

HB2877



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2877

by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that the Illinois State Toll Highway Authority shall not charge a toll for a vehicle of the first division pulling a trailer with no more than 2 axles at a rate higher than an amount calculated by multiplying the toll charged to passenger vehicles using an I-Pass device by the total number of axles on the trailer. Provides that the toll rate applies to drivers who use an I-Pass device or use cash to pay a toll. Effective immediately.

LRB101 04766 TAE 49775 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 Toll Highway Act is amended by changing
5 Section 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. Toll rates. The Authority shall fix and revise
8 from time to time, tolls or charges or rates for the privilege
9 of using each of the toll highways constructed pursuant to this
10 Act. Such tolls shall be so fixed and adjusted at rates
11 calculated to provide the lowest reasonable toll rates that
12 will provide funds sufficient with other revenues of the
13 Authority to pay, (a) the cost of the construction of a toll
14 highway authorized by joint resolution of the General Assembly
15 pursuant to Section 14.1 and the reconstruction, major repairs
16 or improvements of toll highways, (b) the cost of maintaining,
17 repairing, regulating and operating the toll highways
18 including only the necessary expenses of the Authority, and (c)
19 the principal of all bonds, interest thereon and all sinking
20 fund requirements and other requirements provided by
21 resolutions authorizing the issuance of the bonds as they shall
22 become due. In fixing the toll rates pursuant to this Section
23 19 and Section 10(c) of this Act, the Authority shall take into

1 account the effect of the provisions of this Section 19
2 permitting the use of the toll highway system without payment
3 of the covenants of the Authority contained in the resolutions
4 and trust indentures authorizing the issuance of bonds of the
5 Authority. No such provision permitting the use of the toll
6 highway system without payment of tolls after the date of this
7 amendatory Act of the 95th General Assembly shall be applied in
8 a manner that impairs the rights of bondholders pursuant to any
9 resolution or trust indentures authorizing the issuance of
10 bonds of the Authority. The use and disposition of any sinking
11 or reserve fund shall be subject to such regulation as may be
12 provided in the resolution or trust indenture authorizing the
13 issuance of the bonds. Subject to the provisions of any
14 resolution or trust indenture authorizing the issuance of bonds
15 any moneys in any such sinking fund in excess of an amount
16 equal to one year's interest on the bonds then outstanding
17 secured by such sinking fund may be applied to the purchase or
18 redemption of bonds. All such bonds so redeemed or purchased
19 shall forthwith be cancelled and shall not again be issued. The
20 Authority shall not charge a toll for a motor vehicle of the
21 first division, as defined in the Illinois Vehicle Code,
22 pulling a trailer, as defined in the Illinois Vehicle Code,
23 with no more than 2 axles at a rate higher than an amount
24 calculated by multiplying the toll charged to passenger
25 vehicles using an I-Pass device by the total number of axles on
26 the trailer. This toll rate shall apply to both a driver who

1 uses an I-Pass device and a driver who uses cash to pay toll.

2 No person shall be permitted to use any toll highway without
3 paying the toll established under this Section except when on
4 official Toll Highway Authority business which includes police
5 and other emergency vehicles. However, any law enforcement
6 agency vehicle, fire department vehicle, public or private
7 ambulance service vehicle engaged in the performance of an
8 emergency service or duty that necessitates the use of the toll
9 highway system, or other emergency vehicle that is plainly
10 marked shall not be required to pay a toll to use a toll
11 highway. A law enforcement, fire protection, or emergency
12 services officer driving a law enforcement, fire protection,
13 emergency services agency vehicle, or public or private
14 ambulance service vehicle engaging in the performance of
15 emergency services or duties that is not plainly marked must
16 present an Official Permit Card which the law enforcement, fire
17 protection, or emergency services officer receives from his or
18 her law enforcement, fire protection, emergency services
19 agency, or public or private ambulance service in order to use
20 a toll highway without paying the toll. A law enforcement, fire
21 protection, emergency services agency, or public or private
22 ambulance service engaging in the performance of emergency
23 services or duties must apply to the Authority to receive a
24 permit, and the Authority shall adopt rules for the issuance of
25 a permit, that allows public or private ambulance service
26 vehicles engaged in the performance of emergency services or

1 duties that necessitate the use of the toll highway system and
2 all law enforcement, fire protection, or emergency services
3 agency vehicles of the law enforcement, fire protection, or
4 emergency services agency to use any toll highway without
5 paying the toll established under this Section. The Authority
6 shall maintain in its office a list of all persons that are
7 authorized to use any toll highway without charge when on
8 official business of the Authority and such list shall be open
9 to the public for inspection. In recognition of the unique role
10 of public transportation in providing effective transportation
11 in the Authority's service region, and to give effect to the
12 exemption set forth in subsection (b) of Section 2.06 of the
13 Regional Transportation Authority Act, the following vehicles
14 may use any toll highway without paying the toll: (1) a vehicle
15 owned or operated by the Suburban Bus Division of the Regional
16 Transportation Authority that is being used to transport
17 passengers for hire; and (2) any revenue vehicle that is owned
18 or operated by a Mass Transit District created under Section 3
19 of the Local Mass Transit District Act and running regular
20 scheduled service.

21 Among other matters, this amendatory Act of 1990 is
22 intended to clarify and confirm the prior intent of the General
23 Assembly to allow toll revenues from the toll highway system to
24 be used to pay a portion of the cost of the construction of the
25 North-South Toll Highway authorized by Senate Joint Resolution
26 122 of the 83rd General Assembly in 1984.

1 (Source: P.A. 100-739, eff. 1-1-19.)

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