



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3190

Introduced 2/11/2020, by Sen. Dan McConchie - Donald P. DeWitte and Jason A. Barickman

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-815	from Ch. 95 1/2, par. 3-815
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/3-819	from Ch. 95 1/2, par. 3-819

Amends the Illinois Vehicle Code. Lowers the flat weight tax for Class C and D vehicles; Class VF farm trucks. Lowers the mileage weight tax for Class MD, ME, MF, and MG vehicles. Lowers the trailer flat weight tax for Class VDD, VDE, and VDG farm trailers. Lowers the flat weight trailer tax of Class TA, TB, TC, TD, and TE trailers.

LRB101 20212 HEP 69752 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 Illinois Vehicle Code is amended by changing
5 Sections 3-815, 3-818, and 3-819 as follows:

6 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

7 Sec. 3-815. Flat weight tax; vehicles of the second
8 division.

9 (a) Except as provided in Section 3-806.3 and 3-804.3,
10 every owner of a vehicle of the second division registered
11 under Section 3-813, and not registered under the mileage
12 weight tax under Section 3-818, shall pay to the Secretary of
13 State, for each registration year, for the use of the public
14 highways, a flat weight tax at the rates set forth in the
15 following table, the rates including the \$10 registration fee:

16 SCHEDULE OF FLAT WEIGHT TAX

17 REQUIRED BY LAW

18 Gross Weight in Lbs.		Total Fees
19 Including Vehicle		each Fiscal
20 and Maximum Load	Class	year
21 8,000 lbs. and less	B	\$148
22 8,001 lbs. to 10,000 lbs.	C	<u>177</u> 218
23 10,001 lbs. to 12,000 lbs.	D	<u>207</u> 238

1	12,001 lbs. to 16,000 lbs.	F	342
2	16,001 lbs. to 26,000 lbs.	H	590
3	26,001 lbs. to 28,000 lbs.	J	730
4	28,001 lbs. to 32,000 lbs.	K	942
5	32,001 lbs. to 36,000 lbs.	L	1,082
6	36,001 lbs. to 40,000 lbs.	N	1,302
7	40,001 lbs. to 45,000 lbs.	P	1,490
8	45,001 lbs. to 50,000 lbs.	Q	1,638
9	50,001 lbs. to 54,999 lbs.	R	1,798
10	55,000 lbs. to 59,500 lbs.	S	1,930
11	59,501 lbs. to 64,000 lbs.	T	2,070
12	64,001 lbs. to 73,280 lbs.	V	2,394
13	73,281 lbs. to 77,000 lbs.	X	2,722
14	77,001 lbs. to 80,000 lbs.	Z	2,890

15 Beginning with the 2010 registration year a \$1 surcharge
16 shall be collected for vehicles registered in the 8,000 lbs.
17 and less flat weight plate category above to be deposited into
18 the State Police Vehicle Fund.

19 Beginning with the 2014 registration year, a \$2 surcharge
20 shall be collected in addition to the above fees for vehicles
21 registered in the 8,000 lb. and less flat weight plate category
22 as described in this subsection (a) to be deposited into the
23 Park and Conservation Fund for the Department of Natural
24 Resources to use for conservation efforts. The monies deposited
25 into the Park and Conservation Fund under this Section shall
26 not be subject to administrative charges or chargebacks unless

1 otherwise authorized by this Act.

2 Of the fees collected under this subsection, \$1 of the fees
3 shall be deposited into the Secretary of State Special Services
4 Fund and \$99 of the fees shall be deposited into the Road Fund.

5 All of the proceeds of the additional fees imposed by
6 Public Act 96-34 shall be deposited into the Capital Projects
7 Fund.

8 (a-1) A Special Hauling Vehicle is a vehicle or combination
9 of vehicles of the second division registered under Section
10 3-813 transporting asphalt or concrete in the plastic state or
11 a vehicle or combination of vehicles that are subject to the
12 gross weight limitations in subsection (a) of Section 15-111
13 for which the owner of the vehicle or combination of vehicles
14 has elected to pay, in addition to the registration fee in
15 subsection (a), \$125 to the Secretary of State for each
16 registration year. The Secretary shall designate this class of
17 vehicle as a Special Hauling Vehicle.

18 (a-5) Beginning January 1, 2015, upon the request of the
19 vehicle owner, a \$10 surcharge shall be collected in addition
20 to the above fees for vehicles in the 12,000 lbs. and less flat
21 weight plate categories as described in subsection (a) to be
22 deposited into the Secretary of State Special License Plate
23 Fund. The \$10 surcharge is to identify vehicles in the 12,000
24 lbs. and less flat weight plate categories as a covered farm
25 vehicle. The \$10 surcharge is an annual, flat fee that shall be
26 based on an applicant's new or existing registration year for

1 each vehicle in the 12,000 lbs. and less flat weight plate
2 categories. A designation as a covered farm vehicle under this
3 subsection (a-5) shall not alter a vehicle's registration as a
4 registration in the 12,000 lbs. or less flat weight category.
5 The Secretary shall adopt any rules necessary to implement this
6 subsection (a-5).

7 (a-10) Beginning January 1, 2019, upon the request of the
8 vehicle owner, the Secretary of State shall collect a \$10
9 surcharge in addition to the fees for second division vehicles
10 in the 8,000 lbs. and less flat weight plate category described
11 in subsection (a) that are issued a registration plate under
12 Article VI of this Chapter. The \$10 surcharge shall be
13 deposited into the Secretary of State Special License Plate
14 Fund. The \$10 surcharge is to identify a vehicle in the 8,000
15 lbs. and less flat weight plate category as a covered farm
16 vehicle. The \$10 surcharge is an annual, flat fee that shall be
17 based on an applicant's new or existing registration year for
18 each vehicle in the 8,000 lbs. and less flat weight plate
19 category. A designation as a covered farm vehicle under this
20 subsection (a-10) shall not alter a vehicle's registration in
21 the 8,000 lbs. or less flat weight category. The Secretary
22 shall adopt any rules necessary to implement this subsection
23 (a-10).

24 (b) Except as provided in Section 3-806.3, every camping
25 trailer, motor home, mini motor home, travel trailer, truck
26 camper or van camper used primarily for recreational purposes,

1 and not used commercially, nor for hire, nor owned by a
 2 commercial business, may be registered for each registration
 3 year upon the filing of a proper application and the payment of
 4 a registration fee and highway use tax, according to the
 5 following table of fees:

6 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
8,000 lbs and less	\$78
8,001 Lbs. to 10,000 Lbs	90
10,001 Lbs. and Over	102

13 CAMPING TRAILER OR TRAVEL TRAILER

Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
3,000 Lbs. and Less	\$18
3,001 Lbs. to 8,000 Lbs.	30
8,001 Lbs. to 10,000 Lbs.	38
10,001 Lbs. and Over	50

21 Every house trailer must be registered under Section 3-819.

22 (c) Farm Truck. Any truck used exclusively for the owner's
 23 own agricultural, horticultural or livestock raising
 24 operations and not-for-hire only, or any truck used only in the
 25 transportation for-hire of seasonal, fresh, perishable fruit
 26 or vegetables from farm to the point of first processing, may

1 be registered by the owner under this paragraph in lieu of
 2 registration under paragraph (a), upon filing of a proper
 3 application and the payment of the \$10 registration fee and the
 4 highway use tax herein specified as follows:

5 SCHEDULE OF FEES AND TAXES

6 Gross Weight in Lbs.	Class	Total Amount for
7 Including Truck and		each
8 Maximum Load		Fiscal Year
9 16,000 lbs. or less	VF	<u>\$225</u> \$250
10 16,001 to 20,000 lbs.	VG	326
11 20,001 to 24,000 lbs.	VH	390
12 24,001 to 28,000 lbs.	VJ	478
13 28,001 to 32,000 lbs.	VK	606
14 32,001 to 36,000 lbs.	VL	710
15 36,001 to 45,000 lbs.	VP	910
16 45,001 to 54,999 lbs.	VR	1,126
17 55,000 to 64,000 lbs.	VT	1,302
18 64,001 to 73,280 lbs.	VV	1,390
19 73,281 to 77,000 lbs.	VX	1,450
20 77,001 to 80,000 lbs.	VZ	1,590

21 Of the fees collected under this subsection, \$1 of the fees
 22 shall be deposited into the Secretary of State Special Services
 23 Fund and \$99 of the fees shall be deposited into the Road Fund.

24 In the event the Secretary of State revokes a farm truck
 25 registration as authorized by law, the owner shall pay the flat
 26 weight tax due hereunder before operating such truck.

1 Any combination of vehicles having 5 axles, with a distance
2 of 42 feet or less between extreme axles, that are subject to
3 the weight limitations in subsection (a) of Section 15-111 for
4 which the owner of the combination of vehicles has elected to
5 pay, in addition to the registration fee in subsection (c),
6 \$125 to the Secretary of State for each registration year shall
7 be designated by the Secretary as a Special Hauling Vehicle.

8 (d) The number of axles necessary to carry the maximum load
9 provided shall be determined from Chapter 15 of this Code.

10 (e) An owner may only apply for and receive 5 farm truck
11 registrations, and only 2 of those 5 vehicles shall exceed
12 59,500 gross weight in pounds per vehicle.

13 (f) Every person convicted of violating this Section by
14 failure to pay the appropriate flat weight tax to the Secretary
15 of State as set forth in the above tables shall be punished as
16 provided for in Section 3-401.

17 (Source: P.A. 100-734, eff. 1-1-19; 100-956, eff. 1-1-19;
18 101-32, eff. 6-28-19; 101-81, eff. 7-12-19.)

19 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

20 Sec. 3-818. Mileage weight tax option.

21 (a) Any owner of a vehicle of the second division may elect
22 to pay a mileage weight tax for such vehicle in lieu of the
23 flat weight tax set out in Section 3-815. Such election shall
24 be binding to the end of the registration year. Renewal of this
25 election must be filed with the Secretary of State on or before

1 July 1 of each registration period. In such event the owner
 2 shall, at the time of making such election, pay the \$10
 3 registration fee and the minimum guaranteed mileage weight tax,
 4 as hereinafter provided, which payment shall permit the owner
 5 to operate that vehicle the maximum mileage in this State
 6 hereinafter set forth. Any vehicle being operated on mileage
 7 plates cannot be operated outside of this State. In addition
 8 thereto, the owner of that vehicle shall pay a mileage weight
 9 tax at the following rates for each mile traveled in this State
 10 in excess of the maximum mileage provided under the minimum
 11 guaranteed basis:

12 BUS, TRUCK OR TRUCK TRACTOR

13			Maximum	Mileage
14		Minimum	Mileage	Weight Tax
15		Guaranteed	Permitted	for Mileage
16	Gross Weight	Mileage	Under	in excess of
17	Vehicle and	Weight	Guaranteed	Guaranteed
18	Load	Class	Tax	Mileage
19	12,000 lbs. or less	MD	<u>\$110</u> \$173	5,000 26 Mills
20	12,001 to 16,000 lbs.	MF	<u>180</u> 220	6,000 34 Mills
21	16,001 to 20,000 lbs.	MG	<u>270</u> 280	6,000 46 Mills
22	20,001 to 24,000 lbs.	MH	335	6,000 63 Mills
23	24,001 to 28,000 lbs.	MJ	415	7,000 63 Mills
24	28,001 to 32,000 lbs.	MK	485	7,000 83 Mills
25	32,001 to 36,000 lbs.	ML	585	7,000 99 Mills
26	36,001 to 40,000 lbs.	MN	715	7,000 128 Mills

1	40,001 to 45,000 lbs.	MP	795	7,000	139 Mills
2	45,001 to 54,999 lbs.	MR	953	7,000	156 Mills
3	55,000 to 59,500 lbs.	MS	1,020	7,000	178 Mills
4	59,501 to 64,000 lbs.	MT	1,085	7,000	195 Mills
5	64,001 to 73,280 lbs.	MV	1,273	7,000	225 Mills
6	73,281 to 77,000 lbs.	MX	1,428	7,000	258 Mills
7	77,001 to 80,000 lbs.	MZ	1,515	7,000	275 Mills

TRAILER

9				Maximum	Mileage
10			Minimum	Mileage	Weight Tax
11			Guaranteed	Permitted	for Mileage
12	Gross Weight		Mileage	Under	in excess of
13	Vehicle and		Weight	Guaranteed	Guaranteed
14	Load	Class	Tax	Tax	Mileage
15	14,000 lbs. or less	ME	<u>\$113</u> \$175	5,000	31 Mills
16	14,001 to 20,000 lbs.	MF	<u>203</u> 235	6,000	36 Mills
17	20,001 to 36,000 lbs.	ML	640	7,000	103 Mills
18	36,001 to 40,000 lbs.	MM	850	7,000	150 Mills

19 Of the fees collected under this subsection, \$1 of the fees
 20 shall be deposited into the Secretary of State Special Services
 21 Fund and \$99 of the fees shall be deposited into the Road Fund.

22 (a-1) A Special Hauling Vehicle is a vehicle or combination
 23 of vehicles of the second division registered under Section
 24 3-813 transporting asphalt or concrete in the plastic state or
 25 a vehicle or combination of vehicles that are subject to the
 26 gross weight limitations in subsection (a) of Section 15-111

1 for which the owner of the vehicle or combination of vehicles
2 has elected to pay, in addition to the registration fee in
3 subsection (a), \$125 to the Secretary of State for each
4 registration year. The Secretary shall designate this class of
5 vehicle as a Special Hauling Vehicle.

6 In preparing rate schedules on registration applications,
7 the Secretary of State shall add to the above rates, the \$10
8 registration fee. The Secretary may decline to accept any
9 renewal filed after July 1st.

10 The number of axles necessary to carry the maximum load
11 provided shall be determined from Chapter 15 of this Code.

12 Every owner of a second division motor vehicle for which he
13 has elected to pay a mileage weight tax shall keep a daily
14 record upon forms prescribed by the Secretary of State, showing
15 the mileage covered by that vehicle in this State. Such record
16 shall contain the license number of the vehicle and the miles
17 traveled by the vehicle in this State for each day of the
18 calendar month. Such owner shall also maintain records of fuel
19 consumed by each such motor vehicle and fuel purchases
20 therefor. On or before the 10th day of July the owner shall
21 certify to the Secretary of State upon forms prescribed
22 therefor, summaries of his daily records which shall show the
23 miles traveled by the vehicle in this State during the
24 preceding 12 months and such other information as the Secretary
25 of State may require. The daily record and fuel records shall
26 be filed, preserved and available for audit for a period of 3

1 years. Any owner filing a return hereunder shall certify that
2 such return is a true, correct and complete return. Any person
3 who willfully makes a false return hereunder is guilty of
4 perjury and shall be punished in the same manner and to the
5 same extent as is provided therefor.

6 At the time of filing his return, each owner shall pay to
7 the Secretary of State the proper amount of tax at the rate
8 herein imposed.

9 Every owner of a vehicle of the second division who elects
10 to pay on a mileage weight tax basis and who operates the
11 vehicle within this State, shall file with the Secretary of
12 State a bond in the amount of \$500. The bond shall be in a form
13 approved by the Secretary of State and with a surety company
14 approved by the Illinois Department of Insurance to transact
15 business in this State as surety, and shall be conditioned upon
16 such applicant's paying to the State of Illinois all money
17 becoming due by reason of the operation of the second division
18 vehicle in this State, together with all penalties and interest
19 thereon.

20 Upon notice from the Secretary that the registrant has
21 failed to pay the excess mileage fees, the surety shall
22 immediately pay the fees together with any penalties and
23 interest thereon in an amount not to exceed the limits of the
24 bond.

25 (b) Beginning January 1, 2016, upon the request of the
26 vehicle owner, a \$10 surcharge shall be collected in addition

1 to the above fees for vehicles in the 12,000 lbs. and less
2 mileage weight plate category as described in subsection (a) to
3 be deposited into the Secretary of State Special License Plate
4 Fund. The \$10 surcharge is to identify vehicles in the 12,000
5 lbs. and less mileage weight plate category as a covered farm
6 vehicle. The \$10 surcharge is an annual flat fee that shall be
7 based on an applicant's new or existing registration year for
8 each vehicle in the 12,000 lbs. and less mileage weight plate
9 category. A designation as a covered farm vehicle under this
10 subsection (b) shall not alter a vehicle's registration as a
11 registration in the 12,000 lbs. or less mileage weight
12 category. The Secretary shall adopt any rules necessary to
13 implement this subsection (b).

14 (Source: P.A. 101-32, eff. 6-28-19.)

15 (625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

16 Sec. 3-819. Trailer; Flat weight tax.

17 (a) Farm Trailer. Any farm trailer drawn by a motor vehicle
18 of the second division registered under paragraph (a) or (c) of
19 Section 3-815 and used exclusively by the owner for his own
20 agricultural, horticultural or livestock raising operations
21 and not used for hire, or any farm trailer utilized only in the
22 transportation for-hire of seasonal, fresh, perishable fruit
23 or vegetables from farm to the point of first processing, and
24 any trailer used with a farm tractor that is not an implement
25 of husbandry may be registered under this paragraph in lieu of

1 registration under paragraph (b) of this Section upon the
 2 filing of a proper application and the payment of the \$10
 3 registration fee and the highway use tax herein for use of the
 4 public highways of this State, at the following rates which
 5 include the \$10 registration fee:

6 SCHEDULE OF FEES AND TAXES

7	Gross Weight in Lbs.	Class	Total Amount
8	Including Vehicle		each
9	and Maximum Load		Fiscal Year
10	10,000 lbs. or less	VDD	<u>\$90</u> \$160
11	10,001 to 14,000 lbs.	VDE	<u>159</u> 206
12	14,001 to 20,000 lbs.	VDG	<u>249</u> 266
13	20,001 to 28,000 lbs.	VDJ	478
14	28,001 to 36,000 lbs.	VDL	750

15 An owner may only apply for and receive two farm trailer
 16 registrations.

17 (b) All other owners of trailers, other than apportionable
 18 trailers registered under Section 3-402.1 of this Code, used
 19 with a motor vehicle on the public highways, shall pay to the
 20 Secretary of State for each registration year a flat weight
 21 tax, for the use of the public highways of this State, at the
 22 following rates (which includes the registration fee of \$10
 23 required by Section 3-813):

24 SCHEDULE OF TRAILER FLAT

25 WEIGHT TAX REQUIRED

26 BY LAW

1	Gross Weight in Lbs.		Total Fees
2	Including Vehicle and		each
3	Maximum Load	Class	Fiscal Year
4	3,000 lbs. and less	TA	<u>\$27</u> \$118
5	5,000 lbs. and more than 3,000	TB	<u>81</u> 154
6	8,000 lbs. and more than 5,000	TC	<u>87</u> 158
7	10,000 lbs. and more than 8,000	TD	<u>159</u> 206
8	14,000 lbs. and more than 10,000	TE	<u>255</u> 270
9	20,000 lbs. and more than 14,000	TG	358
10	32,000 lbs. and more than 20,000	TK	822
11	36,000 lbs. and more than 32,000	TL	1,182
12	40,000 lbs. and more than 36,000	TN	1,602

13 Of the fees collected under this subsection, \$1 of the fees
 14 shall be deposited into the Secretary of State Special Services
 15 Fund and \$99 of the additional fees shall be deposited into the
 16 Road Fund.

17 (c) The number of axles necessary to carry the maximum load
 18 provided shall be determined from Chapter 15 of this Code.

19 (Source: P.A. 101-32, eff. 6-28-19.)