



## 99TH GENERAL ASSEMBLY

### State of Illinois

### 2015 and 2016

### HB2423

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3305/25 new

30 ILCS 105/5.866 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 2015 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.

LRB099 07145 MGM 27232 b

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 5.866 as follows:

22 (30 ILCS 105/5.866 new)

23 Sec. 5.866. 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

	Annual Fee
14	
15 Motor vehicles of the first division other	
16 than Autocycles, Motorcycles, Motor	
17 Driven Cycles and Pedalcycles	\$98
18	
19 Autocycles	68
20	
21 Motorcycles, Motor Driven	
22 Cycles and Pedalcycles	38

23 A \$1 surcharge shall be collected in addition to the above  
 24 fees for motor vehicles of the first division, autocycles,

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

14 Beginning with the 2015 registration year, a \$3 surcharge  
15 shall be collected in addition to the above fees for motor  
16 vehicles of the first division, motorcycles, motor driven  
17 cycles, and pedalcycles to be deposited into the Homeland  
18 Security Preparedness Fund for the Illinois Emergency  
19 Management Agency to use as directed under Section 25 of the  
20 Illinois Emergency Management Agency Act. This surcharge shall  
21 not apply to registration of vehicles by units of local, State,  
22 or federal government and organizations based in this State  
23 that meet the requirements of Title 26, Section 501 (c) (3) of  
24 the United States Code.

25 (Source: P.A. 97-412, eff. 1-1-12; 97-811, eff. 7-13-12;  
26 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13; 98-777, eff.

1 1-1-15.)

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.	Class	Total Fees
15 Including Vehicle		each Fiscal
16 and Maximum Load		year
17 8,000 lbs. and less	B	\$98
18 8,001 lbs. to 12,000 lbs.	D	138
19 12,001 lbs. to 16,000 lbs.	F	242
20 16,001 lbs. to 26,000 lbs.	H	490
21 26,001 lbs. to 28,000 lbs.	J	630
22 28,001 lbs. to 32,000 lbs.	K	842
23 32,001 lbs. to 36,000 lbs.	L	982
24 36,001 lbs. to 40,000 lbs.	N	1,202
25 40,001 lbs. to 45,000 lbs.	P	1,390

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

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

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

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

24           Beginning with the 2015 registration year, a \$3 surcharge  
25 shall be collected in addition to the above fees for vehicles  
26 registered in the 8,000 lb. and less flat weight plate category

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

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

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



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

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

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

17 Gross Weight in Lbs.	Total Fees
18 Including Vehicle and	Each
19 Maximum Load	Calendar Year
20 8,000 lbs and less	\$78
21 8,001 Lbs. to 10,000 Lbs	90
22 10,001 Lbs. and Over	102

23 CAMPING TRAILER OR TRAVEL TRAILER

24 Gross Weight in Lbs.	Total Fees
25 Including Vehicle and	Each
26 Maximum Load	Calendar Year

1	3,000 Lbs. and Less	\$18
2	3,001 Lbs. to 8,000 Lbs.	30
3	8,001 Lbs. to 10,000 Lbs.	38
4	10,001 Lbs. and Over	50

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

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

15                           SCHEDULE OF FEES AND TAXES

16	Gross Weight in Lbs.		Total Amount for
17	Including Truck and		each
18	Maximum Load	Class	Fiscal Year
19	16,000 lbs. or less	VF	\$150
20	16,001 to 20,000 lbs.	VG	226
21	20,001 to 24,000 lbs.	VH	290
22	24,001 to 28,000 lbs.	VJ	378
23	28,001 to 32,000 lbs.	VK	506
24	32,001 to 36,000 lbs.	VL	610
25	36,001 to 45,000 lbs.	VP	810
26	45,001 to 54,999 lbs.	VR	1,026

1	55,000 to 64,000 lbs.	VT	1,202
2	64,001 to 73,280 lbs.	VV	1,290
3	73,281 to 77,000 lbs.	VX	1,350
4	77,001 to 80,000 lbs.	VZ	1,490

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

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

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

17       (e) An owner may only apply for and receive 5 farm truck  
18 registrations, and only 2 of those 5 vehicles shall exceed  
19 59,500 gross weight in pounds per vehicle.

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

24       (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12;  
25 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13; 98-882, eff.  
26 8-13-14.)