



Sen. Matt Murphy

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09700SB2530sam002

LRB097 13348 HEP 67902 a

1 AMENDMENT TO SENATE BILL 2530

2 AMENDMENT NO. _____. Amend Senate Bill 2530 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Toll Highway Act is amended by changing
5 Section 11 as follows:

6 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

7 Sec. 11. The Authority shall have power:

8 (a) To enter upon lands, waters and premises in the State
9 for the purpose of making surveys, soundings, drillings and
10 examinations as may be necessary, expedient or convenient for
11 the purposes of this Act, and such entry shall not be deemed to
12 be a trespass, nor shall an entry for such purpose be deemed an
13 entry under any condemnation proceedings which may be then
14 pending; provided, however, that the Authority shall make
15 reimbursement for any actual damage resulting to such lands,
16 waters and premises as the result of such activities.

1 (b) To construct, maintain and operate stations for the
2 collection of tolls or charges upon and along any toll
3 highways.

4 (c) To provide for the collection of tolls and charges for
5 the privilege of using the said toll highways. Before it adopts
6 an increase in the rates for toll, the Authority shall hold a
7 public hearing at which any person may appear, express
8 opinions, suggestions, or objections, or direct inquiries
9 relating to the proposed increase. Any person may submit a
10 written statement to the Authority at the hearing, whether
11 appearing in person or not. The hearing shall be held in the
12 county in which the proposed increase of the rates is to take
13 place. The Authority shall give notice of the hearing by
14 advertisement on 3 successive days at least 15 days prior to
15 the date of the hearing in a daily newspaper of general
16 circulation within the county within which the hearing is held.
17 The notice shall state the date, time, and place of the
18 hearing, shall contain a description of the proposed increase,
19 and shall specify how interested persons may obtain copies of
20 any reports, resolutions, or certificates describing the basis
21 on which the proposed change, alteration, or modification was
22 calculated. After consideration of any statements filed or oral
23 opinions, suggestions, objections, or inquiries made at the
24 hearing, the Authority may proceed to adopt the proposed
25 increase of the rates for toll if 8 of the directors of the
26 Authority vote in favor of adopting the proposed increase of

1 the rates for toll. No change or alteration in or modification
2 of the rates for toll shall be effective unless at least 90 ~~30~~
3 days prior to the effective date of such rates notice thereof
4 shall be given to the public by publication in a newspaper of
5 general circulation, and such notice, or notices, thereof shall
6 be posted and publicly displayed at each and every toll station
7 upon or along said toll highways.

8 (d) To construct, at the Authority's discretion, grade
9 separations at intersections with any railroads, waterways,
10 street railways, streets, thoroughfares, public roads or
11 highways intersected by the said toll highways, and to change
12 and adjust the lines and grades thereof so as to accommodate
13 the same to the design of such grade separation and to
14 construct interchange improvements. The Authority is
15 authorized to provide such grade separations or interchange
16 improvements at its own cost or to enter into contracts or
17 agreements with reference to division of cost therefor with any
18 municipality or political subdivision of the State of Illinois,
19 or with the Federal Government, or any agency thereof, or with
20 any corporation, individual, firm, person or association.
21 Where such structures have been built by the Authority and a
22 local highway agency did not enter into an agreement to the
23 contrary, the Authority shall maintain the entire structure,
24 including the road surface, at the Authority's expense.

25 (e) To contract with and grant concessions to or lease or
26 license to any person, partnership, firm, association or

1 corporation so desiring the use of any part of any toll
2 highways, excluding the paved portion thereof, but including
3 the right of way adjoining, under, or over said paved portion
4 for the placing of telephone, telegraph, electric, power lines
5 and other utilities, and for the placing of pipe lines, and to
6 enter into operating agreements with or to contract with and
7 grant concessions to or to lease to any person, partnership,
8 firm, association or corporation so desiring the use of any
9 part of the toll highways, excluding the paved portion thereof,
10 but including the right of way adjoining, or over said paved
11 portion for motor fuel service stations and facilities,
12 garages, stores and restaurants, or for any other lawful
13 purpose, and to fix the terms, conditions, rents, rates and
14 charges for such use.

15 The Authority shall also have power to establish reasonable
16 regulations for the installation, construction, maintenance,
17 repair, renewal, relocation and removal of pipes, mains,
18 conduits, cables, wires, towers, poles and other equipment and
19 appliances (herein called public utilities) of any public
20 utility as defined in the Public Utilities Act along, over or
21 under any toll road project. Whenever the Authority shall
22 determine that it is necessary that any such public utility
23 facilities which now are located in, on, along, over or under
24 any project or projects be relocated or removed entirely from
25 any such project or projects, the public utility owning or
26 operating such facilities shall relocate or remove the same in

1 accordance with the order of the Authority. All costs and
2 expenses of such relocation or removal, including the cost of
3 installing such facilities in a new location or locations, and
4 the cost of any land or lands, or interest in land, or any
5 other rights required to accomplish such relocation or removal
6 shall be ascertained and paid by the Authority as a part of the
7 cost of any such project or projects, and further, there shall
8 be no rent, fee or other charge of any kind imposed upon the
9 public utility owning or operating any facilities ordered
10 relocated on the properties of the said Authority and the said
11 Authority shall grant to the said public utility owning or
12 operating said facilities and its successors and assigns the
13 right to operate the same in the new location or locations for
14 as long a period and upon the same terms and conditions as it
15 had the right to maintain and operate such facilities in their
16 former location or locations.

17 (f) To enter into an intergovernmental agreement or
18 contract with a unit of local government or other public or
19 private entity for the collection, enforcement, and
20 administration of tolls, fees, revenue, and violations.

21 The General Assembly finds that electronic toll collection
22 systems in Illinois should be standardized to promote safety,
23 efficiency, and traveler convenience. The Authority shall
24 cooperate with other public and private entities to further the
25 goal of standardized toll collection in Illinois and is
26 authorized to provide toll collection and toll violation

1 enforcement services to such entities when doing so is in the
2 best interest of the Authority and consistent with its
3 obligations under Section 23 of this Act.
4 (Source: P.A. 97-252, eff. 8-4-11.)"