

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 18c-2102 and 18c-2106 as follows:

(625 ILCS 5/18c-2102) (from Ch. 95 1/2, par. 18c-2102)

Sec. 18c-2102. Hearings in other than household goods carrier authority cases.

(1) Hearing required. Except as otherwise provided in subsection (2) of this Section, and in Section 18c-2108 of this Chapter the Commission shall, in other than household goods carrier authority cases, issue orders granting authority or other relief, prescribing rates, imposing sanctions, or directing that a person take, continue to take, refrain from taking or cease and desist from continuing to take any action, only after notice and hearing in accordance with the rules of practice applicable to proceedings under this Chapter.

(1.1) Service of notice in a case involving a motor carrier of passengers. In any case involving a motor carrier of passengers, if an airport is a point to be served, in addition to public notice by publication, notice of an application for a license or transfer of a license must be served by certified mail, return receipt requested, on (i) the corporation counsel or chief legal officer of any municipality or other political subdivision operating the airport and (ii) the agent for service of process in Illinois of any motor carrier possessing a license under Section 18c-6201 authorizing all or part of the service for which authority is sought under Section 18c-6201 of this Chapter.

(2) Hearing not required. Except as otherwise provided in Section 18c-2108 of this Chapter, the Commission may, in other than household goods carrier authority cases, conduct its

review and issue orders without hearing, the taking of evidence, or the making of a record where action taken in the order:

(a) Was not opposed in a timely pleading addressed to the Commission;

(b) Was opposed in a timely pleading, but such opposition was later withdrawn or the parties in opposition waived further hearing and taking of evidence;

(c) Was taken on an emergency temporary or interim basis in accordance with Section 18c-2108 of this Chapter; or

(d) Is interlocutory in nature.

(3) Section not applicable to household goods carrier authority cases. Nothing in this Section shall have application to any household goods carrier authority case.

(Source: P.A. 89-444, eff. 1-25-96.)

(625 ILCS 5/18c-2106) (from Ch. 95 1/2, par. 18c-2106)  
Sec. 18c-2106. Standing.

(1) General Provisions. Each person with an administratively cognizable interest in a proceeding before the Commission shall, upon compliance with procedural rules adopted by the Commission for such proceedings, be entitled to appear and participate as a party to the proceeding. The Commission may, in addition, grant leave to appear and participate on such terms as it may prescribe, where to do so would assist the Commission in reaching an informed and just decision in the proceeding.

(2) Definition of Administratively Cognizable Interest. The following persons or entities shall be deemed to have an administratively cognizable interest in proceedings under this Chapter:

(a) Licensing Proceedings. A person or an entity shall be deemed to have an administratively cognizable interest in a proceeding in which an application for a new, amended, or extended intrastate license is under consideration only

if:

(i) The person possesses a license authorizing all or part of the service for which authority is sought, such license is in good standing, and the person has transported or actively solicited traffic or both within the scope of the application during the 12 month period immediately preceding initiation of the proceeding; ~~or~~

(ii) The proceeding involves an application for a household goods carrier license and the person is an organization representing employees of a household goods carrier; or

(iii) The entity is a municipality or other political subdivision operating an airport that is a point to be served for the license under consideration.

(b) Rate Proceedings. A person shall be deemed to have an administratively cognizable interest in a proceeding in which new or amended rates are under consideration only if the person is:

(i) A carrier authorized to transport traffic such as would be subject to or affected by the rates;

(ii) A shipper or receiver of traffic such as would be subject to or affected by the rates;

(iii) An association of two or more carriers, acting at the request of and on behalf of one or more carriers authorized to transport traffic such as would be subject to or affected by the rates; or an association of two or more shippers or receivers acting at the request of and on behalf of one or more shippers or receivers of such traffic; or

(iv) An organization representing employees of a household goods carrier.

(c) Proceedings to Transfer a License. A person shall be deemed to have an administratively cognizable interest in a proceeding to transfer an intrastate license only if the person:

(i) Has an ownership interest in or control of the license which is the subject of the proceeding;

(ii) Would, if the proposed transfer is approved, acquire ownership or control of the license which is the subject of the proceeding;

(iii) Possesses a license authorizing all or part of the service authorized by the license sought to be transferred, such license is in good standing, and the person or entity has transported or actively solicited traffic within the scope of the license sought to be transported during the 12 months period immediately preceding initiation of the proceeding;

(iv) Would be directly affected by the transfer; ~~or~~

(v) Is an organization representing employees of a household goods carrier; ~~or~~

(vi) Is a municipality or other political subdivision operating an airport that is a point to be served for the license under consideration.

(d) Complaint and Enforcement Proceedings. A person shall be deemed to have an administratively cognizable interest in a complaint proceeding if the person:

(i) Has an ownership interest in or control of the license which is the subject of the proceeding;

(ii) Would be directly and adversely affected by failure to grant relief sought in the complaint or enforcement action and such adverse effect is contrary to the purposes of this Chapter; or

(iii) Is an organization representing employees of a household goods carrier of property.

(e) All Proceedings. Notwithstanding the provisions of subsections (2) (a) through (2) (d) of this Section, a person shall be deemed to have an administratively cognizable interest in a proceeding other than a complaint proceeding if the person:

(i) Filed the pleading pursuant to which the proceeding was initiated; or

(ii) Is an organization representing employees of  
a household goods carrier.

(Source: P.A. 89-444, eff. 1-25-96.)