

# HB3690



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3690

by Rep. Katherine Cloonen

### SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that vehicles owned or operated by a Mass Transit District created under Section 3 of the Local Mass Transit District Act may use any toll highway without paying a toll.

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A BILL FOR

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 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. Toll rates.

8 The Authority shall fix and revise from time to time, tolls  
9 or charges or rates for the privilege of using each of the toll  
10 highways constructed pursuant to this Act. Such tolls shall be  
11 so fixed and adjusted at rates calculated to provide the lowest  
12 reasonable toll rates that will provide funds sufficient with  
13 other revenues of the Authority to pay, (a) the cost of the  
14 construction of a toll highway authorized by joint resolution  
15 of the General Assembly pursuant to Section 14.1 and the  
16 reconstruction, major repairs or improvements of toll  
17 highways, (b) the cost of maintaining, repairing, regulating  
18 and operating the toll highways including only the necessary  
19 expenses of the Authority, and (c) the principal of all bonds,  
20 interest thereon and all sinking fund requirements and other  
21 requirements provided by resolutions authorizing the issuance  
22 of the bonds as they shall become due. In fixing the toll rates  
23 pursuant to this Section 19 and Section 10(c) of this Act, the

1 Authority shall take into account the effect of the provisions  
2 of this Section 19 permitting the use of the toll highway  
3 system without payment of the covenants of the Authority  
4 contained in the resolutions and trust indentures authorizing  
5 the issuance of bonds of the Authority. No such provision  
6 permitting the use of the toll highway system without payment  
7 of tolls after the date of this amendatory Act of the 95th  
8 General Assembly shall be applied in a manner that impairs the  
9 rights of bondholders pursuant to any resolution or trust  
10 indentures authorizing the issuance of bonds of the Authority.  
11 The use and disposition of any sinking or reserve fund shall be  
12 subject to such regulation as may be provided in the resolution  
13 or trust indenture authorizing the issuance of the bonds.  
14 Subject to the provisions of any resolution or trust indenture  
15 authorizing the issuance of bonds any moneys in any such  
16 sinking fund in excess of an amount equal to one year's  
17 interest on the bonds then outstanding secured by such sinking  
18 fund may be applied to the purchase or redemption of bonds. All  
19 such bonds so redeemed or purchased shall forthwith be  
20 cancelled and shall not again be issued. No person shall be  
21 permitted to use any toll highway without paying the toll  
22 established under this Section except when on official Toll  
23 Highway Authority business which includes police and other  
24 emergency vehicles. However, any law enforcement agency  
25 vehicle, fire department vehicle, public or private ambulance  
26 service vehicle engaged in the performance of an emergency

1 service or duty that necessitates the use of the toll highway  
2 system, or other emergency vehicle that is plainly marked shall  
3 not be required to pay a toll to use a toll highway. A law  
4 enforcement, fire protection, or emergency services officer  
5 driving a law enforcement, fire protection, emergency services  
6 agency vehicle, or public or private ambulance service vehicle  
7 engaging in the performance of emergency services or duties  
8 that is not plainly marked must present an Official Permit Card  
9 which the law enforcement, fire protection, or emergency  
10 services officer receives from his or her law enforcement, fire  
11 protection, emergency services agency, or public or private  
12 ambulance service in order to use a toll highway without paying  
13 the toll. A law enforcement, fire protection, emergency  
14 services agency, or public or private ambulance service  
15 engaging in the performance of emergency services or duties  
16 must apply to the Authority to receive a permit, and the  
17 Authority shall adopt rules for the issuance of a permit, that  
18 allows public or private ambulance service vehicles engaged in  
19 the performance of emergency services or duties that  
20 necessitate the use of the toll highway system and all law  
21 enforcement, fire protection, or emergency services agency  
22 vehicles of the law enforcement, fire protection, or emergency  
23 services agency to use any toll highway without paying the toll  
24 established under this Section. The Authority shall maintain in  
25 its office a list of all persons that are authorized to use any  
26 toll highway without charge when on official business of the

1 Authority and such list shall be open to the public for  
2 inspection. In recognition of the unique role of public  
3 transportation ~~the Suburban Bus Division of the Regional~~  
4 ~~Transportation Authority~~ in providing effective transportation  
5 in the Authority's service region, and to give effect to the  
6 exemption set forth in subsection (b) of Section 2.06 of the  
7 Regional Transportation Authority Act, a vehicle owned or  
8 operated by the Suburban Bus Division of the Regional  
9 Transportation Authority that is being used to transport  
10 passengers for hire, or any vehicle owned or operated by a Mass  
11 Transit District created under Section 3 of the Local Mass  
12 Transit District Act, may use any toll highway without paying  
13 the toll.

14 Among other matters, this amendatory Act of 1990 is  
15 intended to clarify and confirm the prior intent of the General  
16 Assembly to allow toll revenues from the toll highway system to  
17 be used to pay a portion of the cost of the construction of the  
18 North-South Toll Highway authorized by Senate Joint Resolution  
19 122 of the 83rd General Assembly in 1984.

20 (Source: P.A. 97-784, eff. 1-1-13.)