



Sen. Rachel Ventura

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LRB103 35951 HLH 73035 a

1 AMENDMENT TO SENATE BILL 2784

2 AMENDMENT NO. _____. Amend Senate Bill 2784 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Cargo
5 Transportation Fee Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Revenue.

8 "Commercial motor vehicle" has the meaning given to that
9 term in Section 18b-101 of the Illinois Vehicle Code.

10 "Intermodal facility" means a facility that provides for
11 the transfer of freight from one mode of transportation to
12 another. "Intermodal facility" does not include an airport.

13 "Interstate carrier" has the meaning given to that term in
14 Section 18c-1104 of the Illinois Vehicle Code.

15 "Intrastate carrier" has the meaning given to that term in
16 Section 18c-1104 of the Illinois Vehicle Code.

1 Section 10. Fee. On and after January 1, 2025, the
2 corporate authorities of a municipality or, if the intermodal
3 facility is located in an unincorporated area of a county, a
4 county may enact, by ordinance, a fee upon each entity that is
5 an interstate carrier or an intrastate carrier and that (i)
6 transports by common carrier tangible personal property in the
7 State, (ii) transports that tangible personal property for the
8 purpose of selling that tangible personal property at retail,
9 and (iii) receives tangible personal property directly from an
10 intermodal facility that is located in the municipality or
11 county that enacts the ordinance. The fee shall be imposed
12 each time a commercial motor vehicle owned by a qualified
13 interstate carrier or a qualified intrastate carrier receives
14 tangible personal property directly from an intermodal
15 facility that is located in the municipality or county that
16 enacts an ordinance under this Section. If the intermodal
17 facility is located in more than one municipality, more than
18 one county, or in a municipality and an unincorporated area of
19 a county, then only the municipality or county containing the
20 majority of the intermodal facility may impose the fee under
21 this Section on that intermodal facility. The fee is imposed
22 in the following amounts:

23 (1) \$0.50 for each such commercial motor vehicle with
24 a gross weight vehicle and load of 12,000 pounds or less;

25 (2) \$1 for each such commercial motor vehicle with a

1 gross weight vehicle and load of 12,001 to 16,000 pounds;

2 (3) \$1.50 for each such commercial motor vehicle with
3 a gross weight vehicle and load of 16,001 to 20,000
4 pounds;

5 (4) \$2 for each such commercial motor vehicle with a
6 gross weight vehicle and load of 20,001 to 24,000 pounds;

7 (5) \$2.50 for each such commercial motor vehicle with
8 a gross weight vehicle and load of 24,001 to 28,000
9 pounds;

10 (6) \$3 for each such commercial motor vehicle with a
11 gross weight vehicle and load of 28,001 to 32,000 pounds;

12 (7) \$3.50 for each such commercial motor vehicle with
13 a gross weight vehicle and load of 32,001 to 36,000
14 pounds;

15 (8) \$4 for each such commercial motor vehicle with a
16 gross weight vehicle and load of 36,001 to 40,000 pounds;

17 (9) \$4.50 for each such commercial motor vehicle with
18 a gross weight vehicle and load of 40,001 to 45,000
19 pounds;

20 (10) \$5 for each such commercial motor vehicle with a
21 gross weight vehicle and load of 45,001 to 54,999 pounds;

22 (11) \$5.50 for each such commercial motor vehicle with
23 a gross weight vehicle and load of 55,000 to 59,500
24 pounds;

25 (12) \$6 for each such commercial motor vehicle with a
26 gross weight vehicle and load of 59,501 to 64,000 pounds;

1 (13) \$6.50 for each such commercial motor vehicle with
2 a gross weight vehicle and load of 64,001 to 73,280
3 pounds;

4 (14) \$7 for each such commercial motor vehicle with a
5 gross weight vehicle and load of 73,281 to 77,000 pounds;

6 (15) \$7.50 for each such commercial motor vehicle with
7 a gross weight vehicle and load of 77,001 to 80,000
8 pounds; and

9 (16) \$8 for each such commercial motor vehicle with a
10 gross weight vehicle and load of 80,001 pounds or more.

11 Section 15. Returns.

12 (a) Except as otherwise provided in this Section, on or
13 before the 15th day of each month, each interstate or
14 intrastate carrier that is liable for the payment of the fee
15 under this Act shall make a return to the Department for the
16 preceding calendar month stating:

17 (1) the name of the interstate or intrastate carrier;

18 (2) the address of the carrier's principal place of
19 business;

20 (3) the amount of the fee imposed under this Act; and

21 (4) such other reasonable information as the
22 Department may require.

23 (b) Any person required to make payments under this Act
24 may make the payments by electronic funds transfer. The
25 Department shall adopt rules necessary to effectuate a program

1 of electronic funds transfer.

2 (c) If the person's average monthly liability to the
3 Department under this Act does not exceed \$100, the Department
4 may authorize the person's returns to be filed on a quarter
5 annual basis, with the return for January, February, and March
6 of a given year being due by April 30 of that year; with the
7 return for April, May, and June of a given year being due by
8 July 31 of that year; with the return for July, August, and
9 September of a given year being due by October 31 of that year,
10 and with the return for October, November, and December of a
11 given year being due by January 31 of the following year.

12 (d) If the person's average monthly liability to the
13 Department under this Act does not exceed \$20, the Department
14 may authorize the person's returns to be filed on an annual
15 basis, with the return for a given year being due by January 31
16 of the following year.

17 (e) The interstate or intrastate carrier making the return
18 provided for in this Section shall, at the time of making that
19 return, pay to the Department the amount of the fee imposed by
20 this Act.

21 Section 20. Incorporation of Retailers' Occupation Tax
22 Act. All of the provisions of Sections 4, 5, 5a, 5b, 5c, 5d,
23 5e, 5f, 5g, 5i, 5j, 6b, and 6c of the Retailers' Occupation Tax
24 Act that are not inconsistent with this Act, and Section 3-7 of
25 the Uniform Penalty and Interest Act shall apply, as far as

1 practicable, to the subject matter of this Act to the same
2 extent as if such provisions were included in this Act.
3 References in those incorporated Sections of the Retailers'
4 Occupation Tax Act to retailers, to sellers, or to persons
5 engaged in the business of selling tangible personal property
6 mean interstate carriers or intrastate carriers for the
7 purpose of this Act.

8 Section 25. Distribution of proceeds.

9 (a) Of the proceeds from the fee imposed by this Act, 95%
10 shall be deposited into the Cargo Transportation Fee Fund, a
11 special fund created in the State treasury. Moneys in the Fund
12 shall be used by the Department of Transportation for road
13 projects involving State and local roadways that are used as
14 trucking routes and that are located within 5 miles of an
15 intermodal facility that has a fee imposed under this Act.
16 Moneys deposited into the Cargo Transportation Fee Fund as a
17 result of a fee imposed under this Act by a particular
18 municipality or county shall be used for road projects in that
19 particular municipality or county. In addition, when
20 distributing moneys from the Cargo Transportation Fee Fund,
21 the Department of Transportation shall prioritize road
22 projects based on the amount of damage to the roadway that
23 needs to be corrected.

24 (b) Of the proceeds from the fee imposed by this Act, 5%
25 shall be deposited into the Motor Carrier Safety Inspection

1 Fund to be used by the Illinois State Police for motor carrier
2 safety enforcement within 20 miles of an intermodal facility
3 that has a fee imposed under this Act.

4 Section 30. Rules. The Department shall adopt rules to
5 implement and administer this Act.

6 Section 900. The State Finance Act is amended by adding
7 Section 5.1015 as follows:

8 (30 ILCS 105/5.1015 new)

9 Sec. 5.1015. The Cargo Transportation Fee Fund."