

SB0533



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0533

Introduced 2/23/2021, by Sen. 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 and 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.

LRB102 15512 RAM 20875 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
 5 changing 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.	Class	Total Fees
19 Including Vehicle		each Fiscal
20 and Maximum Load		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
22 category as described in this subsection (a) to be deposited
23 into the Park and Conservation Fund for the Department of
24 Natural Resources to use for conservation efforts. The monies
25 deposited into the Park and Conservation Fund under this
26 Section shall not be subject to administrative charges or

1 chargebacks unless otherwise authorized by this Act.

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

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

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

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

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

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

25 (b) Except as provided in Section 3-806.3, every camping
26 trailer, motor home, mini motor home, travel trailer, truck

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

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

8 Gross Weight in Lbs.	Total Fees
9 Including Vehicle and	Each
10 Maximum Load	Calendar Year
11 8,000 lbs and less	\$78
12 8,001 Lbs. to 10,000 Lbs	90
13 10,001 Lbs. and Over	102

14 CAMPING TRAILER OR TRAVEL TRAILER

15 Gross Weight in Lbs.	Total Fees
16 Including Vehicle and	Each
17 Maximum Load	Calendar Year
18 3,000 Lbs. and Less	\$18
19 3,001 Lbs. to 8,000 Lbs.	30
20 8,001 Lbs. to 10,000 Lbs.	38
21 10,001 Lbs. and Over	50

22 Every house trailer must be registered under Section
 23 3-819.

24 (c) Farm Truck. Any truck used exclusively for the owner's
 25 own agricultural, horticultural or livestock raising
 26 operations and not-for-hire only, or any truck used only in

1 the transportation for-hire of seasonal, fresh, perishable
 2 fruit or vegetables from farm to the point of first
 3 processing, may be registered by the owner under this
 4 paragraph in lieu of registration under paragraph (a), upon
 5 filing of a proper application and the payment of the \$10
 6 registration fee and the highway use tax herein specified as
 7 follows:

8 SCHEDULE OF FEES AND TAXES

9 Gross Weight in Lbs.		Total Amount for
10 Including Truck and		each
11 Maximum Load	Class	Fiscal Year
12 16,000 lbs. or less	VF	<u>\$225</u> \$250
13 16,001 to 20,000 lbs.	VG	326
14 20,001 to 24,000 lbs.	VH	390
15 24,001 to 28,000 lbs.	VJ	478
16 28,001 to 32,000 lbs.	VK	606
17 32,001 to 36,000 lbs.	VL	710
18 36,001 to 45,000 lbs.	VP	910
19 45,001 to 54,999 lbs.	VR	1,126
20 55,000 to 64,000 lbs.	VT	1,302
21 64,001 to 73,280 lbs.	VV	1,390
22 73,281 to 77,000 lbs.	VX	1,450
23 77,001 to 80,000 lbs.	VZ	1,590

24 Of the fees collected under this subsection, \$1 of the
 25 fees shall be deposited into the Secretary of State Special
 26 Services Fund and \$99 of the fees shall be deposited into the

1 Road Fund.

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

5 Any combination of vehicles having 5 axles, with a
6 distance of 42 feet or less between extreme axles, that are
7 subject to the weight limitations in subsection (a) of Section
8 15-111 for which the owner of the combination of vehicles has
9 elected to pay, in addition to the registration fee in
10 subsection (c), \$125 to the Secretary of State for each
11 registration year shall be designated by the Secretary as a
12 Special Hauling Vehicle.

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

16 (e) An owner may only apply for and receive 5 farm truck
17 registrations, and only 2 of those 5 vehicles shall exceed
18 59,500 gross weight in pounds per vehicle.

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

23 (Source: P.A. 100-734, eff. 1-1-19; 100-956, eff. 1-1-19;
24 101-32, eff. 6-28-19; 101-81, eff. 7-12-19.)

25 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

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

2 (a) Any owner of a vehicle of the second division may elect
3 to pay a mileage weight tax for such vehicle in lieu of the
4 flat weight tax set out in Section 3-815. Such election shall
5 be binding to the end of the registration year. Renewal of this
6 election must be filed with the Secretary of State on or before
7 July 1 of each registration period. In such event the owner
8 shall, at the time of making such election, pay the \$10
9 registration fee and the minimum guaranteed mileage weight
10 tax, as hereinafter provided, which payment shall permit the
11 owner to operate that vehicle the maximum mileage in this
12 State hereinafter set forth. Any vehicle being operated on
13 mileage plates cannot be operated outside of this State. In
14 addition thereto, the owner of that vehicle shall pay a
15 mileage weight tax at the following rates for each mile
16 traveled in this State in excess of the maximum mileage
17 provided under the minimum guaranteed basis:

18 BUS, TRUCK OR TRUCK TRACTOR

		Maximum	Mileage
	Minimum	Mileage	Weight Tax
	Guaranteed	Permitted	for Mileage
	Mileage	Under	in excess of
	Weight		Guaranteed
	Guaranteed		
Load	Class	Tax	Mileage
12,000 lbs. or less	MD	<u>\$110</u> \$173	5,000 26 Mills

1	12,001 to 16,000 lbs.	MF	<u>180</u> 220	6,000	34 Mills
2	16,001 to 20,000 lbs.	MG	<u>270</u> 280	6,000	46 Mills
3	20,001 to 24,000 lbs.	MH	335	6,000	63 Mills
4	24,001 to 28,000 lbs.	MJ	415	7,000	63 Mills
5	28,001 to 32,000 lbs.	MK	485	7,000	83 Mills
6	32,001 to 36,000 lbs.	ML	585	7,000	99 Mills
7	36,001 to 40,000 lbs.	MN	715	7,000	128 Mills
8	40,001 to 45,000 lbs.	MP	795	7,000	139 Mills
9	45,001 to 54,999 lbs.	MR	953	7,000	156 Mills
10	55,000 to 59,500 lbs.	MS	1,020	7,000	178 Mills
11	59,501 to 64,000 lbs.	MT	1,085	7,000	195 Mills
12	64,001 to 73,280 lbs.	MV	1,273	7,000	225 Mills
13	73,281 to 77,000 lbs.	MX	1,428	7,000	258 Mills
14	77,001 to 80,000 lbs.	MZ	1,515	7,000	275 Mills

TRAILER

			Maximum	Mileage
			Minimum	Weight Tax
			Guaranteed	Permitted for Mileage
	Gross Weight		Mileage	Under in excess of
	Vehicle and		Weight	Guaranteed
	Load	Class	Tax	Guaranteed
				Mileage
22	14,000 lbs. or less	ME	<u>\$113</u> \$175	5,000 31 Mills
23	14,001 to 20,000 lbs.	MF	<u>203</u> 235	6,000 36 Mills
24	20,001 to 36,000 lbs.	ML	640	7,000 103 Mills
25	36,001 to 40,000 lbs.	MM	850	7,000 150 Mills

26 Of the fees collected under this subsection, \$1 of the

1 fees shall be deposited into the Secretary of State Special
2 Services Fund and \$99 of the fees shall be deposited into the
3 Road Fund.

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

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

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

20 Every owner of a second division motor vehicle for which
21 he has elected to pay a mileage weight tax shall keep a daily
22 record upon forms prescribed by the Secretary of State,
23 showing the mileage covered by that vehicle in this State.
24 Such record shall contain the license number of the vehicle
25 and the miles traveled by the vehicle in this State for each
26 day of the calendar month. Such owner shall also maintain

1 records of fuel consumed by each such motor vehicle and fuel
2 purchases therefor. On or before the 10th day of July the owner
3 shall certify to the Secretary of State upon forms prescribed
4 therefor, summaries of his daily records which shall show the
5 miles traveled by the vehicle in this State during the
6 preceding 12 months and such other information as the
7 Secretary of State may require. The daily record and fuel
8 records shall be filed, preserved and available for audit for
9 a period of 3 years. Any owner filing a return hereunder shall
10 certify that such return is a true, correct and complete
11 return. Any person who willfully makes a false return
12 hereunder is guilty of perjury and shall be punished in the
13 same manner and to the same extent as is provided therefor.

14 At the time of filing his return, each owner shall pay to
15 the Secretary of State the proper amount of tax at the rate
16 herein imposed.

17 Every owner of a vehicle of the second division who elects
18 to pay on a mileage weight tax basis and who operates the
19 vehicle within this State, shall file with the Secretary of
20 State a bond in the amount of \$500. The bond shall be in a form
21 approved by the Secretary of State and with a surety company
22 approved by the Illinois Department of Insurance to transact
23 business in this State as surety, and shall be conditioned
24 upon such applicant's paying to the State of Illinois all
25 money becoming due by reason of the operation of the second
26 division vehicle in this State, together with all penalties

1 and interest thereon.

2 Upon notice from the Secretary that the registrant has
3 failed to pay the excess mileage fees, the surety shall
4 immediately pay the fees together with any penalties and
5 interest thereon in an amount not to exceed the limits of the
6 bond.

7 (b) Beginning January 1, 2016, upon the request of the
8 vehicle owner, a \$10 surcharge shall be collected in addition
9 to the above fees for vehicles in the 12,000 lbs. and less
10 mileage weight plate category as described in subsection (a)
11 to be deposited into the Secretary of State Special License
12 Plate Fund. The \$10 surcharge is to identify vehicles in the
13 12,000 lbs. and less mileage weight plate category as a
14 covered farm vehicle. The \$10 surcharge is an annual flat fee
15 that shall be based on an applicant's new or existing
16 registration year for each vehicle in the 12,000 lbs. and less
17 mileage weight plate category. A designation as a covered farm
18 vehicle under this subsection (b) shall not alter a vehicle's
19 registration as a registration in the 12,000 lbs. or less
20 mileage weight category. The Secretary shall adopt any rules
21 necessary to implement this subsection (b).

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

23 (625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

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

25 (a) Farm Trailer. Any farm trailer drawn by a motor

1 vehicle of the second division registered under paragraph (a)
 2 or (c) of Section 3-815 and used exclusively by the owner for
 3 his own agricultural, horticultural or livestock raising
 4 operations and not used for hire, or any farm trailer utilized
 5 only in the transportation for-hire of seasonal, fresh,
 6 perishable fruit or vegetables from farm to the point of first
 7 processing, and any trailer used with a farm tractor that is
 8 not an implement of husbandry may be registered under this
 9 paragraph in lieu of registration under paragraph (b) of this
 10 Section upon the filing of a proper application and the
 11 payment of the \$10 registration fee and the highway use tax
 12 herein for use of the public highways of this State, at the
 13 following rates which include the \$10 registration fee:

14 SCHEDULE OF FEES AND TAXES

15 Gross Weight in Lbs.	16 Class	17 Total Amount
18 Including Vehicle		19 each
20 and Maximum Load		21 Fiscal Year
22 10,000 lbs. or less	23 VDD	24 <u>\$90</u> \$160
25 10,001 to 14,000 lbs.	26 VDE	27 <u>159</u> 206
28 14,001 to 20,000 lbs.	29 VDG	30 <u>249</u> 266
31 20,001 to 28,000 lbs.	32 VDJ	33 478
34 28,001 to 36,000 lbs.	35 VDL	36 750

37 An owner may only apply for and receive two farm trailer
 38 registrations.

39 (b) All other owners of trailers, other than apportionable
 40 trailers registered under Section 3-402.1 of this Code, used

1 with a motor vehicle on the public highways, shall pay to the
 2 Secretary of State for each registration year a flat weight
 3 tax, for the use of the public highways of this State, at the
 4 following rates (which includes the registration fee of \$10
 5 required by Section 3-813):

6 SCHEDULE OF TRAILER FLAT

7 WEIGHT TAX REQUIRED

8 BY LAW

9 Gross Weight in Lbs.	Total Fees
10 Including Vehicle and	each
11 Maximum Load	Fiscal Year
Class	
12 3,000 lbs. and less	TA <u>\$27</u> \$118
13 5,000 lbs. and more than 3,000	TB <u>81</u> 154
14 8,000 lbs. and more than 5,000	TC <u>87</u> 158
15 10,000 lbs. and more than 8,000	TD <u>159</u> 206
16 14,000 lbs. and more than 10,000	TE <u>255</u> 270
17 20,000 lbs. and more than 14,000	TG 358
18 32,000 lbs. and more than 20,000	TK 822
19 36,000 lbs. and more than 32,000	TL 1,182
20 40,000 lbs. and more than 36,000	TN 1,602

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

25 (c) The number of axles necessary to carry the maximum
 26 load provided shall be determined from Chapter 15 of this

1 Code.

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