

HB5856



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5856

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-815.1

Amends the Illinois Vehicle Code. In a Section concerning the commercial distribution fee, provides that, beginning January 1, 2009 and through December 31, 2014, for each registration year, the owner of a vehicle for which biodiesel has been purchased during the previous registration year is entitled to a reduction of the fee for that vehicle. Sets forth the amount of the reduction based upon the amount of biodiesel purchased. Makes technical changes. Effective immediately.

LRB095 14388 BDD 40291 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 3-815.1 as follows:

6 (625 ILCS 5/3-815.1)

7 Sec. 3-815.1. Commercial distribution fee. Beginning July
8 1, 2003, in addition to any tax or fee imposed under this Code:

9 (a) Owners of vehicles ~~Vehicles~~ of the second division
10 with a gross vehicle weight that exceeds 8,000 pounds and
11 that incur any tax or fee under subsection (a) of Section
12 3-815 of this Code or subsection (a) of Section 3-818 of
13 this Code, as applicable, shall pay to the Secretary of
14 State a commercial distribution fee, for each registration
15 year, for the use of the public highways, State
16 infrastructure, and State services, in an amount equal to:
17 (i) for a registration year beginning on or after July 1,
18 2003 and before July 1, 2005, 36% of the taxes and fees
19 incurred under subsection (a) of Section 3-815 of this
20 Code, or subsection (a) of Section 3-818 of this Code, as
21 applicable, rounded up to the nearest whole dollar; (ii)
22 for a registration year beginning on or after July 1, 2005
23 and before July 1, 2006, 21.5% of the taxes and fees

1 incurred under subsection (a) of Section 3-815 of this
2 Code, or subsection (a) of Section 3-818 of this Code, as
3 applicable, rounded up to the nearest whole dollar; and
4 (iii) for a registration year beginning on or after July 1,
5 2006, 14.35% of the taxes and fees incurred under
6 subsection (a) of Section 3-815 of this Code, or subsection
7 (a) of Section 3-818 of this Code, as applicable, rounded
8 up to the nearest whole dollar.

9 (b) Until June 30, 2004, owners of vehicles of the
10 second division with a gross vehicle weight of 8,000 pounds
11 or less and that incur any tax or fee under subsection (a)
12 of Section 3-815 of this Code or subsection (a) of Section
13 3-818 of this Code, as applicable, and have claimed the
14 rolling stock exemption under the Retailers' Occupation
15 Tax Act, Use Tax Act, Service Occupation Tax Act, or
16 Service Use Tax Act shall pay to the Illinois Department of
17 Revenue (or the Secretary of State under an
18 intergovernmental agreement) a commercial distribution
19 fee, for each registration year, for the use of the public
20 highways, State infrastructure, and State services, in an
21 amount equal to 36% of the taxes and fees incurred under
22 subsection (a) of Section 3-815 of this Code or subsection
23 (a) of Section 3-818 of this Code, as applicable, rounded
24 up to the nearest whole dollar.

25 The fees paid under this Section shall be deposited by the
26 Secretary of State into the General Revenue Fund.

1 Beginning January 1, 2009 and through December 31, 2014,
2 for each registration year, the owner of a vehicle for which
3 biodiesel has been purchased during the previous registration
4 year is entitled to a reduction of the fees imposed under this
5 Section for that vehicle. The amount of the reduction is:

6 (1) 50% of the fees imposed if the owner purchased
7 \$10,000 or more worth of biodiesel for the vehicle during
8 the previous registration year;

9 (2) 25% of the fees imposed if the owner purchased
10 \$5,000 or more but less than \$10,000 worth of biodiesel for
11 the vehicle during the previous registration year; or

12 (3) 15% of the fees imposed if the owner purchased
13 \$2,500 or more but less than \$5,000 worth of biodiesel for
14 the vehicle during the previous registration year.

15 For the purpose of this paragraph, "biodiesel" has the meaning
16 set forth under Section 10 of the Illinois Renewable Fuels
17 Development Program Act. The Secretary of State must adopt
18 rules to administer this paragraph, including, without
19 limitation, rules concerning application procedures and the
20 documentation and other proof of biodiesel purchases.

21 (Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.