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1 AMENDMENT TO HOUSE BILL 1663

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1663 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Regional Transportation Authority Act is  
5 amended by changing Sections 3A.08, 3A.09, and 4.01 and by  
6 adding Section 2.30 as follows:

7 (70 ILCS 3615/2.30 new)

8 Sec. 2.30. Paratransit services.

9 (a) For purposes of this Act, "paratransit services" means  
10 transportation services required under the federal Americans  
11 With Disabilities Act of 1990 for any individual who, by reason  
12 of illness, injury, age, congenital malfunction, or other  
13 permanent or temporary incapacity or disability, has been  
14 certified as unable, without special mass transportation  
15 facilities or special planning or design, to use ordinary mass  
16 transportation facilities and services as effectively as  
17 persons who are not so affected.

18 (b) Beginning July 1, 2005, the Authority is responsible  
19 for the funding, financial oversight, and coordination of all  
20 paratransit services that are required to be provided by the  
21 Authority or by any of the Service Boards. Beginning July 1,  
22 2006, all paratransit services for all Service Boards shall be  
23 provided by the Suburban Bus Board. The Suburban Bus Board may  
24 begin the transition of providing paratransit services prior to

1 this date.

2 (c) No later than January 1, 2006, the Authority, in  
3 consultation with the Suburban Bus Board, must adopt a plan for  
4 the provision of paratransit services. The plan must set forth,  
5 without limitation, provisions to:

6 (1) maintain or enhance existing levels of paratransit  
7 service provided by the Service Boards, with no  
8 interruption in service;

9 (2) provide a balanced budget for paratransit  
10 services, with responsibility for funding and financial  
11 oversight by the Authority;

12 (3) reconstitute the paratransit management structure,  
13 and provide for the transfer of any necessary personnel, as  
14 determined by an audit of the administrative expenses  
15 related to the provision of paratransit services;

16 (4) transfer the appropriate paratransit service  
17 contracts to the Authority or the Suburban Bus Board, as  
18 necessary;

19 (5) provide for consistent policies throughout the  
20 Authority service region for scheduling of paratransit  
21 trips to and from destinations, with consideration of the  
22 scheduling of return trips on a "will-call" open-ended  
23 basis upon request of the rider, if practicable, and with  
24 consideration of an increased number of trips available by  
25 subscription service than are available as of the effective  
26 date of this Act;

27 (6) provide for service contracts and rates with  
28 private carriers and taxicabs for paratransit service by  
29 means of an open procurement process;

30 (7) provide for fares, fare collection, and billing  
31 procedures for paratransit services throughout the  
32 Authority service region;

33 (8) provide for performance standards for all  
34 paratransit transportation carriers, including

1 door-to-door service;

2 (9) provide, in cooperation with the Department of  
3 Public Aid and other appropriate agencies and private  
4 entities, for the application and receipt of grants,  
5 including, without limitation, reimbursement from Medicaid  
6 or other programs for paratransit services; and

7 (10) provide for the system of dispatch of paratransit  
8 transportation carriers throughout the Authority service  
9 region, with consideration of county-based dispatch  
10 systems already in place as of the effective date of this  
11 Act.

12 The plan under this subsection must be filed with the  
13 Federal Transit Administration.

14 (d)By no later than September 1, 2006, the ADA Advisory  
15 Board of the Suburban Bus Board and all of the members of the  
16 ADA Advisory Board of the Chicago Transit Authority shall be  
17 combined to create the ADA Advisory Board of the RTA. This  
18 newly reconstituted board is responsible initially with  
19 assisting the Authority and the Suburban Bus Board in  
20 organizing at least 2 public hearings to receive public input  
21 on the paratransit service plan developed under subsection (c)  
22 of this Section.

23 (70 ILCS 3615/3A.08) (from Ch. 111 2/3, par. 703A.08)

24 Sec. 3A.08. Jurisdiction.

25 (a) Any public transportation by bus within the  
26 metropolitan region, other than public transportation by  
27 commuter rail or public transportation provided by the Chicago  
28 Transit Authority pursuant to agreements in effect on the  
29 effective date of this amendatory Act of 1983 or in the City of  
30 Chicago, shall be subject to the jurisdiction of the Suburban  
31 Bus Board.

32 (b) Beginning July 1, 2006, the jurisdiction of the  
33 Suburban Bus Board includes all the territory of the Regional

1 Transportation Authority for the purposes of providing  
2 paratransit services under Section 2.30 of this Act.

3 (Source: P.A. 83-886.)

4 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

5 Sec. 3A.09. General Powers. In addition to any powers  
6 elsewhere provided to the Suburban Bus Board, it shall have all  
7 of the powers specified in Section 2.20 of this Act except for  
8 the powers specified in Section 2.20 (a) (v). The Board shall  
9 also have the power:

10 (a) to cooperate with the Regional Transportation  
11 Authority in the exercise by the Regional Transportation  
12 Authority of all the powers granted it by such Act;

13 (b) to receive funds from the Regional Transportation  
14 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10  
15 of the "Regional Transportation Authority Act", all as provided  
16 in the "Regional Transportation Authority Act";

17 (c) to receive financial grants from the Regional  
18 Transportation Authority or a Service Board, as defined in the  
19 "Regional Transportation Authority Act", upon such terms and  
20 conditions as shall be set forth in a grant contract between  
21 either the Division and the Regional Transportation Authority  
22 or the Division and another Service Board, which contract or  
23 agreement may be for such number of years or duration as the  
24 parties agree, all as provided in the "Regional Transportation  
25 Authority Act; ~~."~~

26 (d) to perform all functions necessary for the provision of  
27 paratransit services under Section 2.30 of this Act.

28 (Source: P.A. 83-885; 83-886.)

29 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

30 Sec. 4.01. Budget and Program.

31 (a) The Board shall control the finances of the Authority.  
32 It shall by ordinance appropriate money to perform the

1 Authority's purposes and provide for payment of debts and  
2 expenses of the Authority. Each year the Authority shall  
3 prepare and publish a comprehensive annual budget and program  
4 document describing the state of the Authority and presenting  
5 for the forthcoming fiscal year the Authority's plans for such  
6 operations and capital expenditures as the Authority intends to  
7 undertake and the means by which it intends to finance them.  
8 The proposed program and budget shall contain a statement of  
9 the funds estimated to be on hand at the beginning of the  
10 fiscal year, the funds estimated to be received from all  
11 sources for such year and the funds estimated to be on hand at  
12 the end of such year. After adoption of the Authority's first  
13 Five-Year Program, as provided in Section 2.01 of this Act, the  
14 proposed program and budget shall specifically identify any  
15 respect in which the recommended program deviates from the  
16 Authority's then existing Five-Year Program, giving the  
17 reasons for such deviation. The fiscal year of the Authority  
18 shall begin on January 1st and end on the succeeding December  
19 31st except that the fiscal year that began October 1, 1982,  
20 shall end December 31, 1983. By July 1st 1981 and July 1st of  
21 each year thereafter the Director of the Illinois Governor's  
22 Office of Management and Budget (formerly Bureau of the Budget)  
23 shall submit to the Authority an estimate of revenues for the  
24 next fiscal year to be collected from the taxes imposed by the  
25 Authority and the amounts to be available in the Public  
26 Transportation Fund and the Regional Transportation Authority  
27 Occupation and Use Tax Replacement Fund. For the fiscal year  
28 ending on December 31, 1983, the Board shall report its results  
29 from operations and financial condition to the General Assembly  
30 and the Governor by January 31. For the fiscal year beginning  
31 January 1, 1984, and thereafter, the budget and program shall  
32 be presented to the General Assembly and the Governor not later  
33 than the preceding December 31st. Before the proposed budget  
34 and program is adopted, the Authority shall hold at least one

1 public hearing thereon in the metropolitan region. The Board  
2 shall hold at least one meeting for consideration of the  
3 proposed program and budget with the county board of each of  
4 the several counties in the metropolitan region. After  
5 conducting such hearings and holding such meetings and after  
6 making such changes in the proposed program and budget as the  
7 Board deems appropriate, the Board shall adopt its annual  
8 budget ordinance. The ordinance may be adopted only upon the  
9 affirmative votes of 9 of its then Directors. The ordinance  
10 shall appropriate such sums of money as are deemed necessary to  
11 defray all necessary expenses and obligations of the Authority,  
12 specifying purposes and the objects or programs for which  
13 appropriations are made and the amount appropriated for each  
14 object or program. Additional appropriations, transfers  
15 between items and other changes in such ordinance may be made  
16 from time to time by the Board upon the affirmative votes of 9  
17 of its then Directors.

18 (b) The budget shall show a balance between anticipated  
19 revenues from all sources and anticipated expenses including  
20 funding of operating deficits or the discharge of encumbrances  
21 incurred in prior periods and payment of principal and interest  
22 when due, and shall show cash balances sufficient to pay with  
23 reasonable promptness all obligations and expenses as  
24 incurred.

25 The annual budget and financial plan must show:

26 (i) that the level of fares and charges for mass  
27 transportation, other than fares and charges for  
28 paratransit services, provided by, or under grant or  
29 purchase of service contracts of, the Service Boards is  
30 sufficient to cause the aggregate of all projected fare  
31 revenues from such fares and charges received in each  
32 fiscal year to equal at least 50% of the aggregate costs of  
33 providing such public transportation, other than fares and  
34 charges for paratransit services, in such fiscal year; and

1           (ii) that the level of fares and charges for  
2           paratransit services provided by, or under grant or  
3           purchase of service contracts of, the Authority is  
4           sufficient to cause the aggregate of all projected fare  
5           revenues from such fares and charges received in each  
6           fiscal year to equal at least 10% of the aggregate costs of  
7           providing such paratransit services in fiscal years 2007  
8           through 2008 and at least 12% of the aggregate costs of  
9           providing such paratransit services in fiscal years 2009  
10           and thereafter.

11           "Fare revenues" include the proceeds of all fares and  
12 charges for services provided, contributions received in  
13 connection with public transportation from units of local  
14 government other than the Authority and from the State pursuant  
15 to subsection (i) of Section 2705-305 of the Department of  
16 Transportation Law (20 ILCS 2705/2705-305), and all other  
17 operating revenues properly included consistent with generally  
18 accepted accounting principles but do not include the proceeds  
19 of any borrowings. "Costs" include all items properly included  
20 as operating costs consistent with generally accepted  
21 accounting principles, including administrative costs, but do  
22 not include: depreciation; payment of principal and interest on  
23 bonds, notes or other evidences of obligation for borrowed  
24 money issued by the Authority; payments with respect to public  
25 transportation facilities made pursuant to subsection (b) of  
26 Section 2.20 of this Act; any payments with respect to rate  
27 protection contracts, credit enhancements or liquidity  
28 agreements made under Section 4.14; any other cost to which it  
29 is reasonably expected that a cash expenditure will not be  
30 made; costs up to \$5,000,000 annually for passenger security  
31 including grants, contracts, personnel, equipment and  
32 administrative expenses, except in the case of the Chicago  
33 Transit Authority, in which case the term does not include  
34 costs spent annually by that entity for protection against

1 crime as required by Section 27a of the Metropolitan Transit  
2 Authority Act; or costs as exempted by the Board for projects  
3 pursuant to Section 2.09 of this Act.

4 (c) The actual administrative expenses of the Authority for  
5 the fiscal year commencing January 1, 1985 may not exceed  
6 \$5,000,000. The actual administrative expenses of the  
7 Authority for the fiscal year commencing January 1, 1986, and  
8 for each fiscal year thereafter shall not exceed the maximum  
9 administrative expenses for the previous fiscal year plus 5%.  
10 "Administrative expenses" are defined for purposes of this  
11 Section as all expenses except: (1) capital expenses and  
12 purchases of the Authority on behalf of the Service Boards; (2)  
13 payments to Service Boards; and (3) payment of principal and  
14 interest on bonds, notes or other evidence of obligation for  
15 borrowed money issued by the Authority; (4) costs for passenger  
16 security including grants, contracts, personnel, equipment and  
17 administrative expenses; (5) payments with respect to public  
18 transportation facilities made pursuant to subsection (b) of  
19 Section 2.20 of this Act; and (6) any payments with respect to  
20 rate protection contracts, credit enhancements or liquidity  
21 agreements made pursuant to Section 4.14.

22 (d) After withholding 15% of the proceeds of any tax  
23 imposed by the Authority and 15% of money received by the  
24 Authority from the Regional Transportation Authority  
25 Occupation and Use Tax Replacement Fund, the Board shall  
26 allocate the proceeds and money remaining to the Service Boards  
27 as follows: (1) an amount equal to 85% of the proceeds of those  
28 taxes collected within the City of Chicago and 85% of the money  
29 received by the Authority on account of transfers to the  
30 Regional Transportation Authority Occupation and Use Tax  
31 Replacement Fund from the County and Mass Transit District Fund  
32 attributable to retail sales within the City of Chicago shall  
33 be allocated to the Chicago Transit Authority; (2) an amount  
34 equal to 85% of the proceeds of those taxes collected within



1 Cook County outside the City of Chicago and 85% of the money  
2 received by the Authority on account of transfers to the  
3 Regional Transportation Authority Occupation and Use Tax  
4 Replacement Fund from the County and Mass Transit District Fund  
5 attributable to retail sales within Cook County outside of the  
6 city of Chicago shall be allocated 30% to the Chicago Transit  
7 Authority, 55% to the Commuter Rail Board and 15% to the  
8 Suburban Bus Board; and (3) an amount equal to 85% of the  
9 proceeds of the taxes collected within the Counties of DuPage,  
10 Kane, Lake, McHenry and Will shall be allocated 70% to the  
11 Commuter Rail Board and 30% to the Suburban Bus Board.

12 (e) Moneys received by the Authority on account of  
13 transfers to the Regional Transportation Authority Occupation  
14 and Use Tax Replacement Fund from the State and Local Sales Tax  
15 Reform Fund shall be allocated among the Authority and the  
16 Service Boards as follows: 15% of such moneys shall be retained  
17 by the Authority and the remaining 85% shall be transferred to  
18 the Service Boards as soon as may be practicable after the  
19 Authority receives payment. Moneys which are distributable to  
20 the Service Boards pursuant to the preceding sentence shall be  
21 allocated among the Service Boards on the basis of each Service  
22 Board's distribution ratio. The term "distribution ratio"  
23 means, for purposes of this subsection (e) of this Section  
24 4.01, the ratio of the total amount distributed to a Service  
25 Board pursuant to subsection (d) of Section 4.01 for the  
26 immediately preceding calendar year to the total amount  
27 distributed to all of the Service Boards pursuant to subsection  
28 (d) of Section 4.01 for the immediately preceding calendar  
29 year.

30 To further and accomplish the preparation of the annual  
31 budget and program as well as the Five-Year Program provided  
32 for in Section 2.01 of this Act and to make such interim  
33 management decisions as may be necessary, the Board shall  
34 employ staff which shall: (1) evaluate for the Board public

1 transportation programs operated or proposed by transportation  
2 agencies in terms of goals, costs and relative priorities; (2)  
3 keep the Board informed of the public transportation programs  
4 and accomplishments of such transportation agencies; and (3)  
5 coordinate the development and implementation of public  
6 transportation programs to the end that the monies available to  
7 the Authority may be expended in the most economical manner  
8 possible with the least possible duplication. Under such  
9 regulations as the Board may prescribe, all Service Boards,  
10 transportation agencies, comprehensive planning agencies or  
11 transportation planning agencies in the metropolitan region  
12 shall furnish to the Board such information pertaining to  
13 public transportation or relevant for plans therefor as it may  
14 from time to time require, upon payment to any such agency or  
15 Service Board of the reasonable additional cost of its so  
16 providing such information except as may otherwise be provided  
17 by agreement with the Authority, and the Board or any duly  
18 authorized employee of the Board shall, for the purpose of  
19 securing such information, have access to, and the right to  
20 examine, all books, documents, papers or records of any such  
21 agency or Service Board pertaining to public transportation or  
22 relevant for plans therefor.

23 (Source: P.A. 91-51, eff. 6-30-99; 91-239, eff. 1-1-00; revised  
24 8-23-03.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law."