



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2108

Introduced 2/15/2019, by Sen. 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 2020, \$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, 2019.

LRB101 08997 TAE 54090 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 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, during fiscal
22 year 2018 only, for the purposes of a grant not to exceed
23 \$3,825,000 to the Regional Transportation Authority on
24 behalf of PACE for the purpose of ADA/Para-transit
25 expenses; or, during fiscal year 2019 only, for the
26 purposes of a grant not to exceed \$3,825,000 to the

1 Regional Transportation Authority on behalf of PACE for the
2 purpose of ADA/Para-transit expenses; or for any of those
3 purposes or any other purpose that may be provided by law.

4 Appropriations for any of those purposes are payable from
5 the Road Fund. Appropriations may also be made from the Road
6 Fund for the administrative expenses of any State agency that
7 are related to motor vehicles or arise from the use of motor
8 vehicles.

9 Beginning with fiscal year 1980 and thereafter, no Road
10 Fund monies shall be appropriated to the following Departments
11 or agencies of State government for administration, grants, or
12 operations; but this limitation is not a restriction upon
13 appropriating for those purposes any Road Fund monies that are
14 eligible for federal reimbursement:

- 15 1. Department of Public Health;
- 16 2. Department of Transportation, only with respect to
17 subsidies for one-half fare Student Transportation and
18 Reduced Fare for Elderly, except during fiscal year 2012
19 only when no more than \$40,000,000 may be expended and
20 except during fiscal year 2013 only when no more than
21 \$17,570,300 may be expended and except during fiscal year
22 2014 only when no more than \$17,570,000 may be expended and
23 except during fiscal year 2015 only when no more than
24 \$17,570,000 may be expended and except during fiscal year
25 2016 only when no more than \$17,570,000 may be expended and
26 except during fiscal year 2017 only when no more than

1 \$17,570,000 may be expended and except during fiscal year
2 2018 only when no more than \$17,570,000 may be expended and
3 except during fiscal year 2019 only when no more than
4 \$17,570,000 may be expended;

5 3. Department of Central Management Services, except
6 for expenditures incurred for group insurance premiums of
7 appropriate personnel;

8 4. Judicial Systems and Agencies.

9 Beginning with fiscal year 1981 and thereafter, no Road
10 Fund monies shall be appropriated to the following Departments
11 or agencies of State government for administration, grants, or
12 operations; but this limitation is not a restriction upon
13 appropriating for those purposes any Road Fund monies that are
14 eligible for federal reimbursement:

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

17 2. Department of Transportation, only with respect to
18 Intercity Rail Subsidies, except during fiscal year 2012
19 only when no more than \$40,000,000 may be expended and
20 except during fiscal year 2013 only when no more than
21 \$26,000,000 may be expended and except during fiscal year
22 2014 only when no more than \$38,000,000 may be expended and
23 except during fiscal year 2015 only when no more than
24 \$42,000,000 may be expended and except during fiscal year
25 2016 only when no more than \$38,300,000 may be expended and
26 except during fiscal year 2017 only when no more than

1 \$50,000,000 may be expended and except during fiscal year
2 2018 only when no more than \$52,000,000 may be expended and
3 except during fiscal year 2019 only when no more than
4 \$52,000,000 may be expended, and Rail Freight Services.

5 Beginning with fiscal year 1982 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: Department of Central
11 Management Services, except for awards made by the Illinois
12 Workers' Compensation Commission under the terms of the
13 Workers' Compensation Act or Workers' Occupational Diseases
14 Act for injury or death of an employee of the Division of
15 Highways in the Department of Transportation.

16 Beginning with fiscal year 1984 and thereafter, no Road
17 Fund monies shall be appropriated to the following Departments
18 or agencies of State government for administration, grants, or
19 operations; but this limitation is not a restriction upon
20 appropriating for those purposes any Road Fund monies that are
21 eligible for federal reimbursement:

- 22 1. Department of State Police, except not more than 40%
- 23 of the funds appropriated for the Division of Operations;
- 24 2. State Officers.

25 Beginning with fiscal year 1984 and thereafter, no Road
26 Fund monies shall be appropriated to any Department or agency

1 of State government for administration, grants, or operations
2 except as provided hereafter; but this limitation is not a
3 restriction upon appropriating for those purposes any Road Fund
4 monies that are eligible for federal reimbursement. It shall
5 not be lawful to circumvent the above appropriation limitations
6 by governmental reorganization or other methods.
7 Appropriations shall be made from the Road Fund only in
8 accordance with the provisions of this Section.

9 Money in the Road Fund shall, if and when the State of
10 Illinois incurs any bonded indebtedness for the construction of
11 permanent highways, be set aside and used for the purpose of
12 paying and discharging during each fiscal year the principal
13 and interest on that bonded indebtedness as it becomes due and
14 payable as provided in the Transportation Bond Act, and for no
15 other purpose. The surplus, if any, in the Road Fund after the
16 payment of principal and interest on that bonded indebtedness
17 then annually due shall be used as follows:

18 first -- to pay the cost of administration of Chapters
19 2 through 10 of the Illinois Vehicle Code; and

20 secondly -- no Road Fund monies derived from fees,
21 excises, or license taxes relating to registration,
22 operation and use of vehicles on public highways or to
23 fuels used for the propulsion of those vehicles, shall be
24 appropriated or expended other than for costs of
25 administering the laws imposing those fees, excises, and
26 license taxes, statutory refunds and adjustments allowed

1 thereunder, administrative costs of the Department of
2 Transportation, including, but not limited to, the
3 operating expenses of the Department relating to the
4 administration of public transportation programs, payment
5 of debts and liabilities incurred in construction and
6 reconstruction of public highways and bridges, acquisition
7 of rights-of-way for and the cost of construction,
8 reconstruction, maintenance, repair, and operation of
9 public highways and bridges under the direction and
10 supervision of the State, political subdivision, or
11 municipality collecting those monies, or during fiscal
12 year 2012 only for the purposes of a grant not to exceed
13 \$8,500,000 to the Regional Transportation Authority on
14 behalf of PACE for the purpose of ADA/Para-transit
15 expenses, or during fiscal year 2013 only for the purposes
16 of a grant not to exceed \$3,825,000 to the Regional
17 Transportation Authority on behalf of PACE for the purpose
18 of ADA/Para-transit expenses, or during fiscal year 2014
19 only for the purposes of a grant not to exceed \$3,825,000
20 to the Regional Transportation Authority on behalf of PACE
21 for the purpose of ADA/Para-transit expenses, or during
22 fiscal year 2015 only for the purposes of a grant not to
23 exceed \$3,825,000 to the Regional Transportation Authority
24 on behalf of PACE for the purpose of ADA/Para-transit
25 expenses, or during fiscal year 2016 only for the purposes
26 of a grant not to exceed \$3,825,000 to the Regional

1 Transportation Authority on behalf of PACE for the purpose
2 of ADA/Para-transit expenses, or during fiscal year 2017
3 only for the purposes of a grant not to exceed \$3,825,000
4 to the Regional Transportation Authority on behalf of PACE
5 for the purpose of ADA/Para-transit expenses, or during
6 fiscal year 2018 only for the purposes of a grant not to
7 exceed \$3,825,000 to the Regional Transportation Authority
8 on behalf of PACE for the purpose of ADA/Para-transit
9 expenses, or during fiscal year 2019 only for the purposes
10 of a grant not to exceed \$3,825,000 to the Regional
11 Transportation Authority on behalf of PACE for the purpose
12 of ADA/Para-transit expenses, and the costs for patrolling
13 and policing the public highways (by State, political
14 subdivision, or municipality collecting that money) for
15 enforcement of traffic laws. The separation of grades of
16 such highways with railroads and costs associated with
17 protection of at-grade highway and railroad crossing shall
18 also be permissible.

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

22 Except as provided in this paragraph, beginning with fiscal
23 year 1991 and thereafter, no Road Fund monies shall be
24 appropriated to the Department of State Police for the purposes
25 of this Section in excess of its total fiscal year 1990 Road
26 Fund appropriations for those purposes unless otherwise

1 provided in Section 5g of this Act. For fiscal years 2003,
2 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
3 appropriated to the Department of State Police for the purposes
4 of this Section in excess of \$97,310,000. For fiscal year 2008
5 only, no Road Fund monies shall be appropriated to the
6 Department of State Police for the purposes of this Section in
7 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
8 monies shall be appropriated to the Department of State Police
9 for the purposes of this Section in excess of \$114,700,000.
10 Beginning in fiscal year 2019 ~~2010~~, no road fund moneys shall
11 be appropriated to the Department of State Police, except
12 \$20,000,000 to administer the Illinois Motor Carrier Safety Law
13 and Illinois Hazardous Materials Safety Act. It shall not be
14 lawful to circumvent this limitation on appropriations by
15 governmental reorganization or other methods unless otherwise
16 provided in Section 5g of this Act.

17 In fiscal year 1994, no Road Fund monies shall be
18 appropriated to the Secretary of State for the purposes of this
19 Section in excess of the total fiscal year 1991 Road Fund
20 appropriations to the Secretary of State for those purposes,
21 plus \$9,800,000. It shall not be lawful to circumvent this
22 limitation on appropriations by governmental reorganization or
23 other method.

24 Beginning with fiscal year 1995 and thereafter, no Road
25 Fund monies shall be appropriated to the Secretary of State for
26 the purposes of this Section in excess of the total fiscal year

1 1994 Road Fund appropriations to the Secretary of State for
2 those purposes. It shall not be lawful to circumvent this
3 limitation on appropriations by governmental reorganization or
4 other methods.

5 Beginning with fiscal year 2000, total Road Fund
6 appropriations to the Secretary of State for the purposes of
7 this Section shall not exceed the amounts specified for the
8 following fiscal years:

9	Fiscal Year 2000	\$80,500,000;
10	Fiscal Year 2001	\$80,500,000;
11	Fiscal Year 2002	\$80,500,000;
12	Fiscal Year 2003	\$130,500,000;
13	Fiscal Year 2004	\$130,500,000;
14	Fiscal Year 2005	\$130,500,000;
15	Fiscal Year 2006	\$130,500,000;
16	Fiscal Year 2007	\$130,500,000;
17	Fiscal Year 2008	\$130,500,000;
18	Fiscal Year 2009	\$130,500,000.

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

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

26 It shall not be lawful to circumvent this limitation on

1 appropriations by governmental reorganization or other
2 methods.

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

7 Nothing in this Section prohibits transfers from the Road
8 Fund to the State Construction Account Fund under Section 5e of
9 this Act; nor to the General Revenue Fund, as authorized by
10 Public Act 93-25.

11 The additional amounts authorized for expenditure in this
12 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
13 shall be repaid to the Road Fund from the General Revenue Fund
14 in the next succeeding fiscal year that the General Revenue
15 Fund has a positive budgetary balance, as determined by
16 generally accepted accounting principles applicable to
17 government.

18 The additional amounts authorized for expenditure by the
19 Secretary of State and the Department of State Police in this
20 Section by Public Act 94-91 shall be repaid to the Road Fund
21 from the General Revenue Fund in the next succeeding fiscal
22 year that the General Revenue Fund has a positive budgetary
23 balance, as determined by generally accepted accounting
24 principles applicable to government.

25 (Source: P.A. 99-523, eff. 6-30-16; 100-23, eff. 7-6-17;
26 100-587, eff. 6-4-18; 100-863, eff.8-14-18.)

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

4 (430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

5 Sec. 2. It is the finding of the General Assembly that
6 hazardous materials are essential for various industrial,
7 commercial and other purposes; that their transportation is a
8 necessary incident to their use; and that such transportation
9 is required for the employment and economic prosperity of the
10 People of the State of Illinois.

11 It is therefore declared to be the policy of the General
12 Assembly to improve the regulatory and enforcement authority of
13 the Department of State Police ~~Transportation~~ to protect the
14 People of the State of Illinois against the risk to life and
15 property inherent in the transportation of hazardous materials
16 over highways by keeping such risk to a minimum consistent with
17 technical feasibility and economic reasonableness.

18 It is not the intent of the General Assembly to regulate
19 the movement of hazardous materials in such quantities that
20 would not pose a substantial danger to the public health and
21 safety, such as fuels, fertilizer and agricultural chemicals
22 while being used in a normal farming operation or in transit to
23 the farm.

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

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

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

4 "Commerce" means trade, traffic, commerce or
5 transportation within the State;

6 "Department" means the Illinois Department of State Police
7 ~~Transportation~~;

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

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

13 "Knowingly" means a person has actual knowledge of the
14 facts giving rise to the violation or a reasonable person
15 acting in the circumstances and exercising due care would have
16 such knowledge;

17 "Law Enforcement Officials" means the Illinois State
18 Police or any duly authorized employees of a local governmental
19 agency who are primarily responsible for prevention or
20 detection of crime and enforcement of the criminal code and the
21 highway and traffic laws of this State or any political
22 subdivision of such State;

23 "Person" means any natural person or individual,
24 governmental body, firm, association, partnership,
25 copartnership, joint venture, company, corporation, joint

1 stock company, trust, estate or any other legal entity or their
2 legal representative, agent or assigns;

3 "Transports" or "transportation" means any movement of
4 property over the highway and any loading, unloading or storage
5 incidental to such movement.

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

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

10 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

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

13 "Agricultural commodities" means any agricultural
14 commodity, non-processed food, feed, fiber, or livestock,
15 including insects.

16 "Agricultural operations" means the operation of a motor
17 vehicle or combination of vehicles transporting agricultural
18 commodities or farm supplies for agricultural purposes.

19 "Air mile" means a nautical mile, which is equivalent to
20 6,076 feet or 1,852 meters. Accordingly, 100 air miles are
21 equivalent to 115.08 statute miles or 185.2 kilometers.

22 "Commercial motor vehicle" means any self propelled or
23 towed vehicle used on public highways in interstate and
24 intrastate commerce to transport passengers or property when

1 the vehicle has a gross vehicle weight, a gross vehicle weight
2 rating, a gross combination weight, or a gross combination
3 weight rating of 10,001 or more pounds; or the vehicle is used
4 or designed to transport more than 15 passengers, including the
5 driver; or the vehicle is designed to carry 15 or fewer
6 passengers and is operated by a contract carrier transporting
7 employees in the course of their employment on a highway of
8 this State; or the vehicle is used or designed to transport
9 between 9 and 15 passengers, including the driver, for direct
10 compensation; or the vehicle is used in the transportation of
11 hazardous materials in a quantity requiring placarding under
12 the Illinois Hazardous Materials Transportation Act. This
13 definition shall not include farm machinery, fertilizer
14 spreaders, and other special agricultural movement equipment
15 described in Section 3-809 nor implements of husbandry as
16 defined in Section 1-130.

17 "Covered farm vehicle", for purposes of this Chapter and
18 rule-making under this Chapter, means a straight truck or
19 articulated vehicle, excluding vehicles transporting hazardous
20 materials of a type or quantity that requires the vehicle to be
21 placarded in accordance with the Illinois Hazardous Materials
22 Transportation Act, registered in this State or another state
23 and equipped with a special license plate or other designation
24 by the state in which the vehicle is registered identifying the
25 vehicle as a covered farm vehicle for law enforcement personnel
26 and:

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

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

6 (A) agricultural commodities;

7 (B) livestock; or

8 (C) machinery or supplies; and

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

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

12 (B) operated in combination as an articulated
13 vehicle when the truck in the combination is registered
14 for 12,000 lbs. or less as a covered farm vehicle under
15 subsections (a) and (a-5) of Section 3-815 of this Code
16 or subsection (a) of Section 3-818 of this Code and
17 contains in the cab of the motor vehicle a registration
18 designating the vehicle as a covered farm vehicle under
19 subsections (a) and (a-5) of Section 3-815 of this Code
20 and the trailer in the combination is registered as a
21 farm trailer under subsection (a) of Section 3-819 of
22 this Code and displays a farm registration license
23 plate; or

24 (C) a truck registered for 12,000 lbs. or less as a
25 covered farm vehicle under subsections (a) and (a-5) of
26 Section 3-815 of this Code or subsection (a) of Section

1 3-818 of this Code containing in the cab of the motor
2 vehicle a registration designating the vehicle as a
3 covered farm vehicle under subsections (a) and (a-5) of
4 Section 3-815 of this Code that is towing an implement
5 of husbandry as part of a farming operation; and

6 (4) is not used in for-hire motor carrier operations;
7 however, for-hire motor carrier operations do not include
8 the operation of a vehicle meeting the definition of a
9 covered farm vehicle by a tenant pursuant to a crop share
10 farm lease agreement to transport the landlord's portion of
11 the crops under that agreement; and

12 (5) has a gross vehicle weight rating (GVWR), a gross
13 combination weight rating (GCWR), or a gross vehicle weight
14 or gross vehicle combination weight, whichever is greater,
15 that is:

16 (A) 26,001 lbs. or less, for vehicles operating in
17 interstate commerce; or

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

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

24 (D) greater than 10,000 lbs. and traveling
25 intrastate.

26 "Department" means the Department of State Police.

1 "Direct compensation" means payment made to the motor
2 carrier by the passengers or a person acting on behalf of the
3 passengers for the transportation services provided, and not
4 included in a total package charge or other assessment for
5 highway transportation services.

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

9 "Livestock" means cattle, sheep, goats, swine, poultry
10 (including egg-producing poultry), fish used for food, and
11 other animals designated by the Secretary of the United States
12 Department of Transportation (at his or her sole discretion)
13 that are part of a foundation herd (including producing dairy
14 cattle) or offspring.

15 "Officer" means Illinois State Police Officer.

16 "Person" means any natural person or individual,
17 governmental body, firm, association, partnership,
18 copartnership, joint venture, company, corporation, joint
19 stock company, trust, estate or any other legal entity or their
20 legal representative, agent or assigns.

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

22 (625 ILCS 5/18b-102) (from Ch. 95 1/2, par. 18b-102)

23 Sec. 18b-102. Authority of Department. To the extent
24 necessary to administer this Chapter, the Department is
25 authorized to:

1 (a) Adopt by reference all or any portion of the Federal
2 Motor Carrier Safety Regulations of the United States
3 Department of Transportation, as they are now or hereafter
4 amended.

5 (b) Conduct investigations; make reports; issue subpoenas;
6 conduct hearings; require the production of relevant
7 documents, records and property; take depositions; and, ~~in~~
8 ~~conjunction with the Illinois State Police,~~ conduct, directly
9 or indirectly, research, development, demonstrations, and
10 training activities.

11 (c) Authorize any officer or Department employee to enter
12 upon, inspect and examine at reasonable times and in a
13 reasonable manner, the records and properties of persons to the
14 extent such records and properties relate to the transportation
15 by motor vehicle of persons or property.

16 (d) Conduct a continuing review of all aspects of the
17 transportation of persons and property by motor vehicle in
18 order to determine and recommend appropriate steps to assure
19 safe transportation by motor vehicle in Illinois.

20 (e) Administer and enforce the provisions of this Chapter
21 and any rules and regulations issued under this Chapter. Only
22 the Department ~~Illinois State Police~~ shall be authorized to
23 stop and inspect any commercial motor vehicle or driver at any
24 time for the purpose of determining compliance with the
25 provisions of this Chapter or rules and regulations issued
26 under this Chapter.

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

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

3 Sec. 18b-104. Cooperation with State Agencies - Records and
4 Data - Availability. The Department shall cooperate with other
5 State agencies regulating transportation by motor vehicles and
6 may enter into interagency agreements for the purpose of
7 sharing data. ~~The Department shall enter into an interagency~~
8 ~~agreement with the Illinois State Police for the purpose of~~
9 ~~enforcing any provisions of this Chapter and the rules and~~
10 ~~regulations issued under this Chapter.~~

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

12 (625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)

13 Sec. 18b-109. Enforcement of Rules and Regulations. Only
14 the Department ~~Illinois State Police~~ shall enforce the rules
15 and regulations issued under this Chapter against drivers and
16 persons other than drivers. ~~The Department and the Illinois~~
17 ~~State Police shall enforce the rules and regulations issued~~
18 ~~under this Chapter against persons other than drivers.~~

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

20 Section 99. Effective date. This Act takes effect July 1,
21 2020.