



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1841

Introduced 2/23/2007, by Rep. Julie Hamos - Sidney H. Mathias - David E. Miller - Michael Tryon - Kathleen A. Ryg, et al.

SYNOPSIS AS INTRODUCED:

70 ILCS 3615/1.02	from Ch. 111 2/3, par. 701.02
70 ILCS 3615/2.01a new	
70 ILCS 3615/2.12	from Ch. 111 2/3, par. 702.12
70 ILCS 3615/4.13	from Ch. 111 2/3, par. 704.13
70 ILCS 3615/5.01	from Ch. 111 2/3, par. 705.01

Amends the Regional Transportation Authority Act. Provides that the Authority shall have additional regional planning powers and responsibilities, including the power to require a Service Board to change its fare and transfer charges, the power to intervene in and arbitrate disputes between Service Boards, the power to conduct financial audits, and the power to create a "Regional Transit Innovations Fund". Provides that the Authority shall establish regional goals, objectives, and performance standards for the Service Boards. Provides that new powers and duties of the Authority shall sunset 10 years after the effective date. Provides that the Authority shall cooperate with the Chicago Metropolitan Agency for Planning, and shall use the forecasts, assumptions, and plans of the Chicago Metropolitan Agency for Planning as the basis for designing the Authority's 5-year plan, Annual Capital Improvement Plan, and other capital improvement plan. Makes other changes. Effective immediately.

LRB095 11329 HLH 32033 b

1 AN ACT concerning local government.

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

4 Section 5. The Regional Transportation Authority Act is
5 amended by changing Sections 1.02, 2.12, 4.13, and 5.01 and by
6 adding Section 2.01a as follows:

7 (70 ILCS 3615/1.02) (from Ch. 111 2/3, par. 701.02)

8 Sec. 1.02. Findings and Purpose. (a) The General Assembly
9 finds;

10 (i) Public transportation is, as provided in Section 7 of
11 Article XIII of the Illinois Constitution, an essential public
12 purpose for which public funds may be expended and that Section
13 authorizes the State to provide financial assistance to units
14 of local government for distribution to providers of public
15 transportation. There is an urgent need to reform and continue
16 a unit of local government to assure the proper management of
17 public transportation and to receive and distribute State or
18 federal operating assistance and to raise and distribute
19 revenues for local operating assistance. System generated
20 revenues are not adequate for such service and a public need
21 exists to provide for, aid and assist public transportation in
22 the northeastern area of the State, consisting of Cook, DuPage,
23 Kane, Lake, McHenry and Will Counties.

1 (ii) Comprehensive and coordinated regional public
2 transportation is essential to the public health, safety and
3 welfare. It is essential to economic well-being, maintenance of
4 full employment, conservation of sources of energy and land for
5 open space and reduction of traffic congestion and for
6 providing and maintaining a healthful environment for the
7 benefit of present and future generations in the metropolitan
8 region. Public transportation improves the mobility of the
9 public and improves access to jobs, commercial facilities,
10 schools and cultural attractions. Public transportation
11 decreases air pollution and other environmental hazards
12 resulting from excessive use of automobiles and allows for more
13 efficient land use and planning.

14 (iii) Because system generated receipts are not presently
15 adequate, public transportation facilities and services in the
16 northeastern area are in grave financial condition. With
17 existing methods of financing, coordination and management,
18 and relative convenience of automobiles, such public
19 transportation facilities are not providing adequate public
20 transportation to insure the public health, safety and welfare.

21 (iv) Additional commitments to the special public
22 transportation problems of the handicapped, the economically
23 disadvantaged, and the elderly are necessary.

24 (v) To solve these problems, it is necessary to provide for
25 the creation of a regional transportation authority with the
26 powers necessary to insure adequate public transportation.

1 (b) The General Assembly further finds, in connection with
2 this amendatory Act of 1983:

3 (i) Substantial, recurring deficits in the operations of
4 public transportation services subject to the jurisdiction of
5 the Regional Transportation Authority and periodic cash
6 shortages have occurred either of which could bring about a
7 loss of public transportation services throughout the
8 metropolitan region at any time;

9 (ii) A substantial or total loss of public transportation
10 services or any segment thereof would create an emergency
11 threatening the safety and well-being of the people in the
12 northeastern area of the State; and

13 (iii) To meet the urgent needs of the people of the
14 metropolitan region that such an emergency be averted and to
15 provide financially sound methods of managing the provision of
16 public transportation services in the northeastern area of the
17 State, it is necessary, while maintaining and continuing the
18 existing Authority, to modify the powers and responsibilities
19 of the Authority, to reallocate responsibility for operating
20 decisions, to change the composition and appointment of the
21 Board of Directors thereof, and to immediately establish a new
22 Board of Directors.

23 (c) It is the purpose of this Act to provide for, aid and
24 assist public transportation in the northeastern area of the
25 State without impairing the overall quality of existing public
26 transportation by providing for the creation of a single

1 authority responsive to the people and elected officials of the
2 area and with the power and competence to provide financial
3 review of the providers of public transportation in the
4 metropolitan region and facilitate public transportation
5 provided by Service Boards which is attractive and economical
6 to users, comprehensive, coordinated among its various
7 elements, economical, safe, efficient and coordinated with
8 area and State plans.

9 (d) The General Assembly further finds, in connection with
10 this amendatory Act of the 95th General Assembly:

11 (i) The economic vitality of northeastern Illinois
12 requires regionwide and systemwide efforts to increase
13 ridership on the transit systems, constrain road congestion
14 within the metropolitan region, and allocate resources for
15 transportation so as to assist in the development of an
16 efficient, integrated regional transit system.

17 (ii) To achieve the purposes of this amendatory Act of the
18 95th General Assembly, the powers and duties of the Authority
19 must be enhanced with respect to overall planning and
20 coordination, the provision of an integrated regional transit
21 system, improved customer service and efficiency, and improved
22 systemwide performance.

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

24 (70 ILCS 3615/2.01a new)

25 Sec. 2.01a. Regional planning and coordination

1 responsibilities and powers of the Regional Transportation
2 Authority.

3 (a) After the effective date of this amendatory Act of the
4 95th General Assembly, and notwithstanding any other
5 provisions of this Act, the Authority shall be responsible for
6 the planning and coordination of an integrated regional transit
7 system, by establishing regional goals, objectives, and
8 performance standards for the Service Boards and all other
9 public transportation services funded by the Authority.

10 Regional goals, objectives, and performance standards shall be
11 developed for the following measures, and any other measures as
12 determined by the Authority, and the Authority shall be held
13 responsible for their implementation:

14 (1) ridership increases on all public transportation
15 services funded by the Authority, excluding boardings on
16 ADA paratransit or door-to-door dial-a-ride services, and
17 using as the benchmark the 2006 total boardings on transit
18 services operated by the Service Boards;

19 (2) coordinated fare and transfer policies, including
20 development of a universal fare instrument that riders may
21 use interchangeably on transit operated by all Service
22 Boards or other transportation services within the RTA
23 region;

24 (3) coordinated services and service interconnections
25 to prevent duplication of services and to promote transfers
26 among transit services, including with respect to any

1 proposed expansions of transit services;

2 (4) capital and operating improvements intended to
3 enhance ridership or customer service, that can be planned
4 and implemented within a 5-year period, such as more
5 reliable service, more off-peak and weekend service,
6 reduced crowding, improved seat availability, expanded
7 vanpool and rideshare options, employer commute
8 incentives, connections with new developments and job
9 centers, reverse commute and suburb-to-suburb commute
10 options, new technology providing faster service and
11 customer information, customer-oriented trip planning,
12 improved pedestrian inter-modal connections, and fully
13 integrated transit hubs;

14 (5) location and design of transit stations or transit
15 improvements, for new or existing transit lines, to support
16 maximum transit use by promoting transfers among transit
17 services and policies that promote transit-oriented land
18 development; and

19 (6) consolidated sales, marketing, and public
20 information programs that promote all transit services
21 within the region.

22 (b) To further the objectives and purposes of this Section
23 and notwithstanding any other provisions of this Act, the
24 Authority shall have the following additional powers:

25 (1) The Executive Director of the Authority may require
26 the submission of ridership and other performance or

1 management data from the Service Boards, in whatever form,
2 detail, intervals, or timetable is deemed necessary by the
3 Executive Director, and the Service Boards shall provide
4 that information to the Authority in a timely manner.

5 (2) The Executive Director of the Authority may require
6 the submission of budget and financial data from the
7 Service Boards, in whatever form, detail, intervals, or
8 timetable is deemed necessary by the Executive Director,
9 and the Service Boards shall provide that information to
10 the Authority in a timely manner.

11 (3) The Authority may require one or more Service
12 Boards to change its fare and transfer charges, terms,
13 conditions, or policies established by those Service
14 Boards in order to promote the coordination of services and
15 service interconnections, to prevent unnecessary
16 duplication of services, and to promote transfers among
17 transit services.

18 (4) The Authority may intervene in and arbitrate
19 disputes between Service Boards over services, routes, or
20 schedules, and the decision of the Authority shall be
21 final.

22 (5) The Authority may, before approving projects for
23 the planning and development of stations or station
24 improvements for inclusion in the 5-Year Program, require a
25 determination that the proposed project supports maximum
26 transit use by promoting transfers among transit services

1 or supports transit-oriented land development intended to
2 generate ridership increases.

3 (6) The Authority may conduct management, performance,
4 and financial audits of the Service Boards or other transit
5 services funded by the Authority, including
6 project-specific audits to evaluate their compliance with
7 stated goals, objectives, and performance standards
8 required under this Section.

9 (7) The Authority may conduct, for new transit lines or
10 line extensions, the analysis of all available
11 alternatives and options, in conformance with regional
12 plans, objectives, and performance standards, in order to
13 identify the alternatives that should be considered for
14 more formal assessments.

15 (8) The Authority may create a "Regional Transit
16 Innovations Fund", using each year up to 15% of any
17 State-authorized or appropriated capital or operating
18 funds received by the Authority, that are not authorized or
19 earmarked by the State of Illinois or the federal
20 government for a specific purpose, and that are in addition
21 to any State, federal, or tax revenues available to the
22 Authority as of the effective date of this amendatory Act
23 of the 95th General Assembly. The Authority may disburse
24 those funds, following a public participation process, to
25 any of the Service Boards, units of local government, or
26 private vendors, for projects or investments that further

1 the purposes of this Section. In making those
2 disbursements, the Authority shall give consideration to
3 projects or investments that are contained in a plan
4 approved by the Chicago Metropolitan Agency for Planning, a
5 county board in the Chicago metropolitan region, or another
6 regional transportation planning organization created
7 pursuant to State or federal law, as long as they conform
8 to the regional goals, objectives, and performance
9 standards adopted by the Authority.

10 (c) The Authority shall file a report with the General
11 Assembly, Governor, Mayor of the City of Chicago, and Chairman
12 of the Board of each of the counties in the metropolitan region
13 each year by no later than March 31, describing the progress
14 being made in implementing all regional goals, objectives, and
15 performance standards during the previous year, as well as any
16 modifications or updates adopted for the following year. These
17 reports shall be published on the RTA website.

18 (d) This Section is repealed 10 years after the effective
19 date of this amendatory Act of the 95th General Assembly.

20 (70 ILCS 3615/2.12) (from Ch. 111 2/3, par. 702.12)

21 Sec. 2.12. Coordination with Planning Agencies. The
22 Authority and the Service Boards shall cooperate with the
23 various public agencies charged with responsibility for
24 long-range or comprehensive planning for the metropolitan
25 region. The Authority shall use the forecasts, assumptions, and

1 plans of the Chicago Metropolitan Agency for Planning (CMAP) as
2 the basis for designing the RTA 5-Year Program, Annual Capital
3 Improvement Plan, and other capital improvement plans or
4 analyses, to the extent possible. The Authority shall submit
5 any such plans to CMAP for review and certification by CMAP
6 that the Plan is consistent with regional plans and priorities.

7 The Authority and the Service Boards shall, prior to the
8 adoption of any Five-Year Program, as provided in paragraph (b)
9 of Section 2.01 of this Act, submit its proposals to such
10 agencies for review and comment. The Authority and the Service
11 Boards may make use of existing studies, surveys, plans, data
12 and other materials in the possession of any State agency or
13 department, any planning agency or any unit of local
14 government.

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

16 (70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

17 Sec. 4.13. Annual Capital Improvement Plan.

18 (a) With respect to each calendar year, the Authority, in
19 coordination with the Chicago Metropolitan Agency for Planning
20 (CMAP), shall prepare as part of its Five Year Program an
21 Annual Capital Improvement Plan (the "Plan") which shall
22 describe its intended development and implementation of the
23 Strategic Capital Improvement Program. The Plan shall include
24 the following information:

25 (i) a list of projects for which approval is sought

1 from the Governor, with a description of each project
2 stating at a minimum the project cost, its category, its
3 location and the entity responsible for its
4 implementation;

5 (ii) a certification by the Authority that the
6 Authority and the Service Boards have applied for all
7 grants, loans and other moneys made available by the
8 federal government or the State of Illinois during the
9 preceding federal and State fiscal years for financing its
10 capital development activities;

11 (iii) a certification that, as of September 30 of the
12 preceding calendar year or any later date, the balance of
13 all federal capital grant funds and all other funds to be
14 used as matching funds therefor which were committed to or
15 possessed by the Authority or a Service Board but which had
16 not been obligated was less than \$350,000,000, or a greater
17 amount as authorized in writing by the Governor (for
18 purposes of this subsection (a), "obligated" means
19 committed to be paid by the Authority or a Service Board
20 under a contract with a nongovernmental entity in
21 connection with the performance of a project or committed
22 under a force account plan approved by the federal
23 government);

24 (iv) a certification that the Authority has adopted a
25 balanced budget with respect to such calendar year under
26 Section 4.01 of this Act;

1 (v) a schedule of all bonds or notes previously issued
2 for Strategic Capital Improvement Projects and all debt
3 service payments to be made with respect to all such bonds
4 and the estimated additional debt service payments through
5 June 30 of the following calendar year expected to result
6 from bonds to be sold prior thereto;

7 (vi) a long-range summary of the Strategic Capital
8 Improvement Program describing the projects to be funded
9 through the Program with respect to project cost, category,
10 location, and implementing entity, and presenting a
11 financial plan including an estimated time schedule for
12 obligating funds for the performance of approved projects,
13 issuing bonds, expending bond proceeds and paying debt
14 service throughout the duration of the Program; and

15 (vii) the source of funding for each project in the
16 Plan. For any project for which full funding has not yet
17 been secured and which is not subject to a federal full
18 funding contract, the Authority must identify alternative,
19 dedicated funding sources available to complete the
20 project. The Governor may waive this requirement on a
21 project by project basis.

22 (b) The Authority shall submit the Plan with respect to any
23 calendar year to the Governor on or before January 15 of that
24 year, or as soon as possible thereafter; provided, however,
25 that the Plan shall be adopted on the affirmative votes of 9 of
26 the then Directors. The Plan may be revised or amended at any

1 time, but any revision in the projects approved shall require
2 the Governor's approval.

3 (c) The Authority shall seek approval from the Governor
4 only through the Plan or an amendment thereto. The Authority
5 shall not request approval of the Plan from the Governor in any
6 calendar year in which it is unable to make the certifications
7 required under items (ii), (iii) and (iv) of subsection (a). In
8 no event shall the Authority seek approval of the Plan from the
9 Governor for projects in an aggregate amount exceeding the
10 proceeds of bonds or notes for Strategic Capital Improvement
11 Projects issued under Section 4.04 of this Act.

12 (d) The Governor may approve the Plan for which approval is
13 requested. The Governor's approval is limited to the amount of
14 the project cost stated in the Plan. The Governor shall not
15 approve the Plan in a calendar year if the Authority is unable
16 to make the certifications required under items (ii), (iii) and
17 (iv) of subsection (a). In no event shall the Governor approve
18 the Plan for projects in an aggregate amount exceeding the
19 proceeds of bonds or notes for Strategic Capital Improvement
20 Projects issued under Section 4.04 of this Act.

21 (e) With respect to capital improvements, only those
22 capital improvements which are in a Plan approved by the
23 Governor shall be financed with the proceeds of bonds or notes
24 issued for Strategic Capital Improvement Projects.

25 (f) Before the Authority or a Service Board obligates any
26 funds for a project for which the Authority or Service Board

1 intends to use the proceeds of bonds or notes for Strategic
2 Capital Improvement Projects, but which project is not included
3 in an approved Plan, the Authority must notify the Governor of
4 the intended obligation. No project costs incurred prior to
5 approval of the Plan including that project may be paid from
6 the proceeds of bonds or notes for Strategic Capital
7 Improvement Projects issued under Section 4.04 of this Act.

8 (Source: P.A. 94-839, eff. 6-6-06.)

9 (70 ILCS 3615/5.01) (from Ch. 111 2/3, par. 705.01)

10 Sec. 5.01. Hearings and Citizen Participation.

11 (a) The Authority shall, in coordination with the Chicago
12 Metropolitan Agency for Planning (CMAP), provide for and
13 encourage participation by the public in the development and
14 review of public transportation policy, and in the process by
15 which major decisions significantly affecting the provision of
16 public transportation are made. The Authority shall, to the
17 extent possible, use CMAP and its advisory committees and
18 public participation processes in preparing and reviewing RTA
19 plans, budgets, programs, and other matters requiring public
20 involvement.

21 (b) The Authority shall, in coordination with CMAP, hold
22 such public hearings as may be required by this Act or as the
23 Authority may deem appropriate to the performance of any of its
24 functions.

25 (c) Unless such items are specifically provided for either

1 in the Five-Year Program or in the annual budget program which
2 has been the subject of public hearings as provided in Sections
3 2.01 or 4.01 of this Act, the Board shall hold public hearings
4 at which citizens may be heard prior to:

5 (i) the construction or acquisition of any public
6 transportation facility, the aggregate cost of which exceeds \$5
7 million; and

8 (ii) the extension of, or major addition to services
9 provided by the Authority or by any transportation agency
10 pursuant to a purchase of service agreement with the Authority.

11 (d) Unless such items are specifically provided for in the
12 annual budget and program which has been the subject of public
13 hearing, as provided in Section 4.01 of this Act, the Board
14 shall hold public hearings at which citizens may be heard prior
15 to the providing for or allowing, by means of any purchase of
16 service agreement or any grant pursuant to Section 2.02 of this
17 Act, any general increase or series of increases in fares or
18 charges for public transportation, whether by the Authority or
19 by any transportation agency, which increase or series of
20 increases within any twelve months affects more than 25% of the
21 consumers of service of the Authority or of the transportation
22 agency; or so providing for or allowing any discontinuance of
23 any public transportation route, or major portion thereof,
24 which has been in service for more than a year.

25 (e) At least twenty days prior notice of any public
26 hearing, as required in this Section, shall be given by public

1 advertisement in a newspaper of general circulation in the
2 metropolitan region.

3 (f) The Authority may designate one or more Directors or
4 may appoint one or more hearing officers to preside over any
5 hearing pursuant to this Act. The Authority shall have the
6 power in connection with any such hearing to issue subpoenas to
7 require the attendance of witnesses and the production of
8 documents, and the Authority may apply to any circuit court in
9 the State to require compliance with such subpoenas.

10 (Source: P.A. 78-3rd S.S.-5.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.