



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

#### HB5441

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3305/25 new

30 ILCS 105/5.855 new

625 ILCS 5/3-806

from Ch. 95 1/2, par. 3-806

625 ILCS 5/3-815

from Ch. 95 1/2, par. 3-815

Amends the Illinois Emergency Management Agency Act. Provides that the Illinois Emergency Management Agency shall establish guidelines by rule for the expenditure of the funds in the Homeland Security Preparedness Fund with input provided by a statewide interagency organization and public safety multidisciplinary organizations established to advise the Director of the Illinois Emergency Management Agency regarding public safety preparedness. Provides that the Illinois Emergency Management Agency shall spend the moneys in the fund to enhance State and local homeland security preparedness, all risk disaster response readiness, and statewide public safety mutual aid. Amends the State Finance Act to create the Homeland Security Preparedness Fund. Amends the Illinois Vehicle Code. Provides that, beginning with the 2014 registration year, a \$3 surcharge shall be collected in addition to other registration fees for motor vehicles of the first division, motorcycles, motor driven cycles, pedalcycles, and vehicles registered in the 8,000 lb. and less flat weight plate category to be deposited into the Homeland Security Preparedness Fund for the Illinois Emergency Management Agency to use as directed under the Illinois Emergency Management Agency Act. Provides that this surcharge shall not apply to registration of vehicles by units of local, State, or federal government and other specified organizations.

LRB098 18528 MGM 53665 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Emergency Management Agency Act is  
5 amended by adding Section 25 as follows:

6 (20 ILCS 3305/25 new)

7 Sec. 25. Homeland security preparedness.

8 (a) There is hereby created the Homeland Security  
9 Preparedness Fund as a special fund in the State treasury.

10 (b) The Illinois Emergency Management Agency shall  
11 establish guidelines by rule for the expenditure of the funds  
12 in the Homeland Security Preparedness Fund with input provided  
13 by a statewide interagency organization and public safety  
14 multidisciplinary organizations established to advise the  
15 Director of the Illinois Emergency Management Agency regarding  
16 public safety preparedness.

17 (c) Following the guidelines established under subsection  
18 (b) of this Section, the Illinois Emergency Management Agency  
19 shall spend the moneys in the fund to enhance State and local  
20 homeland security preparedness, all risk disaster response  
21 readiness, and statewide public safety mutual aid.

22 (d) The use of all funds shall be limited to statewide  
23 mutual aid based systems, interoperable communications systems

1 and networks, initiatives and programs designed for statewide  
2 emergency incident planning, prevention, and response.

3 (e) Funds shall be distributed among the programs as  
4 follows:

5 (1) for statewide law enforcement mutual aid: 33%;

6 (2) for fire protection mutual aid: 33%; and

7 (3) for other statewide preparedness projects,  
8 programs, and efforts as determined by the Illinois  
9 Emergency Management Agency: 34%.

10 The statewide preparedness projects, programs, and efforts  
11 under paragraph (3) of subsection (e) include, but are not  
12 limited to, state preparedness systems concerning terrorism  
13 intelligence, protection and preventive programs, and  
14 statewide public safety training programs, funds spent for Cook  
15 county and the city of Chicago, and local emergency management  
16 agencies.

17 (f) Moneys in the Homeland Security Preparedness Fund shall  
18 be transferred each month to the Illinois Emergency Management  
19 Agency for redistribution to the appropriate organizations.

20 Section 10. The State Finance Act is amended by adding  
21 Section 5.855 as follows:

22 (30 ILCS 105/5.855 new)

23 Sec. 5.855. The Homeland Security Preparedness Fund.

1 Section 15. The Illinois Vehicle Code is amended by  
 2 changing Sections 3-806 and 3-815 as follows:

3 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)

4 Sec. 3-806. Registration Fees; Motor Vehicles of the First  
 5 Division. Every owner of any other motor vehicle of the first  
 6 division, except as provided in Sections 3-804, 3-804.01,  
 7 3-804.3, 3-805, 3-806.3, 3-806.7, and 3-808, and every second  
 8 division vehicle weighing 8,000 pounds or less, shall pay the  
 9 Secretary of State an annual registration fee at the following  
 10 rates:

11 SCHEDULE OF REGISTRATION FEES

12 REQUIRED BY LAW

13 Beginning with the 2010 registration year

14 Annual

15 Fee

16 Motor vehicles of the first

17 division other than

18 Motorcycles, Motor Driven

19 Cycles and Pedalcycles \$98

20 Motorcycles, Motor Driven

21 Cycles and Pedalcycles 38

22 Beginning with the 2010 registration year a \$1 surcharge  
 23 shall be collected in addition to the above fees for motor  
 24 vehicles of the first division, motorcycles, motor driven

1 cycles, and pedalcycles to be deposited into the State Police  
2 Vehicle Fund.

3 All of the proceeds of the additional fees imposed by  
4 Public Act 96-34 shall be deposited into the Capital Projects  
5 Fund.

6 Beginning with the 2014 registration year, a \$2 surcharge  
7 shall be collected in addition to the above fees for motor  
8 vehicles of the first division, motorcycles, motor driven  
9 cycles, and pedalcycles to be deposited into the Park and  
10 Conservation Fund for the Department of Natural Resources to  
11 use for conservation efforts. The monies deposited into the  
12 Park and Conservation Fund under this Section shall not be  
13 subject to administrative charges or chargebacks unless  
14 otherwise authorized by this Act.

15 Beginning with the 2014 registration year, a \$3 surcharge  
16 shall be collected in addition to the above fees for motor  
17 vehicles of the first division, motorcycles, motor driven  
18 cycles, and pedalcycles to be deposited into the Homeland  
19 Security Preparedness Fund for the Illinois Emergency  
20 Management Agency to use as directed under Section 25 of the  
21 Illinois Emergency Management Agency Act. This surcharge shall  
22 not apply to registration of vehicles by units of local, State,  
23 or federal government and organizations based in this State  
24 that meet the requirements of Title 26, Section 501 (c) (3) of  
25 the United States Code.

26 (Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12;

1 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

2 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

3 Sec. 3-815. Flat weight tax; vehicles of the second  
4 division.

5 (a) Except as provided in Section 3-806.3 and 3-804.3,  
6 every owner of a vehicle of the second division registered  
7 under Section 3-813, and not registered under the mileage  
8 weight tax under Section 3-818, shall pay to the Secretary of  
9 State, for each registration year, for the use of the public  
10 highways, a flat weight tax at the rates set forth in the  
11 following table, the rates including the \$10 registration fee:

12 SCHEDULE OF FLAT WEIGHT TAX

13 REQUIRED BY LAW

14 Gross Weight in Lbs. 15 Including Vehicle 16 and Maximum	17 Class	18 Total Fees 19 each Fiscal 20 year
18 8,000 lbs. and less	B	\$98
19 8,001 lbs. to 12,000 lbs.	D	138
20 12,001 lbs. to 16,000 lbs.	F	242
21 16,001 lbs. to 26,000 lbs.	H	490
22 26,001 lbs. to 28,000 lbs.	J	630
23 28,001 lbs. to 32,000 lbs.	K	842
24 32,001 lbs. to 36,000 lbs.	L	982
25 36,001 lbs. to 40,000 lbs.	N	1,202

1	40,001 lbs. to 45,000 lbs.	P	1,390
2	45,001 lbs. to 50,000 lbs.	Q	1,538
3	50,001 lbs. to 54,999 lbs.	R	1,698
4	55,000 lbs. to 59,500 lbs.	S	1,830
5	59,501 lbs. to 64,000 lbs.	T	1,970
6	64,001 lbs. to 73,280 lbs.	V	2,294
7	73,281 lbs. to 77,000 lbs.	X	2,622
8	77,001 lbs. to 80,000 lbs.	Z	2,790

9           Beginning with the 2010 registration year a \$1 surcharge  
10 shall be collected for vehicles registered in the 8,000 lbs.  
11 and less flat weight plate category above to be deposited into  
12 the State Police Vehicle Fund.

13           Beginning with the 2014 registration year, a \$2 surcharge  
14 shall be collected in addition to the above fees for vehicles  
15 registered in the 8,000 lb. and less flat weight plate category  
16 as described in this subsection (a) to be deposited into the  
17 Park and Conservation Fund for the Department of Natural  
18 Resources to use for conservation efforts. The monies deposited  
19 into the Park and Conservation Fund under this Section shall  
20 not be subject to administrative charges or chargebacks unless  
21 otherwise authorized by this Act.

22           All of the proceeds of the additional fees imposed by this  
23 amendatory Act of the 96th General Assembly shall be deposited  
24 into the Capital Projects Fund.

25           Beginning with the 2014 registration year, a \$3 surcharge  
26 shall be collected in addition to the above fees for vehicles

1 registered in the 8,000 lb. and less flat weight plate category  
2 as described in this subsection (a) to be deposited into the  
3 Homeland Security Preparedness Fund for the Illinois Emergency  
4 Management Agency to use as directed under Section 25 of the  
5 Illinois Emergency Management Agency Act. This surcharge shall  
6 not apply to registration of vehicles by units of local, State,  
7 or federal government and organizations based in this State  
8 that meet the requirements of Title 26, Section 501 (c) (3) of  
9 the United States Code.

10 (a-1) A Special Hauling Vehicle is a vehicle or combination  
11 of vehicles of the second division registered under Section  
12 3-813 transporting asphalt or concrete in the plastic state or  
13 a vehicle or combination of vehicles that are subject to the  
14 gross weight limitations in subsection (a) of Section 15-111  
15 for which the owner of the vehicle or combination of vehicles  
16 has elected to pay, in addition to the registration fee in  
17 subsection (a), \$125 to the Secretary of State for each  
18 registration year. The Secretary shall designate this class of  
19 vehicle as a Special Hauling Vehicle.

20 (b) Except as provided in Section 3-806.3, every camping  
21 trailer, motor home, mini motor home, travel trailer, truck  
22 camper or van camper used primarily for recreational purposes,  
23 and not used commercially, nor for hire, nor owned by a  
24 commercial business, may be registered for each registration  
25 year upon the filing of a proper application and the payment of  
26 a registration fee and highway use tax, according to the



1 following table of fees:

2 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

3 Gross Weight in Lbs.	Total Fees
4 Including Vehicle and	Each
5 Maximum Load	Calendar Year
6 8,000 lbs and less	\$78
7 8,001 Lbs. to 10,000 Lbs	90
8 10,001 Lbs. and Over	102

9 CAMPING TRAILER OR TRAVEL TRAILER

10 Gross Weight in Lbs.	Total Fees
11 Including Vehicle and	Each
12 Maximum Load	Calendar Year
13 3,000 Lbs. and Less	\$18
14 3,001 Lbs. to 8,000 Lbs.	30
15 8,001 Lbs. to 10,000 Lbs.	38
16 10,001 Lbs. and Over	50

17 Every house trailer must be registered under Section 3-819.

18 (c) Farm Truck. Any truck used exclusively for the owner's  
 19 own agricultural, horticultural or livestock raising  
 20 operations and not-for-hire only, or any truck used only in the  
 21 transportation for-hire of seasonal, fresh, perishable fruit  
 22 or vegetables from farm to the point of first processing, may  
 23 be registered by the owner under this paragraph in lieu of  
 24 registration under paragraph (a), upon filing of a proper  
 25 application and the payment of the \$10 registration fee and the  
 26 highway use tax herein specified as follows:

## 1 SCHEDULE OF FEES AND TAXES

2	Gross Weight in Lbs.		Total Amount for
3	Including Truck and		each
4	Maximum Load	Class	Fiscal Year
5	16,000 lbs. or less	VF	\$150
6	16,001 to 20,000 lbs.	VG	226
7	20,001 to 24,000 lbs.	VH	290
8	24,001 to 28,000 lbs.	VJ	378
9	28,001 to 32,000 lbs.	VK	506
10	32,001 to 36,000 lbs.	VL	610
11	36,001 to 45,000 lbs.	VP	810
12	45,001 to 54,999 lbs.	VR	1,026
13	55,000 to 64,000 lbs.	VT	1,202
14	64,001 to 73,280 lbs.	VV	1,290
15	73,281 to 77,000 lbs.	VX	1,350
16	77,001 to 80,000 lbs.	VZ	1,490

17 In the event the Secretary of State revokes a farm truck  
 18 registration as authorized by law, the owner shall pay the flat  
 19 weight tax due hereunder before operating such truck.

20 Any combination of vehicles having 5 axles, with a distance  
 21 of 42 feet or less between extreme axles, that are subject to  
 22 the weight limitations in subsection (a) of Section 15-111 for  
 23 which the owner of the combination of vehicles has elected to  
 24 pay, in addition to the registration fee in subsection (c),  
 25 \$125 to the Secretary of State for each registration year shall  
 26 be designated by the Secretary as a Special Hauling Vehicle.

1           (d) The number of axles necessary to carry the maximum load  
2 provided shall be determined from Chapter 15 of this Code.

3           (e) An owner may only apply for and receive 5 farm truck  
4 registrations, and only 2 of those 5 vehicles shall exceed  
5 59,500 gross weight in pounds per vehicle.

6           (f) Every person convicted of violating this Section by  
7 failure to pay the appropriate flat weight tax to the Secretary  
8 of State as set forth in the above tables shall be punished as  
9 provided for in Section 3-401.

10           (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;  
11 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)