

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 Illinois Highway Code is amended by changing
5 Section 7-202 and by adding Section 7-202.23 as follows:

6 (605 ILCS 5/7-202) (from Ch. 121, par. 7-202)

7 Sec. 7-202. Motor fuel tax funds allotted to the several
8 municipalities shall be used for one or more of the purposes
9 stated in Sections 7-202.1 through 7-202.23 ~~7-202.22~~.

10 (Source: P.A. 85-1010.)

11 (605 ILCS 5/7-202.23 new)

12 Sec. 7-202.23. Treatment or removal of ash trees infected
13 with the emerald ash borer (*Agrilus planipennis* Fairmaire) from
14 any public right-of-way within a municipality. Municipalities
15 may use motor fuel tax funds under the general maintenance
16 program for the treatment or removal of ash trees if the
17 following criteria are met:

18 (a) the municipality is located in the emerald ash borer
19 internal State quarantine zone most recently published by the
20 Illinois Department of Agriculture, unless the Department has
21 determined that the entire State has become infested and, as a
22 result, has rescinded the internal State quarantine;

1 (b) the ash trees are located on the public right-of-way or
2 are a potential hazard to vehicle travel;

3 (c) the ash trees to be removed are shown in a detailed
4 inventory; and

5 (d) motor fuel tax funds are not used to plant replacement
6 trees.