



Sen. Toi W. Hutchinson

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LRB098 17325 MLW 58736 a

1 AMENDMENT TO SENATE BILL 3398

2 AMENDMENT NO. _____. Amend Senate Bill 3398 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-815 and 18b-101 as follows:

6 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

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

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

16 SCHEDULE OF FLAT WEIGHT TAX

REQUIRED BY LAW

2	Gross Weight in Lbs.	Total Fees
3	Including Vehicle	each Fiscal
4	and Maximum	year
5	Load	Class
6	8,000 lbs. and less	\$98
7	8,001 lbs. to 12,000 lbs.	138
8	12,001 lbs. to 16,000 lbs.	242
9	16,001 lbs. to 26,000 lbs.	490
10	26,001 lbs. to 28,000 lbs.	630
11	28,001 lbs. to 32,000 lbs.	842
12	32,001 lbs. to 36,000 lbs.	982
13	36,001 lbs. to 40,000 lbs.	1,202
14	40,001 lbs. to 45,000 lbs.	1,390
15	45,001 lbs. to 50,000 lbs.	1,538
16	50,001 lbs. to 54,999 lbs.	1,698
17	55,000 lbs. to 59,500 lbs.	1,830
18	59,501 lbs. to 64,000 lbs.	1,970
19	64,001 lbs. to 73,280 lbs.	2,294
20	73,281 lbs. to 77,000 lbs.	2,622
21	77,001 lbs. to 80,000 lbs.	2,790

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

26 Beginning with the 2014 registration year, a \$2 surcharge

1 shall be collected in addition to the above fees for vehicles
2 registered in the 8,000 lb. and less flat weight plate category
3 as described in this subsection (a) to be deposited into the
4 Park and Conservation Fund for the Department of Natural
5 Resources to use for conservation efforts. The monies deposited
6 into the Park and Conservation Fund under this Section shall
7 not be subject to administrative charges or chargebacks unless
8 otherwise authorized by this Act.

9 All of the proceeds of the additional fees imposed by this
10 amendatory Act of the 96th General Assembly shall be deposited
11 into the Capital Projects Fund.

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

22 (a-5) Beginning January 1, 2015, upon the request of the
23 vehicle owner, a \$10 surcharge shall be collected in addition
24 to the above fees for vehicles in the 12,000 lbs. and less flat
25 weight plate categories as described in subsection (a) to be
26 deposited into the Secretary of State Special License Plate

1 Fund. The \$10 surcharge is to identify vehicles in the 12,000
 2 lbs. and less flat weight plate categories as a covered farm
 3 vehicle. The \$10 surcharge is an annual, flat fee that shall be
 4 based on an applicant's new or existing registration year for
 5 each vehicle in the 12,000 lbs. and less flat weight plate
 6 categories. A designation as a covered farm vehicle under this
 7 subsection (a-5) shall not alter a vehicle's registration as a
 8 registration in the 12,000 lbs. or less flat weight category.
 9 The Secretary shall adopt any rules necessary to implement this
 10 subsection (a-5).

11 (b) Except as provided in Section 3-806.3, every camping
 12 trailer, motor home, mini motor home, travel trailer, truck
 13 camper or van camper used primarily for recreational purposes,
 14 and not used commercially, nor for hire, nor owned by a
 15 commercial business, may be registered for each registration
 16 year upon the filing of a proper application and the payment of
 17 a registration fee and highway use tax, according to the
 18 following table of fees:

19 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
20 Gross Weight in Lbs.	Total Fees
21 Including Vehicle and	Each
22 Maximum Load	Calendar Year
23 8,000 lbs and less	\$78
24 8,001 Lbs. to 10,000 Lbs	90
25 10,001 Lbs. and Over	102
26 CAMPING TRAILER OR TRAVEL TRAILER	

	Total Fees
1 Gross Weight in Lbs.	
2 Including Vehicle and	Each
3 Maximum Load	Calendar Year
4 3,000 Lbs. and Less	\$18
5 3,001 Lbs. to 8,000 Lbs.	30
6 8,001 Lbs. to 10,000 Lbs.	38
7 10,001 Lbs. and Over	50

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

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

18 SCHEDULE OF FEES AND TAXES

		Total Amount for
19 Gross Weight in Lbs.		each
20 Including Truck and		each
21 Maximum Load	Class	Fiscal Year
22 16,000 lbs. or less	VF	\$150
23 16,001 to 20,000 lbs.	VG	226
24 20,001 to 24,000 lbs.	VH	290
25 24,001 to 28,000 lbs.	VJ	378
26 28,001 to 32,000 lbs.	VK	506

1	32,001 to 36,000 lbs.	VL	610
2	36,001 to 45,000 lbs.	VP	810
3	45,001 to 54,999 lbs.	VR	1,026
4	55,000 to 64,000 lbs.	VT	1,202
5	64,001 to 73,280 lbs.	VV	1,290
6	73,281 to 77,000 lbs.	VX	1,350
7	77,001 to 80,000 lbs.	VZ	1,490

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

11 Any combination of vehicles having 5 axles, with a distance
12 of 42 feet or less between extreme axles, that are subject to
13 the weight limitations in subsection (a) of Section 15-111 for
14 which the owner of the combination of vehicles has elected to
15 pay, in addition to the registration fee in subsection (c),
16 \$125 to the Secretary of State for each registration year shall
17 be designated by the Secretary as a Special Hauling Vehicle.

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

20 (e) An owner may only apply for and receive 5 farm truck
21 registrations, and only 2 of those 5 vehicles shall exceed
22 59,500 gross weight in pounds per vehicle.

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

1 (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;
2 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

3 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

4 Sec. 18b-101. Definitions. Unless the context otherwise
5 clearly requires, as used in this Chapter:

6 "Agricultural commodities" means any agricultural
7 commodity, non-processed food, feed, fiber, or livestock,
8 including insects.

9 "Agricultural operations" means the operation of a motor
10 vehicle or combination of vehicles transporting agricultural
11 commodities or farm supplies for agricultural purposes.

12 "Air mile" means a nautical mile, which is equivalent to
13 6,076 feet or 1,852 meters. Accordingly, 100 air miles are
14 equivalent to 115.08 statute miles or 185.2 kilometers.

15 "Commercial motor vehicle" means any self propelled or
16 towed vehicle used on public highways in interstate and
17 intrastate commerce to transport passengers or property when
18 the vehicle has a gross vehicle weight, a gross vehicle weight
19 rating, a gross combination weight, or a gross combination
20 weight rating of 10,001 or more pounds; or the vehicle is used
21 or designed to transport more than 15 passengers, including the
22 driver; or the vehicle is designed to carry 15 or fewer
23 passengers and is operated by a contract carrier transporting
24 employees in the course of their employment on a highway of
25 this State; or the vehicle is used or designed to transport

1 between 9 and 15 passengers, including the driver, for direct
2 compensation; or the vehicle is used in the transportation of
3 hazardous materials in a quantity requiring placarding under
4 the Illinois Hazardous Materials Transportation Act. This
5 definition shall not include farm machinery, fertilizer
6 spreaders, and other special agricultural movement equipment
7 described in Section 3-809 nor implements of husbandry as
8 defined in Section 1-130. †

9 "Covered farm vehicle", for purposes of this Chapter and
10 rule-making under this Chapter, means a straight truck or
11 articulated vehicle, excluding vehicles transporting hazardous
12 materials of a type or quantity that requires the vehicle to be
13 placarded in accordance with the Illinois Hazardous Materials
14 Transportation Act, registered in this State or another state
15 and equipped with a special license plate or other designation
16 by the state in which the vehicle is registered identifying the
17 vehicle as a covered farm vehicle for law enforcement personnel
18 and:

19 (1) is operated by a farm or ranch owner or operator,
20 or an employee or family member of the farm or ranch owner
21 or operator; and

22 (2) is being used to transport the following to or from
23 a farm or ranch:

24 (A) agricultural commodities;

25 (B) livestock; or

26 (C) machinery or supplies; and

1 (3) if registered in this State, is:

2 (A) registered as a farm truck under subsection (c)
3 of Section 3-815 of this Code; or

4 (B) operated in combination as an articulated
5 vehicle when the truck in the combination is registered
6 for 12,000 lbs. or less as a covered farm vehicle under
7 subsections (a) and (a-5) of Section 3-815 of this Code
8 or subsection (a) of Section 3-818 of this Code and
9 contains in the cab of the motor vehicle a registration
10 designating the vehicle as a covered farm vehicle under
11 subsection (a) of Section 3-815 of this Code and the
12 trailer in the combination is registered as a farm
13 trailer under subsection (a) of Section 3-819 of this
14 Code and displays a farm registration license plate; or

15 (C) a truck registered for 12,000 lbs. or less as a
16 covered farm vehicle under subsections (a) and (a-5) of
17 Section 3-815 of this Code or subsection (a) of Section
18 3-818 of this Code containing in the cab of the motor
19 vehicle a registration designating the vehicle as a
20 covered farm vehicle under subsection (a) of Section
21 3-815 of this Code that is towing an implement of
22 husbandry as part of a farming operation; and

23 (4) is not used in for-hire motor carrier operations;
24 except that this paragraph (4) does not apply to the
25 transport of a landlord's portion of crops by a tenant
26 under a crop share farm lease agreement; and

1 (5) has a gross vehicle weight rating (GVWR), a gross
2 combination weight rating (GCWR), or a gross vehicle weight
3 or gross vehicle combination weight, whichever is greater,
4 that is:

5 (A) 26,001 lbs. or less, for vehicles operating in
6 interstate commerce; or

7 (B) greater than 26,001 lbs., operating in
8 interstate commerce and registered in this State; or

9 (C) greater than 26,001 lbs. and traveling
10 interstate within 150 air miles of the farm or ranch
11 for which the vehicle is being operated, regardless of
12 whether it is registered in this State; or

13 (D) greater than 10,000 lbs. and traveling
14 intrastate.

15 "Direct compensation" means payment made to the motor
16 carrier by the passengers or a person acting on behalf of the
17 passengers for the transportation services provided, and not
18 included in a total package charge or other assessment for
19 highway transportation services.†

20 "Farm supplies for agricultural purposes" means products
21 directly related to the growing or harvesting of agricultural
22 commodities and livestock feed at any time of the year.†

23 "Livestock" means cattle, sheep, goats, swine, poultry
24 (including egg-producing poultry), fish used for food, and
25 other animals designated by the Secretary of the United States
26 Department of Transportation (at his or her sole discretion)

1 that are part of a foundation herd (including producing dairy
2 cattle) or offspring.~~+~~

3 "Officer" means Illinois State Police Officer.~~+~~

4 "Person" means any natural person or individual,
5 governmental body, firm, association, partnership,
6 copartnership, joint venture, company, corporation, joint
7 stock company, trust, estate or any other legal entity or their
8 legal representative, agent or assigns.

9 (Source: P.A. 97-795, eff. 1-1-13.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."