

1 AN ACT concerning transportation, which may be referred to
2 as the Paul Simon Rural Transportation Initiative.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 5. The Downstate Public Transportation Act is
6 amended by changing Sections 2-2.02, 2-2.04, 2-2.05, 2-6,
7 3-1.05, and 4-1.3 as follows:

8 (30 ILCS 740/2-2.02) (from Ch. 111 2/3, par. 662.02)

9 Sec. 2-2.02. "Participant" means:

10 (1) a city, village, or incorporated town, or a local mass
11 transit district organized under the Local Mass Transit
12 District Act (a) serving an urbanized area of over 50,000
13 population on December 28, 1989, (b) receiving State mass
14 transportation operating assistance pursuant to the Downstate
15 Public Transportation Act during Fiscal Year 1979, or (c)
16 serving a nonurbanized area ~~and receiving federal rural public~~
17 ~~transportation assistance on or before June 30, 2002; or~~

18 (2) any Metro-East Transit District established pursuant
19 to Section 3 of the Local Mass Transit District Act and serving
20 one or more of the Counties of Madison, Monroe, and St. Clair
21 during Fiscal Year 1989, all located outside the boundaries of
22 the Regional Transportation Authority as established pursuant
23 to the Regional Transportation Authority Act.

24 (Source: P.A. 91-357, eff. 7-29-99; 92-258, eff. 8-7-01;
25 92-464, eff. 8-22-01.)

26 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

27 Sec. 2-2.04. "Eligible operating expenses" means all
28 expenses required for public transportation, including
29 employee wages and benefits, materials, fuels, supplies,
30 rental of facilities, taxes other than income taxes, payment
31 made for debt service (including principal and interest) on

1 publicly owned equipment or facilities, and any other
2 expenditure which is an operating expense according to standard
3 accounting practices for the providing of public
4 transportation. Eligible operating expenses shall not include
5 allowances: (a) for depreciation whether funded or unfunded;
6 (b) for amortization of any intangible costs; (c) for debt
7 service on capital acquired with the assistance of capital
8 grant funds provided by the State of Illinois; (d) for profits
9 or return on investment; (e) for excessive payment to
10 associated entities; (f) for Comprehensive Employment Training
11 Act expenses; (g) for costs reimbursed under Sections 6 and 8
12 of the "Urban Mass Transportation Act of 1964", as amended; (h)
13 for entertainment expenses; (i) for charter expenses; (j) for
14 fines and penalties; (k) for charitable donations; (l) for
15 interest expense on long term borrowing and debt retirement
16 other than on publicly owned equipment or facilities; (m) for
17 income taxes; or (n) for such other expenses as the Department
18 may determine consistent with federal Department of
19 Transportation regulations or requirements.

20 With respect to participants other than any Metro-East
21 Transit District participant and those receiving federal
22 research development and demonstration funds pursuant to
23 Section 6 of the "Urban Mass Transportation Act of 1964", as
24 amended, during the fiscal year ending June 30, 1979, the
25 maximum eligible operating expenses for any such participant in
26 any fiscal year after Fiscal Year 1980 shall be the amount
27 appropriated for such participant for the fiscal year ending
28 June 30, 1980, plus in each year a 10% increase over the
29 maximum established for the preceding fiscal year. For Fiscal
30 Year 1980 the maximum eligible operating expenses for any such
31 participant shall be the amount of projected operating expenses
32 upon which the appropriation for such participant for Fiscal
33 Year 1980 is based.

34 With respect to participants receiving federal research
35 development and demonstration operating assistance funds for
36 operating assistance pursuant to Section 6 of the "Urban Mass

1 Transportation Act of 1964", as amended, during the fiscal year
2 ending June 30, 1979, the maximum eligible operating expenses
3 for any such participant in any fiscal year after Fiscal Year
4 1980 shall not exceed such participant's eligible operating
5 expenses for the fiscal year ending June 30, 1980, plus in each
6 year a 10% increase over the maximum established for the
7 preceding fiscal year. For Fiscal Year 1980, the maximum
8 eligible operating expenses for any such participant shall be
9 the eligible operating expenses incurred during such fiscal
10 year, or projected operating expenses upon which the
11 appropriation for such participant for the Fiscal Year 1980 is
12 based; whichever is less.

13 With respect to all participants other than any Metro-East
14 Transit District participant, the maximum eligible operating
15 expenses for any such participant in any fiscal year after
16 Fiscal Year 1985 shall be the amount appropriated for such
17 participant for the fiscal year ending June 30, 1985, plus in
18 each year a 10% increase over the maximum established for the
19 preceding year. For Fiscal Year 1985, the maximum eligible
20 operating expenses for any such participant shall be the amount
21 of projected operating expenses upon which the appropriation
22 for such participant for Fiscal Year 1985 is based.

23 With respect to any mass transit district participant that
24 has increased its district boundaries by annexing counties or
25 municipalities since 1998 and is maintaining a level of local
26 financial support, including all income and revenues, equal to
27 or greater than the level in the State fiscal year ending June
28 30, 2001, the maximum eligible operating expenses for any State
29 fiscal year after 2002 shall be the amount appropriated for
30 that participant for the State fiscal year ending June 30,
31 2002, plus, in each State fiscal year, a 10% increase over the
32 preceding State fiscal year. For State fiscal year 2002, the
33 maximum eligible operating expenses for any such participant
34 shall be the amount of projected operating expenses upon which
35 the appropriation for that participant for State fiscal year
36 2002 is based. For that participant, eligible operating

1 expenses for State fiscal year 2002 in excess of the eligible
2 operating expenses for the State fiscal year ending June 30,
3 2001, plus 10%, must be attributed to the provision of services
4 in the newly annexed counties or municipalities.

5 With respect to a participant that receives an initial
6 appropriation in State fiscal year 2002 or thereafter, the
7 maximum eligible operating expenses for any State fiscal year
8 after 2003 shall be the amount appropriated for that
9 participant for the State fiscal year in which it received its
10 initial appropriation ~~ending June 30, 2003~~, plus, in each year,
11 a 10% increase over the preceding year. For the initial State
12 fiscal year in which a participant received an appropriation
13 ~~2003~~, the maximum eligible operating expenses for any such
14 participant shall be the amount of projected operating expenses
15 upon which the appropriation for that participant for that
16 State fiscal year ~~2003~~ is based.

17 (Source: P.A. 92-258, eff. 8-7-01; 92-464, eff. 8-22-01;
18 92-651, eff. 7-11-02.)

19 (30 ILCS 740/2-2.05) (from Ch. 111 2/3, par. 662.05)

20 Sec. 2-2.05. "Public Transportation" means the
21 transportation or conveyance of persons by means available to
22 the general public including groups of the general public with
23 special needs

24 (1) within the urbanized area or

25 (2) in the nonurbanized areas within the service area of
26 each participant ~~as approved by the Department~~, except for
27 transportation by automobiles not used for conveyance of the
28 general public as passengers.

29 (Source: P.A. 82-783.)

30 (30 ILCS 740/2-6) (from Ch. 111 2/3, par. 666)

31 Sec. 2-6. Allocation of funds.

32 (a) With respect to all participants other than any
33 Metro-East Transit District participant, the Department shall
34 allocate the funds to be made available to each participant

1 under this Article for the following fiscal year and shall
2 notify the chief official of each participant not later than
3 the first day of the fiscal year of this amount. For Fiscal
4 Year 1975, notification shall be made not later than January 1,
5 1975, of the amount of such allocation. In determining the
6 allocation for each participant, the Department shall estimate
7 the funds available to the participant from the Downstate
8 Public Transportation Fund for the purposes of this Article
9 during the succeeding fiscal year, and shall allocate to each
10 participant the amount attributable to it which shall be the
11 amount paid into the Downstate Public Transportation Fund under
12 Section 2-3 from within its boundaries. Said allocations may be
13 exceeded for participants receiving assistance equal to
14 one-third of their eligible operating expenses, only if an
15 allocation is less than one-third of such participant's
16 eligible operating expenses, provided, however, that no other
17 participant is denied its one-third of eligible operating
18 expenses. Beginning in Fiscal Year 1997, said allocation may be
19 exceeded for participants receiving assistance equal to the
20 percentage of their eligible operating expenses provided for in
21 paragraph (b) of Section 2-7, only if allocation is less than
22 the percentage of such participant's eligible operating
23 expenses provided for in paragraph (b) of Section 2-7, provided
24 however, that no other participant is denied its percentage of
25 eligible operating expenses.

26 (b) With regard to any Metro-East Transit District
27 organized under the Local Mass Transit District Act and serving
28 one or more of the Counties of Madison, Monroe and St. Clair
29 during Fiscal Year 1989, the Department shall allocate the
30 funds to be made available to each participant for the
31 following and succeeding fiscal years and shall notify the
32 chief official of each participant not later than the first day
33 of the fiscal year of this amount. The Department shall
34 allocate 55% of the amount paid into the Metro-East Public
35 Transportation Fund to the District serving primarily the
36 Counties of Monroe and St. Clair and 45% of the amount to that

1 District serving primarily the County of Madison.

2 (c) Notwithstanding the changes made by this amendatory Act
3 of the 94th General Assembly, each participant that received an
4 allocation in fiscal year 2005 shall receive an allocation of
5 at least that amount in fiscal year 2006 and thereafter.

6 (Source: P.A. 89-598, eff. 8-1-96.)

7 (30 ILCS 740/3-1.05) (from Ch. 111 2/3, par. 686)

8 Sec. 3-1.05. "Public Transportation" means the
9 transportation or conveyance of persons within nonurbanized
10 areas within the service area of each participant ~~as approved~~
11 ~~by the Department~~ by means available to the general public or
12 groups of the general public with special needs.

13 (Source: P.A. 82-783.)

14 (30 ILCS 740/4-1.3) (from Ch. 111 2/3, par. 699.3)

15 Sec. 4-1.3. "Public transportation" means the
16 transportation or conveyance of persons by means available to
17 the general public including groups of the general public with
18 special needs (1) within the urbanized area, or (2) in the
19 nonurbanized areas within the service area of each participant
20 ~~as approved by the Department~~, except for transportation by
21 automobiles not used for conveyance of the general public as
22 passengers.

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