects shall be related to the priority systems of  
12 the master plan, and the priority criteria identified. Cost and  
13 estimated completion dates shall be included for work required  
14 to complete a useable segment or component beyond the period of  
15 the program.

16 The master plan shall include the documentation and  
17 information required pursuant to Section 4-303(b) of the  
18 Illinois Highway Code.

19 (b) The Department shall publish and deliver to the  
20 Governor and General Assembly on the first Wednesday in April  
21 of each year a 5-year, or longer, Highway Improvement Program  
22 reporting the number of fiscal years each project has been on  
23 previous plans submitted by the Department.

24 (c) The Department shall publish and deliver to the  
25 Governor and the General Assembly by November 1 of each year a  
26 For the Record report that shall include the following:

1           (1) All the projects accomplished in the previous  
2           fiscal year listed by each Illinois Department of  
3           Transportation District.

4           (2) The award cost and the beginning dates of each  
5           listed project.

6           (Source: P.A. 97-32, eff. 6-28-11.)

7           Section 10. The Illinois Highway Code is amended by  
8           changing Section 4-303 as follows:

9           (605 ILCS 5/4-303) (from Ch. 121, par. 4-303)

10          Sec. 4-303.

11          (a) Investigations made by the Department to determine the  
12          reasonably anticipated future need for federal aid highways and  
13          State highways may include, but shall not be limited to, the  
14          making of traffic surveys, the study of transportation  
15          facilities, research concerning the development of the several  
16          areas within this State and contiguous territory as affected by  
17          growth and changes in population and economic activity and the  
18          collection and review of data relating to all factors affecting  
19          the judicious planning of construction, improvement and  
20          maintenance of highways. Such investigations may also be  
21          conducted in cooperation with counties, municipalities, the  
22          United States, sister states, agencies of any such governments  
23          or other persons in pursuance of agreements to share the cost  
24          thereof. The Department is authorized to enter into such

1 agreements.

2 (b) Guidelines.

3 (1) Purpose. The purpose of this subsection is to  
4 ensure that transportation infrastructure projects in the  
5 State of Illinois foster long-term state and local economic  
6 development and enhance the quality of life for Illinois  
7 residents. It is the intent of the General Assembly to  
8 provide a statewide, data-rich, outcomes-based,  
9 transparent, and accountable approach to prioritizing  
10 transportation infrastructure projects so that public  
11 funds are used effectively for these transportation  
12 projects and allocated based on defined performance  
13 criteria. Accordingly, as provided in this subsection, all  
14 transportation funds appropriated by the State, including,  
15 but not limited to, appropriations from the Road Fund,  
16 State Construction Account Fund, Capital Projects Fund,  
17 and transportation bond funds shall be allocated based on  
18 plans submitted by the Metropolitan Planning Organizations  
19 for their areas of jurisdiction and the annual and  
20 multi-year highway improvement programs prescribed by the  
21 Illinois Highway Code and federal law. This subsection  
22 shall not apply to (i) any grant programs administered by  
23 the Department of Natural Resources, (ii) any funds  
24 administered by the Department of Commerce and Economic  
25 Opportunity that support local transportation improvements  
26 as part of an economic development project, or (iii) any

1 monies distributed to local government entities pursuant  
2 to item (2) of subsection (e) of Section 8 of the Motor  
3 Fuel Tax Law.

4 (2) Scope. For purposes of this subsection,  
5 transportation infrastructure projects shall include,  
6 without limitation, projects for highways maintenance,  
7 highway modernization, highway expansion, transit, and  
8 high-speed rail.

9 (3) Project Selection Process. The Department shall  
10 develop and utilize a process for the selection of  
11 transportation infrastructure projects that is based on  
12 defined performance measures established under this  
13 subsection. The strategic prioritization process to  
14 develop these performance measures shall be systematic and  
15 data-driven and shall include input from the Metropolitan  
16 Planning Organization having jurisdiction over the  
17 proposed project.

18 (4) Technical Advisory Group. To develop the  
19 performance measures required by this subsection, the  
20 Department shall establish and convene a Technical  
21 Advisory Group consisting of representatives from the  
22 Department, the State's Metropolitan Planning  
23 Organizations, and other appropriate partners. The  
24 Technical Advisory Group shall establish performance  
25 measures for transportation infrastructure projects,  
26 formalize the input of Metropolitan Planning Organizations

1 in the evaluation and prioritization of transportation  
2 infrastructure projects, and establish a methodology to  
3 measure funding decisions for transportation  
4 infrastructure projects against the performance measures  
5 established under this subsection.

6 (5) Performance Measures. The performance measures  
7 established under this subsection shall, at a minimum,  
8 include the following criteria: (i) improving access and  
9 mobility for users, (ii) preserving and managing the  
10 existing transportation system, (iii) supporting  
11 multi-modal choices, (iv) maximizing social equity  
12 benefits of transportation investments, (v) fostering  
13 safety, (vi) coordination of current long-range plans,  
14 (vii) improving the environment, (viii) reducing  
15 congestion by improving the movement of people, (ix)  
16 fostering economic development, (x) improving quality of  
17 life, (xi) moving a growing, diverse and active population,  
18 and (xii) ensuring transparency and accountability.

19 (6) Initial Report. The initial report of the Technical  
20 Advisory Group shall, at a minimum, include  
21 recommendations to: (i) specifically define transportation  
22 infrastructure projects consistent with this subsection,  
23 (ii) establish and clearly identify the performance  
24 standards required under this subsection, (iii) establish  
25 a protocol for how the established performance measures  
26 will be used to evaluate, measure, and prioritize



1 transportation infrastructure projects, and (iv) establish  
2 a process to ensure qualitative input on the evaluation and  
3 prioritization of projects from, among others,  
4 Metropolitan Planning Organizations. The Technical  
5 Advisory Group shall provide its initial report to the  
6 Secretary of Transportation pursuant to this subsection no  
7 later than the end of Fiscal Year 2014. The Secretary of  
8 Transportation shall report these recommendations to the  
9 General Assembly no later than September 1, 2014.

10 (7) Master Plan. The Department shall implement the  
11 Technical Advisory Group's recommendations beginning in  
12 Fiscal Year 2015. Beginning in Fiscal Year 2015 and in  
13 every year thereafter, the Department shall include as part  
14 of its multi-year highway improvement program an analysis  
15 and related documentation detailing how performance  
16 measures established under this subsection were applied in  
17 the development of the program and how these performance  
18 measures were applied to prioritization and funding  
19 decisions. This documentation shall include a list of the  
20 performance criteria used, a description of how each  
21 performance criterion is weighted, and a copy of the plan  
22 received from the Metropolitan Planning Organization  
23 having jurisdiction over the project. This documentation  
24 shall be included as a part of the multiyear highway  
25 improvement program.

26 (Source: Laws 1959, p. 196.)

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.