

HB3924



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3924

Introduced 1/10/2012, by Rep. Richard Morthland

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that the Authority may not increase toll rates without first obtaining authorization by joint resolution of the General Assembly. Effective July 1, 2012.

LRB097 15513 HEP 60636 b

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. The Authority
22 may not increase toll rates without first obtaining
23 authorization by joint resolution of the General Assembly.

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

1 vehicle that is plainly marked shall not be required to pay a
2 toll to use a toll highway. A law enforcement, fire protection,
3 or emergency services officer driving a law enforcement, fire
4 protection, or emergency services agency vehicle that is not
5 plainly marked must present an Official Permit Card which the
6 law enforcement, fire protection, or emergency services
7 officer receives from his or her law enforcement, fire
8 protection, or emergency services agency in order to use a toll
9 highway without paying the toll. A law enforcement, fire
10 protection, or emergency services agency must apply to the
11 Authority to receive a permit, and the Authority shall adopt
12 rules for the issuance of a permit, that allows all law
13 enforcement, fire protection, or emergency services agency
14 vehicles of the law enforcement, fire protection, or emergency
15 services agency that are not plainly marked to use any toll
16 highway without paying the toll established under this Section.
17 The Authority shall maintain in its office a list of all
18 persons that are authorized to use any toll highway without
19 charge when on official business of the Authority and such list
20 shall be open to the public for inspection. In recognition of
21 the unique role of the Suburban Bus Division of the Regional
22 Transportation Authority in providing effective transportation
23 in the Authority's service region and to give effect to the
24 exemption set forth in subsection (b) of Section 2.06 of the
25 Regional Transportation Authority Act, a vehicle owned or
26 operated by the Suburban Bus Division of the Regional

1 Transportation Authority that is being used to transport
2 passengers for hire may use any toll highway without paying the
3 toll.

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

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

11 Section 99. Effective date. This Act takes effect July 1,
12 2012.