

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 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.

17 (b) To construct, maintain and operate stations for the  
18 collection of tolls or charges upon and along any toll  
19 highways. Every toll collection station shall post signs  
20 notifying toll highway users of the tolls or charges collected  
21 at that station, including the amount charged by any electronic  
22 toll collection system.

23 (c) To provide for the collection of tolls and charges for

1 the privilege of using the said toll highways. Before it adopts  
2 an increase in the rates for toll, the Authority shall hold a  
3 public hearing at which any person may appear, express  
4 opinions, suggestions, or objections, or direct inquiries  
5 relating to the proposed increase. Any person may submit a  
6 written statement to the Authority at the hearing, whether  
7 appearing in person or not. The hearing shall be held in the  
8 county in which the proposed increase of the rates is to take  
9 place. The Authority shall give notice of the hearing by  
10 advertisement on 3 successive days at least 15 days prior to  
11 the date of the hearing in a daily newspaper of general  
12 circulation within the county within which the hearing is held.  
13 The notice shall state the date, time, and place of the  
14 hearing, shall contain a description of the proposed increase,  
15 and shall specify how interested persons may obtain copies of  
16 any reports, resolutions, or certificates describing the basis  
17 on which the proposed change, alteration, or modification was  
18 calculated. After consideration of any statements filed or oral  
19 opinions, suggestions, objections, or inquiries made at the  
20 hearing, the Authority may proceed to adopt the proposed  
21 increase of the rates for toll. No change or alteration in or  
22 modification of the rates for toll shall be effective unless at  
23 least 30 days prior to the effective date of such rates notice  
24 thereof shall be given to the public by publication in a  
25 newspaper of general circulation, and such notice, or notices,  
26 thereof shall be posted and publicly displayed at each and

1 every toll station upon or along said toll highways.

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

19 (e) To contract with and grant concessions to or lease or  
20 license to any person, partnership, firm, association or  
21 corporation so desiring the use of any part of any toll  
22 highways, excluding the paved portion thereof, but including  
23 the right of way adjoining, under, or over said paved portion  
24 for the placing of telephone, telegraph, electric, power lines  
25 and other utilities, and for the placing of pipe lines, and to  
26 enter into operating agreements with or to contract with and

1 grant concessions to or to lease to any person, partnership,  
2 firm, association or corporation so desiring the use of any  
3 part of the toll highways, excluding the paved portion thereof,  
4 but including the right of way adjoining, or over said paved  
5 portion for motor fuel service stations and facilities,  
6 garages, stores and restaurants, or for any other lawful  
7 purpose, and to fix the terms, conditions, rents, rates and  
8 charges for such use.

9       The Authority shall also have power to establish reasonable  
10 regulations for the installation, construction, maintenance,  
11 repair, renewal, relocation and removal of pipes, mains,  
12 conduits, cables, wires, towers, poles and other equipment and  
13 appliances (herein called public utilities) of any public  
14 utility as defined in the Public Utilities Act along, over or  
15 under any toll road project. Whenever the Authority shall  
16 determine that it is necessary that any such public utility  
17 facilities which now are located in, on, along, over or under  
18 any project or projects be relocated or removed entirely from  
19 any such project or projects, the public utility owning or  
20 operating such facilities shall relocate or remove the same in  
21 accordance with the order of the Authority. All costs and  
22 expenses of such relocation or removal, including the cost of  
23 installing such facilities in a new location or locations, and  
24 the cost of any land or lands, or interest in land, or any  
25 other rights required to accomplish such relocation or removal  
26 shall be ascertained and paid by the Authority as a part of the

1 cost of any such project or projects, and further, there shall  
2 be no rent, fee or other charge of any kind imposed upon the  
3 public utility owning or operating any facilities ordered  
4 relocated on the properties of the said Authority and the said  
5 Authority shall grant to the said public utility owning or  
6 operating said facilities and its successors and assigns the  
7 right to operate the same in the new location or locations for  
8 as long a period and upon the same terms and conditions as it  
9 had the right to maintain and operate such facilities in their  
10 former location or locations.

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

15 The General Assembly finds that electronic toll collection  
16 systems in Illinois should be standardized to promote safety,  
17 efficiency, and traveler convenience. The Authority shall  
18 cooperate with other public and private entities to further the  
19 goal of standardized toll collection in Illinois and is  
20 authorized to provide toll collection and toll violation  
21 enforcement services to such entities when doing so is in the  
22 best interest of the Authority and consistent with its  
23 obligations under Section 23 of this Act.

24 (Source: P.A. 97-252, eff. 8-4-11.)