

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 Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Section 2705-203 as follows:

7 (20 ILCS 2705/2705-203 new)

8 Sec. 2705-203. Transportation asset management plan and
9 performance-based programming.

10 (a) The General Assembly declares it to be in the public
11 interest that a project prioritization process be developed
12 and implemented to: improve the efficiency and effectiveness
13 of the State's transportation system and transportation
14 safety; enhance movement and multi-modal connections of people
15 and goods; mitigate environmental impacts; and promote
16 inclusive economic growth throughout the State.

17 (b) In accordance with Section 2705-200, the Department of
18 Transportation shall develop and publish a statewide
19 multi-modal transportation improvement program for all
20 transportation facilities under its jurisdiction. The
21 development of the program shall use the following methods:

22 (1) use transportation system information to make
23 investment and policy decisions to achieve statewide and

1 regional performance goals established in the State's
2 long-range transportation plan;

3 (2) ensure transportation investment decisions emerge
4 from an objective and quantifiable technical analysis;

5 (3) evaluate the need and financial support necessary
6 for maintaining, expanding, and modernizing existing
7 transportation infrastructure;

8 (4) ensure that all State transportation funds
9 invested are directed to support progress toward the
10 achievement of performance targets established in the
11 State's long-range transportation plan;

12 (5) make investment decisions transparent and
13 accessible to the public;

14 (6) consider emissions and increase infrastructure
15 resilience to climate change; and

16 (7) reduce disparities in transportation system
17 performance experienced by racially marginalized
18 communities, low-income to moderate-income consumers, and
19 other disadvantaged groups and populations identified
20 under the Environmental Justice Act.

21 (c) The Department shall develop a risk-based, statewide
22 highway system asset management plan in accordance with 23
23 U.S.C. 119 and 23 CFR Part 515 to preserve and improve the
24 condition of highway and bridge assets and enhance the
25 performance of the system while minimizing the life-cycle
26 cost. The asset management plan shall be made publicly

1 available on the Department's website.

2 (d) The Department shall develop a needs-based transit
3 asset management plan for State-supported public
4 transportation assets, including vehicles, facilities,
5 equipment, and other infrastructure in accordance with 49 CFR
6 Part 625. The goal of the transit asset management plan is to
7 preserve and modernize capital transit assets that will
8 enhance the performance of the transit system. Federally
9 required transit asset management plans developed by the
10 Regional Transportation Authority (RTA) or service boards, as
11 defined in Section 1.03 of the Regional Transportation
12 Authority Act, shall become the transportation asset
13 management plans for all public transportation assets owned
14 and operated by the service boards. The Department's transit
15 asset management plan shall be made publicly available on the
16 Department's website. The RTA shall be responsible for making
17 public transit asset management plans for its service area
18 publicly available.

19 (e) The Department shall develop a performance-based
20 project selection process to prioritize taxpayer investment in
21 State-owned transportation assets that add capacity. The goal
22 of the process is to select projects through an evaluation
23 process. This process shall provide the ability to prioritize
24 projects based on geographic regions. The Department shall
25 solicit input from localities, metropolitan planning
26 organizations, transit authorities, transportation

1 authorities, representatives of labor and private businesses,
2 the public, community-based organizations, and other
3 stakeholders in its development of the prioritization process
4 pursuant to this subsection.

5 The selection process shall include a defined public
6 process by which candidate projects are evaluated and
7 selected. The process shall include both a quantitative
8 analysis of the evaluation factors and qualitative review by
9 the Department. The Department may apply different weights to
10 the performance measures based on regional geography or
11 project type. Projects selected as part of the process will be
12 considered for inclusion in the State's multi-year
13 transportation program and the annual element of the
14 multi-year program. Starting April 1, 2022, no new capacity
15 project shall be included in the multi-year transportation
16 plan or annual element without being evaluated under the
17 selection process described in this Section. Existing projects
18 in the multi-year highway improvement program may be included
19 regardless of the outcome of using the performance-based
20 project selection tool. The policies that guide the
21 performance-based project selection process shall be derived
22 from State and regional long-range transportation plans. The
23 Department shall certify that it is making progress toward the
24 goals included in the State's long-range transportation plan.
25 All plan and program development based on the project
26 selection process described in this subsection shall include

1 consideration of regional balance. The selection process shall
2 be based on an objective and quantifiable analysis that
3 considers, at a minimum, the goals identified in the
4 long-range transportation plan and shall:

5 (1) consider emissions and increase infrastructure
6 resilience due to climate change; and

7 (2) reduce disparities in transportation system
8 performance experienced by racially marginalized
9 communities, low-income to moderate-income consumers, and
10 other disadvantaged groups and populations identified
11 under the Environmental Justice Act.

12 (f) The prioritization process developed under subsection
13 (e) may apply only to State jurisdiction projects and not to:

14 (1) projects funded by the Congestion Mitigation and
15 Air Quality Improvement funds apportioned to the State
16 pursuant to 23 U.S.C. 104(b) (4) and State matching funds;

17 (2) projects funded by the Highway Safety Improvement
18 Program funds apportioned to the State pursuant to 23
19 U.S.C. 104(b) (3) and State matching funds;

20 (3) projects funded by the Transportation Alternatives
21 funds set-aside pursuant to 23 U.S.C. 133(h) and State
22 matching funds;

23 (4) projects funded by the National Highway Freight
24 Program pursuant to 23 U.S.C. 167 and State matching
25 funds;

26 (5) funds to be allocated to urban areas based on

1 population under federal law; and

2 (6) any new federal program that requires competitive
3 selection, distribution to local public agencies, or
4 specific eligibility.

5 (g) A summary of the project evaluation process, measures,
6 program, and scores for all candidate projects shall be
7 published on the Department website in a timely manner.

8 Section 10. The Regional Transportation Authority Act is
9 amended by adding Section 2.39 as follows:

10 (70 ILCS 3615/2.39 new)

11 Sec. 2.39. Prioritization process for Northeastern
12 Illinois transit projects.

13 (a) The Authority shall develop a transparent
14 prioritization process for Northeastern Illinois transit
15 projects receiving State capital funding. The prioritization
16 process must consider, at a minimum: (1) access to key
17 destinations such as jobs, retail, healthcare, and recreation,
18 (2) reliability improvement, (3) capacity needs, (4) safety,
19 (5) state of good repair, (6) racial equity and mobility
20 justice, and (7) economic development. All State capital
21 funding awards shall be made by the Regional Transportation
22 Authority in accordance with the prioritization process. An
23 appropriate public input process shall be established. The
24 Authority shall make a report to the General Assembly each

1 year describing the prioritization process and its use in
2 funding awards.

3 (b) A summary of the project evaluation process, measures,
4 program, and scores or prioritization criteria for all
5 candidate projects shall be published on the Authority's
6 website in a timely manner.

7 (c) Starting April 1, 2022, no project shall be included
8 in the 5-year capital program, or amendments to that program,
9 without being evaluated under the selection process described
10 in this Section.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.