



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3202

by Rep. Diane Pappas

SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-5
20 ILCS 405/405-280

was 20 ILCS 405/35.2
was 20 ILCS 405/67.15

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that beginning June 30, 2019, each State agency shall report certain information concerning State vehicles to the Department of Central Management Services within 60 days after the end of the fiscal year. Provides that if a State agency fails to report that information, the Department of Central Management Services shall immediately take control of at least 5 vehicles controlled by the non-reporting State agency, or fewer vehicles only if the non-reporting State agency controls fewer than 5 vehicles. Requires the Department to publish information on its website about State vehicles for the previous fiscal year by November 1, 2019 and each November 1 thereafter. Provides that within 60 days after receiving State agency reports, the Director of Central Management Services shall deem any general purpose passenger and light duty vehicle driven under 7,000 miles in a fiscal year as surplus property and begin the process for disposing of the vehicle provided for in the State Property Control Act for transferable property. Contains other provisions concerning the sale of such vehicles and exceptions that may apply. Requires proceeds from such sales to be deposited in the State Surplus Property Revolving Fund. Defines "general purpose passenger vehicles" and "light duty vehicles". Effective immediately.

LRB101 07561 HLH 52606 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Central Management Services
5 Law of the Civil Administrative Code of Illinois is amended by
6 changing Sections 405-5 and 405-280 as follows:

7 (20 ILCS 405/405-5) (was 20 ILCS 405/35.2)

8 Sec. 405-5. Definitions.

9 (a) In this Law:

10 "Department" means the Department of Central Management
11 Services.

12 "Director" means the Director of Central Management
13 Services.

14 (b) In paragraphs (1) and (2) of Section 405-10, ~~and in~~
15 Section 405-15, and in Section 405-280, "State agency", whether
16 used in the singular or plural, means all departments,
17 officers, commissions, boards, institutions, and bodies
18 politic and corporate of the State. The term, however, does not
19 mean the judicial branch, including, without limitation, the
20 several courts of the State, the offices of the clerk of the
21 supreme court and the clerks of the appellate court, and the
22 Administrative Office of the Illinois Courts, nor does it mean
23 the legislature or its committees or commissions.

1 (Source: P.A. 94-295, eff. 7-21-05.)

2 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

3 Sec. 405-280. State garages; passenger cars.

4 (a) To supervise and administer all State garages used for
5 the repair, maintenance, or servicing of State-owned motor
6 vehicles except those operated by any State college or
7 university or by the Illinois Mathematics and Science Academy;
8 and to acquire, maintain, and administer the operation of the
9 passenger cars reasonably necessary to the operations of the
10 executive department of the State government. To this end, the
11 Department shall adopt regulations setting forth guidelines
12 for the acquisition, use, maintenance, and replacement of motor
13 vehicles, including the use of ethanol blended gasoline
14 whenever feasible, used by the executive department of State
15 government; shall occupy the space and take possession of the
16 personnel, facilities, equipment, tools, and vehicles that are
17 in the possession or under the administration of the former
18 Department of Administrative Services for these purposes on
19 July 13, 1982 (the effective date of Public Act 82-789); and
20 shall, from time to time, acquire any further, additional, and
21 replacement facilities, space, tools, and vehicles that are
22 reasonably necessary for the purposes described in this
23 Section.

24 (a-5) Notwithstanding any State policy or rule to the
25 contrary, any State-owned motor vehicle requiring maintenance

1 in the form of an oil change shall have such maintenance
2 performed according to the applicable Department policy which
3 considers the manufacturer's suggested oil change frequency
4 for that vehicle's particular make, model, and year. The
5 Department shall evaluate the original equipment
6 manufacturer's oil change interval recommendations and other
7 related impacts periodically and consider policy adjustments
8 as is cost and operationally efficient for the State.

9 (b) The Department shall evaluate the availability and cost
10 of GPS systems that State agencies may be able to use to track
11 State-owned motor vehicles.

12 (c) The Department shall distribute a spreadsheet or
13 otherwise make data entry available to each State agency to
14 facilitate the collection of data for publishing on the
15 Department's Internet website. Beginning June 30, 2019, each
16 State agency shall report the information required in this
17 subsection to the Department within 60 days after the end of
18 the fiscal year. If a State agency fails to report the
19 information within 60 days after the end of the fiscal year,
20 the Department shall immediately take control of at least 5
21 vehicles controlled by the non-reporting State agency, or fewer
22 vehicles only if the non-reporting State agency controls fewer
23 than 5 vehicles. The vehicles seized by the Department shall be
24 the passenger vehicles to which the 5 highest salaried persons
25 in the non-reporting State agency who have access to vehicles
26 have access, but shall in no case be emergency vehicles. The

1 Department shall only return the vehicles upon the State
2 agency's fulfillment of the reporting requirements of this
3 subsection. ~~Each State agency shall cooperate with the~~
4 ~~Department in furnishing the data necessary for the~~
5 ~~implementation of this subsection within the timeframe~~
6 ~~specified by the Department.~~ Each State agency shall be
7 responsible for the validity and accuracy of the data provided.
8 Beginning on November 1, 2019, and each November 1 thereafter
9 ~~July 1, 2013,~~ the Department shall make available to the public
10 on its Internet website the following information for the
11 previous fiscal year:

12 (1) vehicle cost data, organized by individual vehicle
13 and by State agency, and including repair, maintenance,
14 fuel, insurance, and other costs, as well as whether
15 required vehicle inspections have been performed; ~~and~~

16 (2) an annual vehicle breakeven analysis, organized by
17 individual vehicle and by State agency, comparing the
18 number of miles a vehicle has been driven with the total
19 cost of maintaining the vehicle; ~~and~~

20 (3) the number of miles each car was driven; and

21 (4) the purpose each vehicle served.

22 This subsection does not apply to the Illinois State
23 Police.

24 (d) Beginning on the effective date of this amendatory Act
25 of the 97th General Assembly, and notwithstanding any provision
26 of law to the contrary, the Department may not make any new

1 motor vehicle purchases until the Department sets forth
2 procedures to condition the purchase of new motor vehicles on
3 (i) a determination of need based on a breakeven analysis, and
4 (ii) a determination that no other available means, including
5 car sharing or rental agreements, would be more cost-effective
6 to the State. However, the Department may purchase motor
7 vehicles not meeting or exceeding a breakeven analysis only if
8 there is no alternative available to carry out agency work
9 functions and the purchase is approved by the Manager of the
10 Division of Vehicles upon the receipt of a written explanation
11 from the agency head of the operational needs justifying the
12 purchase.

13 (e) On or before December 31, 2019 and each December 31
14 thereafter, except as provided in this subsection (e), the
15 Director shall deem any general purpose passenger and light
16 duty vehicles driven under 7,000 miles in a fiscal year as
17 surplus property and begin the process for disposing of the
18 vehicle provided for in the State Property Control Act for
19 transferable property. No vehicle purchased during the
20 previous fiscal year shall be sold pursuant to this Section.
21 Notwithstanding any other provision of law, vehicles with
22 remaining useful life may be recycled into the State vehicle
23 fleet to replace mission critical vehicles with higher
24 maintenance costs to reduce the overall cost of maintaining the
25 fleet. If a passenger vehicle contains specialty equipment that
26 cannot be removed and would render the vehicle unlawful for

1 private use on a public roadway, the vehicle shall not be sold
2 to a private person or entity, but must be given to another
3 State agency or sold to another governmental body for which use
4 of the vehicle is legal. This subsection (e) shall not apply to
5 police or emergency vehicles, including, but not limited to,
6 vehicles used by the Illinois State Police, vehicles with
7 specialty equipment installed, vehicles used by any State
8 agency for undercover operations, vehicles required in a
9 collective bargaining agreement, or vehicles for which a State
10 employee's personal vehicle cannot be substituted without
11 causing excessive wear and tear to the personal vehicle in the
12 opinion of the Director. If the Director opts not to sell a
13 vehicle pursuant to the exceptions provided herein, the
14 Director shall file a report with the Clerk of the House, the
15 Minority Leader of the House, the Secretary of the Senate, the
16 Minority Leader of the Senate, and the Governor on or before
17 December 31 of each year explaining why the exceptions herein
18 provided applied to the vehicle. Proceeds from the sale of
19 these vehicles shall be deposited in the State Surplus Property
20 Revolving Fund.

21 (f) For the purposes of this Section:

22 "General purpose passenger vehicles" mean cars, minivans,
23 sport utility vehicles, crossovers, or other vehicles with not
24 more than a 10 passenger capacity.

25 "Light duty vehicles" means vans, pickups or trucks with
26 8,000 lbs or less gross vehicle weight rating.

1 (Source: P.A. 100-651, eff. 1-1-19.)

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