



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB2456**

Introduced 02/17/05, by Rep. Kathleen A. Ryg

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2705/2705-305

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. In provisions concerning grants to local governments for mass transportation purposes, provides that townships are included within the definition of "units of local government". Effective immediately.

LRB094 06042 BDD 36102 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning State government.

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 changing  
6 Section 2705-305 as follows:

7 (20 ILCS 2705/2705-305)

8 Sec. 2705-305. Grants for mass transportation.

9 (a) For the purpose of mass transportation grants and  
10 contracts, the following definitions apply:

11 "Carrier" means any corporation, authority, partnership,  
12 association, person, or district authorized to provide mass  
13 transportation within the State.

14 "District" means all of the following:

15 (i) Any district created pursuant to the Local Mass  
16 Transit District Act.

17 (ii) The Authority created pursuant to the  
18 Metropolitan Transit Authority Act.

19 (iii) Any authority, commission, or other entity that  
20 by virtue of an interstate compact approved by Congress is  
21 authorized to provide mass transportation.

22 (iv) The Authority created pursuant to the Regional  
23 Transportation Authority Act.

24 "Facilities" comprise all real and personal property used  
25 in or appurtenant to a mass transportation system, including  
26 parking lots.

27 "Mass transportation" means transportation provided within  
28 the State of Illinois by rail, bus, or other conveyance and  
29 available to the general public on a regular and continuing  
30 basis, including the transportation of handicapped or elderly  
31 persons as provided more specifically in Section 2705-310.

32 "Unit of local government" means any city, village,

1 incorporated town, township, or county.

2 (b) Grants may be made to units of local government,  
3 districts, and carriers for the acquisition, construction,  
4 extension, reconstruction, and improvement of mass  
5 transportation facilities. Grants shall be made upon the terms  
6 and conditions that in the judgment of the Secretary are  
7 necessary to ensure their proper and effective utilization.

8 (c) The Department shall make grants under this Law in a  
9 manner designed, so far as is consistent with the maintenance  
10 and development of a sound mass transportation system within  
11 the State, to: (i) maximize federal funds for the assistance of  
12 mass transportation in Illinois under the Federal Transit Act  
13 and other federal Acts; (ii) facilitate the movement of persons  
14 who because of age, economic circumstance, or physical  
15 infirmity are unable to drive; (iii) contribute to an improved  
16 environment through the reduction of air, water, and noise  
17 pollution; and (iv) reduce traffic congestion.

18 (d) The Secretary shall establish procedures for making  
19 application for mass transportation grants. The procedures  
20 shall provide for public notice of all applications and give  
21 reasonable opportunity for the submission of comments and  
22 objections by interested parties. The procedures shall be  
23 designed with a view to facilitating simultaneous application  
24 for a grant to the Department and to the federal government.

25 (e) Grants may be made for mass transportation projects as  
26 follows:

27 (1) In an amount not to exceed 100% of the nonfederal  
28 share of projects for which a federal grant is made.

29 (2) In an amount not to exceed 100% of the net project  
30 cost for projects for which a federal grant is not made.

31 (3) In an amount not to exceed five-sixths of the net  
32 project cost for projects essential for the maintenance of  
33 a sound transportation system and eligible for federal  
34 assistance for which a federal grant application has been  
35 made but a federal grant has been delayed. If and when a  
36 federal grant is made, the amount in excess of the

1 nonfederal share shall be promptly returned to the  
2 Department.

3 In no event shall the Department make a grant that,  
4 together with any federal funds or funds from any other source,  
5 is in excess of 100% of the net project cost.

6 (f) Regardless of whether any funds are available under a  
7 federal grant, the Department shall not make a mass  
8 transportation grant unless the Secretary finds that the  
9 recipient has entered into an agreement with the Department in  
10 which the recipient agrees not to engage in school bus  
11 operations exclusively for the transportation of students and  
12 school personnel in competition with private school bus  
13 operators where those private school bus operators are able to  
14 provide adequate transportation, at reasonable rates, in  
15 conformance with applicable safety standards, provided that  
16 this requirement shall not apply to a recipient that operates a  
17 school system in the area to be served and operates a separate  
18 and exclusive school bus program for the school system.

19 (g) Grants may be made for mass transportation purposes  
20 with funds appropriated from the Build Illinois Bond Fund or  
21 the Build Illinois Purposes Fund consistent with the specific  
22 purposes for which those funds are appropriated by the General  
23 Assembly. Grants under this subsection (g) are not subject to  
24 any limitations or conditions imposed upon grants by any other  
25 provision of this Section, except that the Secretary may impose  
26 the terms and conditions that in his or her judgment are  
27 necessary to ensure the proper and effective utilization of the  
28 grants under this subsection.

29 (h) The Department may let contracts for mass  
30 transportation purposes and facilities for the purpose of  
31 reducing urban congestion funded in whole or in part with bonds  
32 described in subdivision (b)(1) of Section 4 of the General  
33 Obligation Bond Act, not to exceed \$75,000,000 in bonds.

34 (i) The Department may make grants to carriers, districts,  
35 and units of local government for the purpose of reimbursing  
36 them for providing reduced fares for mass transportation

1 services for students, handicapped persons and the elderly.  
2 Grants shall be made upon the terms and conditions that in the  
3 judgment of the Secretary are necessary to ensure their proper  
4 and effective utilization.

5 (Source: P.A. 90-774, eff. 8-14-98; 91-239, eff. 1-1-00.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.