



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### SB1882

Introduced 2/26/2021, 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-104.5 new	
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 Illinois State Police (instead of the Department of Transportation in conjunction with the Illinois State Police) shall administer the Law. Amends the Illinois Hazardous Materials Transportation Act to provide that the Illinois State Police (instead of the Department of Transportation) shall administer the Act. Amends the State Finance Act. Provides that, beginning fiscal year 2020, no road fund money shall be appropriated to the Illinois State Police, except money appropriated each fiscal year to implement and fulfill the requirements of the Motor Carrier Safety Assistance Program, not to exceed the annual allocation plus 25% from the Federal Motor Carrier Safety Administration. Effective July 1, 2021.

LRB102 15515 RAM 20878 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 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 to pay the costs of the Executive Ethics  
19 Commission for oversight and administration of the Chief  
20 Procurement Officer for transportation; and

21 secondly -- for expenses of the Department of  
22 Transportation for construction, reconstruction,  
23 improvement, repair, maintenance, operation, and

1 administration of highways in accordance with the  
2 provisions of laws relating thereto, or for any purpose  
3 related or incident to and connected therewith, including  
4 the separation of grades of those highways with railroads  
5 and with highways and including the payment of awards made  
6 by the Illinois Workers' Compensation Commission under the  
7 terms of the Workers' Compensation Act or Workers'  
8 Occupational Diseases Act for injury or death of an  
9 employee of the Division of Highways in the Department of  
10 Transportation; or for the acquisition of land and the  
11 erection of buildings for highway purposes, including the  
12 acquisition of highway right-of-way or for investigations  
13 to determine the reasonably anticipated future highway  
14 needs; or for making of surveys, plans, specifications and  
15 estimates for and in the construction and maintenance of  
16 flight strips and of highways necessary to provide access  
17 to military and naval reservations, to defense industries  
18 and defense-industry sites, and to the sources of raw  
19 materials and for replacing existing highways and highway  
20 connections shut off from general public use at military  
21 and naval reservations and defense-industry sites, or for  
22 the purchase of right-of-way, except that the State shall  
23 be reimbursed in full for any expense incurred in building  
24 the flight strips; or for the operating and maintaining of  
25 highway garages; or for patrolling and policing the public  
26 highways and conserving the peace; or for the operating

1 expenses of the Department relating to the administration  
2 of public transportation programs; or, during fiscal year  
3 2020 only, for the purposes of a grant not to exceed  
4 \$8,394,800 to the Regional Transportation Authority on  
5 behalf of PACE for the purpose of ADA/Para-transit  
6 expenses; or, during fiscal year 2021 only, for the  
7 purposes of a grant not to exceed \$8,394,800 to the  
8 Regional Transportation Authority on behalf of PACE for  
9 the purpose of ADA/Para-transit expenses; or for any of  
10 those purposes or any other purpose that may be provided  
11 by law.

12 Appropriations for any of those purposes are payable from  
13 the Road Fund. Appropriations may also be made from the Road  
14 Fund for the administrative expenses of any State agency that  
15 are related to motor vehicles or arise from the use of motor  
16 vehicles.

17 Beginning with fiscal year 1980 and thereafter, no Road  
18 Fund monies shall be appropriated to the following Departments  
19 or agencies of State government for administration, grants, or  
20 operations; but this limitation is not a restriction upon  
21 appropriating for those purposes any Road Fund monies that are  
22 eligible for federal reimbursement:

23 1. Department of Public Health;

24 2. Department of Transportation, only with respect to  
25 subsidies for one-half fare Student Transportation and  
26 Reduced Fare for Elderly, except fiscal year 2020 only

1 when no more than \$17,570,000 may be expended and except  
2 fiscal year 2021 only when no more than \$17,570,000 may be  
3 expended;

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

7 4. Judicial Systems and Agencies.

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

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

17 2. Department of Transportation, only with respect to  
18 Intercity Rail Subsidies, except fiscal year 2020 only  
19 when no more than \$50,000,000 may be expended and except  
20 fiscal year 2021 only when no more than \$50,000,000 may be  
21 expended, and Rail Freight Services.

22 Beginning with fiscal year 1982 and thereafter, no Road  
23 Fund monies shall be appropriated to the following Departments  
24 or agencies of State government for administration, grants, or  
25 operations; but this limitation is not a restriction upon  
26 appropriating for those purposes any Road Fund monies that are

1 eligible for federal reimbursement: Department of Central  
2 Management Services, except for awards made by the Illinois  
3 Workers' Compensation Commission under the terms of the  
4 Workers' Compensation Act or Workers' Occupational Diseases  
5 Act for injury or death of an employee of the Division of  
6 Highways in the Department of Transportation.

7 Beginning with fiscal year 1984 and thereafter, no Road  
8 Fund monies shall be appropriated to the following Departments  
9 or agencies of State government for administration, grants, or  
10 operations; but this limitation is not a restriction upon  
11 appropriating for those purposes any Road Fund monies that are  
12 eligible for federal reimbursement:

13 1. Illinois State Police ~~Department of State Police,~~  
14 except not more than 40% of the funds appropriated for the  
15 Division of Operations;

16 2. State Officers.

17 Beginning with fiscal year 1984 and thereafter, no Road  
18 Fund monies shall be appropriated to any Department or agency  
19 of State government for administration, grants, or operations  
20 except as provided hereafter; but this limitation is not a  
21 restriction upon appropriating for those purposes any Road  
22 Fund monies that are eligible for federal reimbursement. It  
23 shall not be lawful to circumvent the above appropriation  
24 limitations by governmental reorganization or other methods.  
25 Appropriations shall be made from the Road Fund only in  
26 accordance with the provisions of this Section.

1 Money in the Road Fund shall, if and when the State of  
2 Illinois incurs any bonded indebtedness for the construction  
3 of permanent highways, be set aside and used for the purpose of  
4 paying and discharging during each fiscal year the principal  
5 and interest on that bonded indebtedness as it becomes due and  
6 payable as provided in the Transportation Bond Act, and for no  
7 other purpose. The surplus, if any, in the Road Fund after the  
8 payment of principal and interest on that bonded indebtedness  
9 then annually due shall be used as follows:

10 first -- to pay the cost of administration of Chapters  
11 2 through 10 of the Illinois Vehicle Code; and

12 secondly -- no Road Fund monies derived from fees,  
13 excises, or license taxes relating to registration,  
14 operation and use of vehicles on public highways or to  
15 fuels used for the propulsion of those vehicles, shall be  
16 appropriated or expended other than for costs of  
17 administering the laws imposing those fees, excises, and  
18 license taxes, statutory refunds and adjustments allowed  
19 thereunder, administrative costs of the Department of  
20 Transportation, including, but not limited to, the  
21 operating expenses of the Department relating to the  
22 administration of public transportation programs, payment  
23 of debts and liabilities incurred in construction and  
24 reconstruction of public highways and bridges, acquisition  
25 of rights-of-way for and the cost of construction,  
26 reconstruction, maintenance, repair, and operation of

1 public highways and bridges under the direction and  
2 supervision of the State, political subdivision, or  
3 municipality collecting those monies, or during fiscal  
4 year 2020 only for the purposes of a grant not to exceed  
5 \$8,394,800 to the Regional Transportation Authority on  
6 behalf of PACE for the purpose of ADA/Para-transit  
7 expenses, or during fiscal year 2021 only for the purposes  
8 of a grant not to exceed \$8,394,800 to the Regional  
9 Transportation Authority on behalf of PACE for the purpose  
10 of ADA/Para-transit expenses, and the costs for patrolling  
11 and policing the public highways (by State, political  
12 subdivision, or municipality collecting that money) for  
13 enforcement of traffic laws. The separation of grades of  
14 such highways with railroads and costs associated with  
15 protection of at-grade highway and railroad crossing shall  
16 also be permissible.

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

20 Except as provided in this paragraph, beginning with  
21 fiscal year 1991 and thereafter, no Road Fund monies shall be  
22 appropriated to the Illinois State Police ~~Department of State~~  
23 ~~Police~~ for the purposes of this Section in excess of its total  
24 fiscal year 1990 Road Fund appropriations for those purposes  
25 unless otherwise provided in Section 5g of this Act. For  
26 fiscal years 2003, 2004, 2005, 2006, and 2007 only, no Road



1 Fund monies shall be appropriated to the Illinois State Police  
2 ~~Department of State Police~~ for the purposes of this Section in  
3 excess of \$97,310,000. For fiscal year 2008 only, no Road Fund  
4 monies shall be appropriated to the Department of State Police  
5 for the purposes of this Section in excess of \$106,100,000.  
6 For fiscal year 2009 only, no Road Fund monies shall be  
7 appropriated to the Illinois State Police ~~Department of State~~  
8 ~~Police~~ for the purposes of this Section in excess of  
9 \$114,700,000. Beginning in fiscal year 2020 ~~2010~~, no road fund  
10 moneys shall be appropriated to the Illinois State Police,  
11 except money appropriated from the General Assembly each  
12 fiscal year to implement and fulfill the requirements of the  
13 Motor Carrier Safety Assistance Program, not to exceed the  
14 annual allocation plus 25% from the Federal Motor Carrier  
15 Safety Administration. ~~Department of State Police.~~ It shall  
16 not be lawful to circumvent this limitation on appropriations  
17 by governmental reorganization or other methods unless  
18 otherwise provided in Section 5g of this Act.

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

26 Beginning with fiscal year 1995 and thereafter, no Road

1 Fund monies shall be appropriated to the Secretary of State  
2 for the purposes of this Section in excess of the total fiscal  
3 year 1994 Road Fund appropriations to the Secretary of State  
4 for those purposes. It shall not be lawful to circumvent this  
5 limitation on appropriations by governmental reorganization or  
6 other methods.

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

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

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

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

1 otherwise provided for by law.

2 It shall not be lawful to circumvent this limitation on  
3 appropriations by governmental reorganization or other  
4 methods.

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

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

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

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

1 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
2 100-863, eff.8-14-18; 101-10, eff. 6-5-19; 101-636, eff.  
3 6-10-20.)

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

7 (430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

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

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

22 It is not the intent of the General Assembly to regulate  
23 the movement of hazardous materials in such quantities that  
24 would not pose a substantial danger to the public health and

1 safety, such as fuels, fertilizer and agricultural chemicals  
2 while being used in a normal farming operation or in transit to  
3 the farm.

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

5 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

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

8 "Commerce" means trade, traffic, commerce or  
9 transportation within the State;

10 "Department" means the Illinois State Police ~~Department of~~  
11 ~~Transportation~~;

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

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

17 "Knowingly" means a person has actual knowledge of the  
18 facts giving rise to the violation or a reasonable person  
19 acting in the circumstances and exercising due care would have  
20 such knowledge;

21 "Law Enforcement Officials" means the Illinois State  
22 Police or any duly authorized employees of a local  
23 governmental agency who are primarily responsible for  
24 prevention or detection of crime and enforcement of the  
25 criminal code and the highway and traffic laws of this State or

1 any political subdivision of such State;

2 "Person" means any natural person or individual,  
3 governmental body, firm, association, partnership,  
4 copartnership, joint venture, company, corporation, joint  
5 stock company, trust, estate or any other legal entity or  
6 their legal representative, agent or assigns;

7 "Transports" or "transportation" means any movement of  
8 property over the highway and any loading, unloading or  
9 storage incidental to such movement.

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

11 Section 15. The Illinois Vehicle Code is amended by  
12 changing Sections 18b-101, 18b-102, 18b-104, and 18b-109 and  
13 by adding Section 18b-104.5 as follows:

14 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

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

17 "Agricultural commodities" means any agricultural  
18 commodity, non-processed food, feed, fiber, or livestock,  
19 including insects.

20 "Agricultural operations" means the operation of a motor  
21 vehicle or combination of vehicles transporting agricultural  
22 commodities or farm supplies for agricultural purposes.

23 "Air mile" means a nautical mile, which is equivalent to  
24 6,076 feet or 1,852 meters. Accordingly, 100 air miles are

1 equivalent to 115.08 statute miles or 185.2 kilometers.

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

21 "Covered farm vehicle", for purposes of this Chapter and  
22 rule-making under this Chapter, means a straight truck or  
23 articulated vehicle, excluding vehicles transporting hazardous  
24 materials of a type or quantity that requires the vehicle to be  
25 placarded in accordance with the Illinois Hazardous Materials  
26 Transportation Act, registered in this State or another state

1 and equipped with a special license plate or other designation  
2 by the state in which the vehicle is registered identifying  
3 the vehicle as a covered farm vehicle for law enforcement  
4 personnel and:

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

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

10 (A) agricultural commodities;

11 (B) livestock; or

12 (C) machinery or supplies; and

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

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

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



1 displays a farm registration license plate; or

2 (C) a truck registered for 12,000 lbs. or less as a  
3 covered farm vehicle under subsections (a) and (a-5)  
4 of Section 3-815 of this Code or subsection (a) of  
5 Section 3-818 of this Code containing in the cab of the  
6 motor vehicle a registration designating the vehicle  
7 as a covered farm vehicle under subsections (a) and  
8 (a-5) of Section 3-815 of this Code that is towing an  
9 implement of husbandry as part of a farming operation;  
10 and

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

17 (5) has a gross vehicle weight rating (GVWR), a gross  
18 combination weight rating (GCWR), or a gross vehicle  
19 weight or gross vehicle combination weight, whichever is  
20 greater, that is:

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

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

25 (C) greater than 26,001 lbs. and traveling  
26 interstate within 150 air miles of the farm or ranch

1           for which the vehicle is being operated, regardless of  
2           whether it is registered in this State; or

3                   (D) greater than 10,000 lbs. and traveling  
4           intrastate.

5           "Department" means the Illinois State Police.

6           "Direct compensation" means payment made to the motor  
7           carrier by the passengers or a person acting on behalf of the  
8           passengers for the transportation services provided, and not  
9           included in a total package charge or other assessment for  
10          highway transportation services.

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

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

20          "Officer" means Illinois State Police Officer.

21          "Person" means any natural person or individual,  
22          governmental body, firm, association, partnership,  
23          copartnership, joint venture, company, corporation, joint  
24          stock company, trust, estate or any other legal entity or  
25          their legal representative, agent or assigns.

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

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

2 Sec. 18b-102. Authority of Department. To the extent  
3 necessary to administer this Chapter, the Department is  
4 authorized to:

5 (a) Adopt by reference all or any portion of the Federal  
6 Motor Carrier Safety Regulations of the United States  
7 Department of Transportation, as they are now or hereafter  
8 amended.

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

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

20 (d) Conduct a continuing review of all aspects of the  
21 transportation of persons and property by motor vehicle in  
22 order to determine and recommend appropriate steps to assure  
23 safe transportation by motor vehicle in Illinois.

24 (e) Administer and enforce the provisions of this Chapter  
25 and any rules and regulations issued under this Chapter. Only

1 the Department ~~Illinois State Police~~ shall be authorized to  
2 stop and inspect any commercial motor vehicle or driver at any  
3 time for the purpose of determining compliance with the  
4 provisions of this Chapter or rules and regulations issued  
5 under this Chapter.

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

7 (625 ILCS 5/18b-104) (from Ch. 95 1/2, par. 18b-104)

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

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

17 (625 ILCS 5/18b-104.5 new)

18 Sec. 18b-104.5. Personnel transfers. The personnel  
19 responsible for administering this Chapter are transferred  
20 from the transferring agency designated by the Governor to the  
21 Illinois State Police. The status and rights of the employees  
22 and the State or its transferring agency under the Personnel  
23 Code, the Illinois Public Labor Relations Act, and applicable  
24 collective bargaining agreements or under any pension,

1 retirement, or annuity plan shall not be affected by this  
2 amendatory Act of the 102nd General Assembly. Under the  
3 direction of the Governor, the Director, in consultation with  
4 the transferring agencies and labor organizations representing  
5 the affected employees, shall identify each position and  
6 employee who is engaged in the performance of functions  
7 transferred to the Department, or engaged in the  
8 administration of a law the administration of which is  
9 transferred to the Department, to be transferred to the  
10 Department. An employee engaged primarily in providing  
11 administrative and investigative support to the Illinois Motor  
12 Carrier Safety Assistance Program may be considered engaged in  
13 the performance of functions transferred to the Department.

14 (625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)  
15 Sec. 18b-109. Enforcement of Rules and Regulations. Only  
16 the Department ~~Illinois State Police~~ shall enforce the rules  
17 and regulations issued under this Chapter against drivers and  
18 persons other than drivers. ~~The Department and the Illinois~~  
19 ~~State Police shall enforce the rules and regulations issued~~  
20 ~~under this Chapter against persons other than drivers.~~

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

22 Section 99. Effective date. This Act takes effect July 1,  
23 2021.