

SB3493



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3493

Introduced 2/10/2010, by Sen. Tim Bivins

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that an Illinois resident who has been awarded the Purple Heart by a branch of the armed forces of the United States may apply to the Illinois Toll Authority to receive a permit, and the Illinois Toll Authority shall adopt rules for the issuance of a permit, that allows the Purple Heart recipient to use any toll highway without paying the toll established under the Act. Effective immediately.

LRB096 15883 AJT 31127 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 Toll Highway Act is amended by changing
5 Section 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. The Authority shall fix and revise from time to
8 time, tolls or charges or rates for the privilege of using each
9 of the toll highways constructed pursuant to this Act. Such
10 tolls shall be so fixed and adjusted at rates calculated to
11 provide the lowest reasonable toll rates that will provide
12 funds sufficient with other revenues of the Authority to pay,
13 (a) the cost of the construction of a toll highway authorized
14 by joint resolution of the General Assembly pursuant to Section
15 14.1 and the reconstruction, major repairs or improvements of
16 toll highways, (b) the cost of maintaining, repairing,
17 regulating and operating the toll highways including only the
18 necessary expenses of the Authority, and (c) the principal of
19 all bonds, interest thereon and all sinking fund requirements
20 and other requirements provided by resolutions authorizing the
21 issuance of the bonds as they shall become due. In fixing the
22 toll rates pursuant to this Section 19 and Section 10(c) of
23 this Act, the Authority shall take into account the effect of

1 the provisions of this Section 19 permitting the use of the
2 toll highway system without payment of the covenants of the
3 Authority contained in the resolutions and trust indentures
4 authorizing the issuance of bonds of the Authority. No such
5 provision permitting the use of the toll highway system without
6 payment of tolls after the date of this amendatory Act of the
7 95th General Assembly shall be applied in a manner that impairs
8 the rights of bondholders pursuant to any resolution or trust
9 indentures authorizing the issuance of bonds of the Authority.
10 The use and disposition of any sinking or reserve fund shall be
11 subject to such regulation as may be provided in the resolution
12 or trust indenture authorizing the issuance of the bonds.
13 Subject to the provisions of any resolution or trust indenture
14 authorizing the issuance of bonds any moneys in any such
15 sinking fund in excess of an amount equal to one year's
16 interest on the bonds then outstanding secured by such sinking
17 fund may be applied to the purchase or redemption of bonds. All
18 such bonds so redeemed or purchased shall forthwith be
19 cancelled and shall not again be issued. No person shall be
20 permitted to use any toll highway without paying the toll
21 established under this Section except when on official Toll
22 Highway Authority business which includes police and other
23 emergency vehicles. However, any law enforcement agency
24 vehicle, fire department vehicle, or other emergency vehicle
25 that is plainly marked shall not be required to pay a toll to
26 use a toll highway. A law enforcement, fire protection, or

1 emergency services officer driving a law enforcement, fire
2 protection, or emergency services agency vehicle that is not
3 plainly marked must present an Official Permit Card which the
4 law enforcement, fire protection, or emergency services
5 officer receives from his or her law enforcement, fire
6 protection, or emergency services agency in order to use a toll
7 highway without paying the toll. A law enforcement, fire
8 protection, or emergency services agency must apply to the
9 Authority to receive a permit, and the Authority shall adopt
10 rules for the issuance of a permit, that allows all law
11 enforcement, fire protection, or emergency services agency
12 vehicles of the law enforcement, fire protection, or emergency
13 services agency that are not plainly marked to use any toll
14 highway without paying the toll established under this Section.
15 A recipient awarded the Purple Heart by a branch of the armed
16 forces of the United States who resides in Illinois may apply
17 to the Authority to receive a permit, and the Authority shall
18 adopt rules for the issuance of a permit, that allows the
19 Purple Heart recipient to use any toll highway without paying
20 the toll established under this Section. The Authority shall
21 maintain in its office a list of all persons that are
22 authorized to use any toll highway without charge when on
23 official business of the Authority and such list shall be open
24 to the public for inspection. In recognition of the unique role
25 of the Suburban Bus Division of the Regional Transportation
26 Authority in providing effective transportation in the

1 Authority's service region and to give effect to the exemption
2 set forth in subsection (b) of Section 2.06 of the Regional
3 Transportation Authority Act, a vehicle owned or operated by
4 the Suburban Bus Division of the Regional Transportation
5 Authority that is being used to transport passengers for hire
6 may use any toll highway without paying the toll.

7 Among other matters, this amendatory Act of 1990 is
8 intended to clarify and confirm the prior intent of the General
9 Assembly to allow toll revenues from the toll highway system to
10 be used to pay a portion of the cost of the construction of the
11 North-South Toll Highway authorized by Senate Joint Resolution
12 122 of the 83rd General Assembly in 1984.

13 (Source: P.A. 95-327, eff. 1-1-08.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.