



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4328

by Rep. Brian W. Stewart

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/8.3	from Ch. 127, par. 144.3
430 ILCS 30/2	from Ch. 95 1/2, par. 700-2
430 ILCS 30/3	from Ch. 95 1/2, par. 700-3
625 ILCS 5/18b-101	from Ch. 95 1/2, par. 18b-101
625 ILCS 5/18b-102	from Ch. 95 1/2, par. 18b-102
625 ILCS 5/18b-104	from Ch. 95 1/2, par. 18b-104
625 ILCS 5/18b-109	from Ch. 95 1/2, par. 18b-109

Amends the Illinois Motor Carrier Safety Law of the Illinois Vehicle Code. Provides that the Department of State Police (instead of the Department of Transportation in conjunction with the Department of State Police) shall administer the Law. Amends the Illinois Hazardous Materials Transportation Act to provide that the Department of State Police (instead of the Department of Transportation) shall administer the Act. Amends the State Finance Act. Provides that beginning fiscal year 2019, \$20,000,000 shall be appropriated from the Road Fund to the Department of State Police to administer the Illinois Motor Carrier Safety Law and Illinois Hazardous Materials Safety Act. Effective July 1, 2018.

LRB100 17428 LNS 32596 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing  
5 Section 8.3 as follows:

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the  
8 State of Illinois incurs any bonded indebtedness for the  
9 construction of permanent highways, be set aside and used for  
10 the purpose of paying and discharging annually the principal  
11 and interest on that bonded indebtedness then due and payable,  
12 and for no other purpose. The surplus, if any, in the Road Fund  
13 after the payment of principal and interest on that bonded  
14 indebtedness then annually due shall be used as follows:

15 first -- to pay the cost of administration of Chapters  
16 2 through 10 of the Illinois Vehicle Code, except the cost  
17 of administration of Articles I and II of Chapter 3 of that  
18 Code; and

19 secondly -- for expenses of the Department of  
20 Transportation for construction, reconstruction,  
21 improvement, repair, maintenance, operation, and  
22 administration of highways in accordance with the  
23 provisions of laws relating thereto, or for any purpose

1 related or incident to and connected therewith, including  
2 the separation of grades of those highways with railroads  
3 and with highways and including the payment of awards made  
4 by the Illinois Workers' Compensation Commission under the  
5 terms of the Workers' Compensation Act or Workers'  
6 Occupational Diseases Act for injury or death of an  
7 employee of the Division of Highways in the Department of  
8 Transportation; or for the acquisition of land and the  
9 erection of buildings for highway purposes, including the  
10 acquisition of highway right-of-way or for investigations  
11 to determine the reasonably anticipated future highway  
12 needs; or for making of surveys, plans, specifications and  
13 estimates for and in the construction and maintenance of  
14 flight strips and of highways necessary to provide access  
15 to military and naval reservations, to defense industries  
16 and defense-industry sites, and to the sources of raw  
17 materials and for replacing existing highways and highway  
18 connections shut off from general public use at military  
19 and naval reservations and defense-industry sites, or for  
20 the purchase of right-of-way, except that the State shall  
21 be reimbursed in full for any expense incurred in building  
22 the flight strips; or for the operating and maintaining of  
23 highway garages; or for patrolling and policing the public  
24 highways and conserving the peace; or for the operating  
25 expenses of the Department relating to the administration  
26 of public transportation programs; or, during fiscal year

1           2012 only, for the purposes of a grant not to exceed  
2           \$8,500,000 to the Regional Transportation Authority on  
3           behalf of PACE for the purpose of ADA/Para-transit  
4           expenses; or, during fiscal year 2013 only, for the  
5           purposes of a grant not to exceed \$3,825,000 to the  
6           Regional Transportation Authority on behalf of PACE for the  
7           purpose of ADA/Para-transit expenses; or, during fiscal  
8           year 2014 only, for the purposes of a grant not to exceed  
9           \$3,825,000 to the Regional Transportation Authority on  
10          behalf of PACE for the purpose of ADA/Para-transit  
11          expenses; or, during fiscal year 2015 only, for the  
12          purposes of a grant not to exceed \$3,825,000 to the  
13          Regional Transportation Authority on behalf of PACE for the  
14          purpose of ADA/Para-transit expenses; or, during fiscal  
15          year 2016 only, for the purposes of a grant not to exceed  
16          \$3,825,000 to the Regional Transportation Authority on  
17          behalf of PACE for the purpose of ADA/Para-transit  
18          expenses; or, during fiscal year 2017 only, for the  
19          purposes of a grant not to exceed \$3,825,000 to the  
20          Regional Transportation Authority on behalf of PACE for the  
21          purpose of ADA/Para-transit expenses; or for any of those  
22          purposes or any other purpose that may be provided by law.

23          Appropriations for any of those purposes are payable from  
24          the Road Fund. Appropriations may also be made from the Road  
25          Fund for the administrative expenses of any State agency that  
26          are related to motor vehicles or arise from the use of motor

1 vehicles.

2 Beginning with fiscal year 1980 and thereafter, no Road  
3 Fund monies shall be appropriated to the following Departments  
4 or agencies of State government for administration, grants, or  
5 operations; but this limitation is not a restriction upon  
6 appropriating for those purposes any Road Fund monies that are  
7 eligible for federal reimbursement: †

8 1. Department of Public Health;

9 2. Department of Transportation, only with respect to  
10 subsidies for one-half fare Student Transportation and  
11 Reduced Fare for Elderly, except during fiscal year 2012  
12 only when no more than \$40,000,000 may be expended and  
13 except during fiscal year 2013 only when no more than  
14 \$17,570,300 may be expended and except during fiscal year  
15 2014 only when no more than \$17,570,000 may be expended and  
16 except during fiscal year 2015 only when no more than  
17 \$17,570,000 may be expended and except during fiscal year  
18 2016 only when no more than \$17,570,000 may be expended and  
19 except during fiscal year 2017 only when no more than  
20 \$17,570,000 may be expended;

21 3. Department of Central Management Services, except  
22 for expenditures incurred for group insurance premiums of  
23 appropriate personnel;

24 4. Judicial Systems and Agencies.

25 Beginning with fiscal year 1981 and thereafter, no Road  
26 Fund monies shall be appropriated to the following Departments

1 or agencies of State government for administration, grants, or  
2 operations; but this limitation is not a restriction upon  
3 appropriating for those purposes any Road Fund monies that are  
4 eligible for federal reimbursement:

5 1. Department of State Police, except for expenditures  
6 with respect to the Division of Operations;

7 2. Department of Transportation, only with respect to  
8 Intercity Rail Subsidies, except during fiscal year 2012  
9 only when no more than \$40,000,000 may be expended and  
10 except during fiscal year 2013 only when no more than  
11 \$26,000,000 may be expended and except during fiscal year  
12 2014 only when no more than \$38,000,000 may be expended and  
13 except during fiscal year 2015 only when no more than  
14 \$42,000,000 may be expended and except during fiscal year  
15 2016 only when no more than \$38,300,000 may be expended and  
16 except during fiscal year 2017 only when no more than  
17 \$50,000,000 may be expended and except during fiscal year  
18 2018 only when no more than \$52,000,000 may be expended,  
19 and Rail Freight Services.

20 Beginning with fiscal year 1982 and thereafter, no Road  
21 Fund monies shall be appropriated to the following Departments  
22 or agencies of State government for administration, grants, or  
23 operations; but this limitation is not a restriction upon  
24 appropriating for those purposes any Road Fund monies that are  
25 eligible for federal reimbursement: Department of Central  
26 Management Services, except for awards made by the Illinois

1 Workers' Compensation Commission under the terms of the  
2 Workers' Compensation Act or Workers' Occupational Diseases  
3 Act for injury or death of an employee of the Division of  
4 Highways in the Department of Transportation.

5 Beginning with fiscal year 1984 and thereafter, no Road  
6 Fund monies shall be appropriated to the following Departments  
7 or agencies of State government for administration, grants, or  
8 operations; but this limitation is not a restriction upon  
9 appropriating for those purposes any Road Fund monies that are  
10 eligible for federal reimbursement:

- 11 1. Department of State Police, except not more than 40%  
12 of the funds appropriated for the Division of Operations;
- 13 2. State Officers.

14 Beginning with fiscal year 1984 and thereafter, no Road  
15 Fund monies shall be appropriated to any Department or agency  
16 of State government for administration, grants, or operations  
17 except as provided hereafter; but this limitation is not a  
18 restriction upon appropriating for those purposes any Road Fund  
19 monies that are eligible for federal reimbursement. It shall  
20 not be lawful to circumvent the above appropriation limitations  
21 by governmental reorganization or other methods.  
22 Appropriations shall be made from the Road Fund only in  
23 accordance with the provisions of this Section.

24 Money in the Road Fund shall, if and when the State of  
25 Illinois incurs any bonded indebtedness for the construction of  
26 permanent highways, be set aside and used for the purpose of

1 paying and discharging during each fiscal year the principal  
2 and interest on that bonded indebtedness as it becomes due and  
3 payable as provided in the Transportation Bond Act, and for no  
4 other purpose. The surplus, if any, in the Road Fund after the  
5 payment of principal and interest on that bonded indebtedness  
6 then annually due shall be used as follows:

7 first -- to pay the cost of administration of Chapters  
8 2 through 10 of the Illinois Vehicle Code; and

9 secondly -- no Road Fund monies derived from fees,  
10 excises, or license taxes relating to registration,  
11 operation and use of vehicles on public highways or to  
12 fuels used for the propulsion of those vehicles, shall be  
13 appropriated or expended other than for costs of  
14 administering the laws imposing those fees, excises, and  
15 license taxes, statutory refunds and adjustments allowed  
16 thereunder, administrative costs of the Department of  
17 Transportation, including, but not limited to, the  
18 operating expenses of the Department relating to the  
19 administration of public transportation programs, payment  
20 of debts and liabilities incurred in construction and  
21 reconstruction of public highways and bridges, acquisition  
22 of rights-of-way for and the cost of construction,  
23 reconstruction, maintenance, repair, and operation of  
24 public highways and bridges under the direction and  
25 supervision of the State, political subdivision, or  
26 municipality collecting those monies, or during fiscal



1 year 2012 only for the purposes of a grant not to exceed  
2 \$8,500,000 to the Regional Transportation Authority on  
3 behalf of PACE for the purpose of ADA/Para-transit  
4 expenses, or during fiscal year 2013 only for the purposes  
5 of a grant not to exceed \$3,825,000 to the Regional  
6 Transportation Authority on behalf of PACE for the purpose  
7 of ADA/Para-transit expenses, or during fiscal year 2014  
8 only for the purposes of a grant not to exceed \$3,825,000  
9 to the Regional Transportation Authority on behalf of PACE  
10 for the purpose of ADA/Para-transit expenses, or during  
11 fiscal year 2015 only for the purposes of a grant not to  
12 exceed \$3,825,000 to the Regional Transportation Authority  
13 on behalf of PACE for the purpose of ADA/Para-transit  
14 expenses, or during fiscal year 2016 only for the purposes  
15 of a grant not to exceed \$3,825,000 to the Regional  
16 Transportation Authority on behalf of PACE for the purpose  
17 of ADA/Para-transit expenses, or during fiscal year 2017  
18 only for the purposes of a grant not to exceed \$3,825,000  
19 to the Regional Transportation Authority on behalf of PACE  
20 for the purpose of ADA/Para-transit expenses, and the costs  
21 for patrolling and policing the public highways (by State,  
22 political subdivision, or municipality collecting that  
23 money) for enforcement of traffic laws. The separation of  
24 grades of such highways with railroads and costs associated  
25 with protection of at-grade highway and railroad crossing  
26 shall also be permissible.

1           Appropriations for any of such purposes are payable from  
2 the Road Fund or the Grade Crossing Protection Fund as provided  
3 in Section 8 of the Motor Fuel Tax Law.

4           Except as provided in this paragraph, beginning with fiscal  
5 year 1991 and thereafter, no Road Fund monies shall be  
6 appropriated to the Department of State Police for the purposes  
7 of this Section in excess of its total fiscal year 1990 Road  
8 Fund appropriations for those purposes unless otherwise  
9 provided in Section 5g of this Act. For fiscal years 2003,  
10 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be  
11 appropriated to the Department of State Police for the purposes  
12 of this Section in excess of \$97,310,000. For fiscal year 2008  
13 only, no Road Fund monies shall be appropriated to the  
14 Department of State Police for the purposes of this Section in  
15 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund  
16 monies shall be appropriated to the Department of State Police  
17 for the purposes of this Section in excess of \$114,700,000.  
18 Beginning in fiscal year 2019 ~~2010~~, no road fund moneys shall  
19 be appropriated to the Department of State Police, except  
20 \$20,000,000 to administer the Illinois Motor Carrier Safety Law  
21 and Illinois Hazardous Materials Safety Act. It shall not be  
22 lawful to circumvent this limitation on appropriations by  
23 governmental reorganization or other methods unless otherwise  
24 provided in Section 5g of this Act.

25           In fiscal year 1994, no Road Fund monies shall be  
26 appropriated to the Secretary of State for the purposes of this

1 Section in excess of the total fiscal year 1991 Road Fund  
2 appropriations to the Secretary of State for those purposes,  
3 plus \$9,800,000. It shall not be lawful to circumvent this  
4 limitation on appropriations by governmental reorganization or  
5 other method.

6 Beginning with fiscal year 1995 and thereafter, no Road  
7 Fund monies shall be appropriated to the Secretary of State for  
8 the purposes of this Section in excess of the total fiscal year  
9 1994 Road Fund appropriations to the Secretary of State for  
10 those purposes. It shall not be lawful to circumvent this  
11 limitation on appropriations by governmental reorganization or  
12 other methods.

13 Beginning with fiscal year 2000, total Road Fund  
14 appropriations to the Secretary of State for the purposes of  
15 this Section shall not exceed the amounts specified for the  
16 following fiscal years:

17	Fiscal Year 2000	\$80,500,000;
18	Fiscal Year 2001	\$80,500,000;
19	Fiscal Year 2002	\$80,500,000;
20	Fiscal Year 2003	\$130,500,000;
21	Fiscal Year 2004	\$130,500,000;
22	Fiscal Year 2005	\$130,500,000;
23	Fiscal Year 2006	\$130,500,000;
24	Fiscal Year 2007	\$130,500,000;
25	Fiscal Year 2008	\$130,500,000;
26	Fiscal Year 2009	\$130,500,000.

1 For fiscal year 2010, no road fund moneys shall be  
2 appropriated to the Secretary of State.

3 Beginning in fiscal year 2011, moneys in the Road Fund  
4 shall be appropriated to the Secretary of State for the  
5 exclusive purpose of paying refunds due to overpayment of fees  
6 related to Chapter 3 of the Illinois Vehicle Code unless  
7 otherwise provided for by law.

8 It shall not be lawful to circumvent this limitation on  
9 appropriations by governmental reorganization or other  
10 methods.

11 No new program may be initiated in fiscal year 1991 and  
12 thereafter that is not consistent with the limitations imposed  
13 by this Section for fiscal year 1984 and thereafter, insofar as  
14 appropriation of Road Fund monies is concerned.

15 Nothing in this Section prohibits transfers from the Road  
16 Fund to the State Construction Account Fund under Section 5e of  
17 this Act; nor to the General Revenue Fund, as authorized by  
18 Public Act 93-25 ~~this amendatory Act of the 93rd General~~  
19 ~~Assembly.~~

20 The additional amounts authorized for expenditure in this  
21 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91  
22 shall be repaid to the Road Fund from the General Revenue Fund  
23 in the next succeeding fiscal year that the General Revenue  
24 Fund has a positive budgetary balance, as determined by  
25 generally accepted accounting principles applicable to  
26 government.

1           The additional amounts authorized for expenditure by the  
2 Secretary of State and the Department of State Police in this  
3 Section by Public Act 94-91 ~~this amendatory Act of the 94th~~  
4 ~~General Assembly~~ shall be repaid to the Road Fund from the  
5 General Revenue Fund in the next succeeding fiscal year that  
6 the General Revenue Fund has a positive budgetary balance, as  
7 determined by generally accepted accounting principles  
8 applicable to government.

9           (Source: P.A. 99-523, eff. 6-30-16; 100-23, eff. 7-6-17;  
10 revised 10-11-17.)

11           Section 10. The Illinois Hazardous Materials  
12 Transportation Act is amended by changing Sections 2 and 3 as  
13 follows:

14           (430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

15           Sec. 2. It is the finding of the General Assembly that  
16 hazardous materials are essential for various industrial,  
17 commercial and other purposes; that their transportation is a  
18 necessary incident to their use; and that such transportation  
19 is required for the employment and economic prosperity of the  
20 People of the State of Illinois.

21           It is therefore declared to be the policy of the General  
22 Assembly to improve the regulatory and enforcement authority of  
23 the Department of State Police ~~Transportation~~ to protect the  
24 People of the State of Illinois against the risk to life and

1 property inherent in the transportation of hazardous materials  
2 over highways by keeping such risk to a minimum consistent with  
3 technical feasibility and economic reasonableness.

4 It is not the intent of the General Assembly to regulate  
5 the movement of hazardous materials in such quantities that  
6 would not pose a substantial danger to the public health and  
7 safety, such as fuels, fertilizer and agricultural chemicals  
8 while being used in a normal farming operation or in transit to  
9 the farm.

10 (Source: P.A. 80-351.)

11 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

12 Sec. 3. Unless the context otherwise clearly requires, as  
13 used in this Act:

14 "Commerce" means trade, traffic, commerce or  
15 transportation within the State;

16 "Department" means the Illinois Department of State Police  
17 ~~Transportation~~;

18 "Discharge" means leakage, seepage, or other release;

19 "Hazardous material" means a substance or material in a  
20 quantity and form determined by the United States Department of  
21 Transportation to be capable of posing an unreasonable risk to  
22 health and safety or property when transported in commerce;

23 "Knowingly" means a person has actual knowledge of the  
24 facts giving rise to the violation or a reasonable person  
25 acting in the circumstances and exercising due care would have

1 such knowledge;

2 "Law Enforcement Officials" means the Illinois State  
3 Police or any duly authorized employees of a local governmental  
4 agency who are primarily responsible for prevention or  
5 detection of crime and enforcement of the criminal code and the  
6 highway and traffic laws of this State or any political  
7 subdivision of such State;

8 "Person" means any natural person or individual,  
9 governmental body, firm, association, partnership,  
10 copartnership, joint venture, company, corporation, joint  
11 stock company, trust, estate or any other legal entity or their  
12 legal representative, agent or assigns;

13 "Transports" or "transportation" means any movement of  
14 property over the highway and any loading, unloading or storage  
15 incidental to such movement.

16 (Source: P.A. 90-263, eff. 7-30-97.)

17 Section 15. The Illinois Vehicle Code is amended by  
18 changing Sections 18b-101, 18b-102, 18b-104, and 18b-109 as  
19 follows:

20 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

21 Sec. 18b-101. Definitions. Unless the context otherwise  
22 clearly requires, as used in this Chapter:

23 "Agricultural commodities" means any agricultural  
24 commodity, non-processed food, feed, fiber, or livestock,

1 including insects.

2 "Agricultural operations" means the operation of a motor  
3 vehicle or combination of vehicles transporting agricultural  
4 commodities or farm supplies for agricultural purposes.

5 "Air mile" means a nautical mile, which is equivalent to  
6 6,076 feet or 1,852 meters. Accordingly, 100 air miles are  
7 equivalent to 115.08 statute miles or 185.2 kilometers.

8 "Commercial motor vehicle" means any self propelled or  
9 towed vehicle used on public highways in interstate and  
10 intrastate commerce to transport passengers or property when  
11 the vehicle has a gross vehicle weight, a gross vehicle weight  
12 rating, a gross combination weight, or a gross combination  
13 weight rating of 10,001 or more pounds; or the vehicle is used  
14 or designed to transport more than 15 passengers, including the  
15 driver; or the vehicle is designed to carry 15 or fewer  
16 passengers and is operated by a contract carrier transporting  
17 employees in the course of their employment on a highway of  
18 this State; or the vehicle is used or designed to transport  
19 between 9 and 15 passengers, including the driver, for direct  
20 compensation; or the vehicle is used in the transportation of  
21 hazardous materials in a quantity requiring placarding under  
22 the Illinois Hazardous Materials Transportation Act. This  
23 definition shall not include farm machinery, fertilizer  
24 spreaders, and other special agricultural movement equipment  
25 described in Section 3-809 nor implements of husbandry as  
26 defined in Section 1-130.



1 "Covered farm vehicle", for purposes of this Chapter and  
2 rule-making under this Chapter, means a straight truck or  
3 articulated vehicle, excluding vehicles transporting hazardous  
4 materials of a type or quantity that requires the vehicle to be  
5 placarded in accordance with the Illinois Hazardous Materials  
6 Transportation Act, registered in this State or another state  
7 and equipped with a special license plate or other designation  
8 by the state in which the vehicle is registered identifying the  
9 vehicle as a covered farm vehicle for law enforcement personnel  
10 and:

11 (1) is operated by a farm or ranch owner or operator,  
12 or an employee or family member of the farm or ranch owner  
13 or operator; and

14 (2) is being used to transport the following to or from  
15 a farm or ranch:

16 (A) agricultural commodities;

17 (B) livestock; or

18 (C) machinery or supplies; and

19 (3) if registered in this State, is:

20 (A) registered as a farm truck under subsection (c)  
21 of Section 3-815 of this Code; or

22 (B) operated in combination as an articulated  
23 vehicle when the truck in the combination is registered  
24 for 12,000 lbs. or less as a covered farm vehicle under  
25 subsections (a) and (a-5) of Section 3-815 of this Code  
26 or subsection (a) of Section 3-818 of this Code and

1 contains in the cab of the motor vehicle a registration  
2 designating the vehicle as a covered farm vehicle under  
3 subsections (a) and (a-5) of Section 3-815 of this Code  
4 and the trailer in the combination is registered as a  
5 farm trailer under subsection (a) of Section 3-819 of  
6 this Code and displays a farm registration license  
7 plate; or

8 (C) a truck registered for 12,000 lbs. or less as a  
9 covered farm vehicle under subsections (a) and (a-5) of  
10 Section 3-815 of this Code or subsection (a) of Section  
11 3-818 of this Code containing in the cab of the motor  
12 vehicle a registration designating the vehicle as a  
13 covered farm vehicle under subsections (a) and (a-5) of  
14 Section 3-815 of this Code that is towing an implement  
15 of husbandry as part of a farming operation; and

16 (4) is not used in for-hire motor carrier operations;  
17 however, for-hire motor carrier operations do not include  
18 the operation of a vehicle meeting the definition of a  
19 covered farm vehicle by a tenant pursuant to a crop share  
20 farm lease agreement to transport the landlord's portion of  
21 the crops under that agreement; and

22 (5) has a gross vehicle weight rating (GVWR), a gross  
23 combination weight rating (GCWR), or a gross vehicle weight  
24 or gross vehicle combination weight, whichever is greater,  
25 that is:

26 (A) 26,001 lbs. or less, for vehicles operating in

1 interstate commerce; or

2 (B) greater than 26,001 lbs., operating in  
3 interstate commerce and registered in this State; or

4 (C) greater than 26,001 lbs. and traveling  
5 interstate within 150 air miles of the farm or ranch  
6 for which the vehicle is being operated, regardless of  
7 whether it is registered in this State; or

8 (D) greater than 10,000 lbs. and traveling  
9 intrastate.

10 "Department" means the Department of State Police.

11 "Direct compensation" means payment made to the motor  
12 carrier by the passengers or a person acting on behalf of the  
13 passengers for the transportation services provided, and not  
14 included in a total package charge or other assessment for  
15 highway transportation services.

16 "Farm supplies for agricultural purposes" means products  
17 directly related to the growing or harvesting of agricultural  
18 commodities and livestock feed at any time of the year.

19 "Livestock" means cattle, sheep, goats, swine, poultry  
20 (including egg-producing poultry), fish used for food, and  
21 other animals designated by the Secretary of the United States  
22 Department of Transportation (at his or her sole discretion)  
23 that are part of a foundation herd (including producing dairy  
24 cattle) or offspring.

25 "Officer" means Illinois State Police Officer.

26 "Person" means any natural person or individual,

1 governmental body, firm, association, partnership,  
2 copartnership, joint venture, company, corporation, joint  
3 stock company, trust, estate or any other legal entity or their  
4 legal representative, agent or assigns.

5 (Source: P.A. 97-795, eff. 1-1-13; 98-882, eff. 8-13-14.)

6 (625 ILCS 5/18b-102) (from Ch. 95 1/2, par. 18b-102)

7 Sec. 18b-102. Authority of Department. To the extent  
8 necessary to administer this Chapter, the Department is  
9 authorized to:

10 (a) Adopt by reference all or any portion of the Federal  
11 Motor Carrier Safety Regulations of the United States  
12 Department of Transportation, as they are now or hereafter  
13 amended.

14 (b) Conduct investigations; make reports; issue subpoenas;  
15 conduct hearings; require the production of relevant  
16 documents, records and property; take depositions; and, ~~in~~  
17 ~~conjunction with the Illinois State Police,~~ conduct, directly  
18 or indirectly, research, development, demonstrations, and  
19 training activities.

20 (c) Authorize any officer or Department employee to enter  
21 upon, inspect and examine at reasonable times and in a  
22 reasonable manner, the records and properties of persons to the  
23 extent such records and properties relate to the transportation  
24 by motor vehicle of persons or property.

25 (d) Conduct a continuing review of all aspects of the

1 transportation of persons and property by motor vehicle in  
2 order to determine and recommend appropriate steps to assure  
3 safe transportation by motor vehicle in Illinois.

4 (e) Administer and enforce the provisions of this Chapter  
5 and any rules and regulations issued under this Chapter. Only  
6 the Department ~~Illinois State Police~~ shall be authorized to  
7 stop and inspect any commercial motor vehicle or driver at any  
8 time for the purpose of determining compliance with the  
9 provisions of this Chapter or rules and regulations issued  
10 under this Chapter.

11 (Source: P.A. 90-89, eff. 1-1-98.)

12 (625 ILCS 5/18b-104) (from Ch. 95 1/2, par. 18b-104)

13 Sec. 18b-104. Cooperation with State Agencies - Records and  
14 Data - Availability. The Department shall cooperate with other  
15 State agencies regulating transportation by motor vehicles and  
16 may enter into interagency agreements for the purpose of  
17 sharing data. ~~The Department shall enter into an interagency  
18 agreement with the Illinois State Police for the purpose of  
19 enforcing any provisions of this Chapter and the rules and  
20 regulations issued under this Chapter.~~

21 (Source: P.A. 86-611.)

22 (625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)

23 Sec. 18b-109. Enforcement of Rules and Regulations. Only  
24 the Department ~~Illinois State Police~~ shall enforce the rules

1 and regulations issued under this Chapter against drivers and  
2 persons other than drivers. ~~The Department and the Illinois~~  
3 ~~State Police shall enforce the rules and regulations issued~~  
4 ~~under this Chapter against persons other than drivers.~~

5 (Source: P.A. 86-611.)

6 Section 99. Effective date. This Act takes effect July 1,  
7 2018.