



Rep. Kathleen A. Ryg

**Filed: 5/27/2009**

09600SB0414ham003

LRB096 06436 HLH 27559 a

1 AMENDMENT TO SENATE BILL 414

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 414, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the H+T  
6 Affordability Index Act.

7 Section 5. Findings. The General Assembly finds and  
8 declares all of the following:

9 (1) Affordability is an important factor for establishing  
10 and implementing infrastructure investment policies because it  
11 helps ensure that all individuals in the State have an  
12 opportunity for a high quality of life at a reasonable cost.

13 (2) Traditional definitions of affordability include  
14 housing costs but not transportation costs, which are the  
15 second largest and fastest growing expenditure in a household  
16 budget.

1           (3) It is beneficial to use definitions, indexes, and  
2 policies that link housing and transportation costs to assist  
3 in establishing investment plans for housing, transportation,  
4 infrastructure, and economic development that more effectively  
5 address the significant costs of living in Metropolitan  
6 Planning Organization areas.

7           (4) The H+T Affordability Index is a tool that was designed  
8 to calculate the transportation costs associated with a home's  
9 location and to combine that cost with the cost of housing to  
10 calculate affordability as a percentage of overall household  
11 income.

12           (5) An analysis of housing and transportation costs in 54  
13 metro areas nationally demonstrates that reducing the combined  
14 cost of housing and transportation to 48% or less of income  
15 represents a desirable and achievable goal; the H+T  
16 Affordability Index has adopted 48% as the ratio of income to  
17 housing and transportation costs.

18           (6) The analysis also reveals that affordability is  
19 enhanced by locating residential units that have been  
20 thoughtfully planned to lessen sprawl in mixed-use,  
21 transit-rich communities near shopping, schools, and work, and  
22 that residents of communities with low transportation costs  
23 benefit from using transit for the mobility required to  
24 undertake activities associated with daily life; residents of  
25 these types of communities own fewer cars and drive them  
26 shorter distances, thereby reducing environmental impacts and

1 lowering their cost of living.

2 (7) A housing and transportation affordability standard,  
3 such as that recommended by the H+T Affordability Index, is an  
4 important consideration in the development of State plans and  
5 investments in housing, transportation, economic development,  
6 and other public facilities and infrastructure.

7 Section 10. Definitions. For purposes of this Act:

8 "Annual Comprehensive Housing Plan" means the plan created  
9 by the Comprehensive Housing Planning Act (Public Act 94-965,  
10 effective June 30, 2006).

11 "Context Sensitive Solution Process" means the process by  
12 which IDOT develops the scope of transportation projects, in  
13 accordance with Public Act 93-545, effective January 1, 2004.

14 "CDB" means the Illinois Capital Development Board, which  
15 is responsible for overseeing the design, construction,  
16 repair, and renovation for State-funded, public buildings,  
17 including, but not limited to, schools, colleges, museums, and  
18 State recreation areas.

19 "DCEO" means the Department of Commerce and Economic  
20 Opportunity, which is responsible for improving Illinois'  
21 competitiveness in the global economy by administering  
22 economic and workforce development programs.

23 "HUD/DOT Sustainability Initiative" means an initiative  
24 undertaken by the U.S. Departments of Housing and Urban  
25 Development ("HUD") and Transportation ("DOT") in partnership

1 to help American families gain better access to affordable  
2 housing, more transportation options, and lower transportation  
3 costs.

4 "H+T Affordability Index" means the Housing and  
5 Transportation Affordability Index, a tool that maps the  
6 combined costs of housing and transportation for neighborhoods  
7 within a metropolitan area.

8 "IDOT" means the Illinois Department of Transportation,  
9 which is responsible for statewide planning of transportation  
10 and transit development.

11 "IFA" means the Illinois Finance Authority, which is  
12 responsible for issuing taxable and tax-exempt bonds, making  
13 loans, and investing capital in initiatives that stimulate the  
14 economy and create jobs.

15 "IHDA" means the Illinois Housing Development Authority,  
16 which is responsible for financing affordable housing  
17 development.

18 "Interagency Coordinating Committee on Transportation" or  
19 "ICCT" means the committee created by Public Act 93-185,  
20 effective July 11, 2003, to encourage the coordination of  
21 public and private transportation services, with priority  
22 given toward services directed toward those populations who are  
23 not currently served or are underserved by existing public  
24 transportation.

25 "Metropolitan Planning Organization" refers to a regional  
26 policy body, required by the federal government in urbanized

1 areas with populations over 50,000 and designated by local  
2 officials and the Governor of the State to carry out the  
3 metropolitan transportation planning requirements of federal  
4 highway and transit legislation.

5 "Task Force" means the Task Force codified by the  
6 Comprehensive Housing Planning Act (Public Act 94-965,  
7 effective June 30, 2006), which is responsible for statewide  
8 planning of affordable housing and creating Illinois' Annual  
9 Comprehensive Housing Plan in cooperation with multiple  
10 agencies, including IDOT, IHDA, and DCEO.

11 Section 15. Funding for non-Metropolitan Planning  
12 Organization areas. Nothing in this Act shall reduce or divert  
13 funds away from areas not located in a Metropolitan Planning  
14 Organization area.

15 Section 20. Adoption of the H+T Affordability Index;  
16 Metropolitan Planning Organization areas. The H+T  
17 Affordability Index or substantially equivalent affordability  
18 measure, where available, shall be adopted by DCEO, IDOT and  
19 IHDA as (1) a tool for the development of plans in Metropolitan  
20 Planning Organization areas and (2) a consideration for the  
21 allocation of funding for public transportation, economic  
22 development, and housing projects in Metropolitan Planning  
23 Organization areas; the distribution of economic incentives to  
24 businesses in Metropolitan Planning Organization areas; and

1 the siting of public facilities in Metropolitan Planning  
2 Organization areas, where appropriate.

3 Section 25. Adoption of H+T Affordability Index; agencies.

4 (a) The Task Force, in cooperation with the Interagency  
5 Coordinating Committee on Transportation, shall consider the  
6 H+T Affordability Index, results of the HUD/DOT Sustainability  
7 Initiative, and the Context Sensitive Solution Process, along  
8 with other applicable affordability measures, to create an  
9 affordability definition and policy that incorporates housing  
10 and transportation costs for Metropolitan Planning  
11 Organization areas, where appropriate, and shall include both  
12 in the Annual Comprehensive Housing Plan for Metropolitan  
13 Planning Organization Areas.

14 (b) DCEO, IDOT, and IHDA may use the H+T Affordability  
15 Index and other applicable affordability measures to ensure  
16 consideration of the combined costs of housing and  
17 transportation in screening and prioritizing investments in  
18 public transportation, housing, and economic development  
19 projects in Metropolitan Planning Organization areas, where  
20 appropriate.

21 (c) CDB shall recommend the H+T Affordability Index to  
22 ensure consideration of the combined costs of housing and  
23 transportation when new public facilities are sited in  
24 Metropolitan Planning Organization areas.

25 (d) IDOT shall use its Context Sensitive Solution Process

1 for all transportation expansion projects within Metropolitan  
2 Planning Organization areas and, where possible, shall work  
3 with communities to enhance or provide opportunities for  
4 transportation alternatives to personal automobiles where  
5 mixed-use communities thoughtfully planned to lessen sprawl  
6 exist or are appropriate.

7 (e) IFA shall recommend the H+T Affordability Index to  
8 ensure consideration of the combined costs of housing and  
9 transportation in siting new buildings in Metropolitan  
10 Planning Organization areas.

11 Section 30. The Department of Transportation Law of the  
12 Civil Administrative Code of Illinois is amended by changing  
13 Sections 2705-5 and 2705-200 and by adding Sections 2705-2,  
14 2705-176, 2705-177, 2705-201, 2705-219, 2705-220, 2705-221,  
15 2705-222, and 2705-223 as follows:

16 (20 ILCS 2705/2705-2 new)

17 Sec. 2705-2. Purpose and scope. The purpose of this Law is  
18 to ensure that transportation investments in the State of  
19 Illinois enhance State and local economic development and the  
20 quality of life for Illinois residents. It is the intent of the  
21 General Assembly to provide greater transparency, full and  
22 careful consideration of investments on the merits, and  
23 accountability for results that will give the public confidence  
24 that tax dollars are being used effectively for transportation

1 projects and that limited funds are allocated to achieve the  
2 best outcomes. To that end, all surface transportation capital  
3 moneys appropriated by the State, including but not limited to,  
4 appropriations from the Road Fund, the State Construction  
5 Account Fund, transportation bonds, and federal funds, to the  
6 extent allowed by federal law, shall be allocated based on the  
7 State and MPO plans and the annual and multiyear transportation  
8 improvement programs prescribed by this Law. This Law does not  
9 apply to (i) any grant programs administered by the Department  
10 of Natural Resources, (ii) any funds administered by the  
11 Department of Commerce and Economic Opportunity that support  
12 local transportation improvements as part of an economic  
13 development project, or (iii) any moneys distributed to local  
14 government entities pursuant to item (2) of subsection (e) of  
15 Section 8 of the Motor Fuel Tax Law.

16 (20 ILCS 2705/2705-5)

17 Sec. 2705-5. Definitions. In this Law:

18 "Committee" means the Illinois Transportation Policy  
19 Committee established by this Law.

20 "Department" means the Department of Transportation.

21 "District" means the 9 districts of the State of Illinois  
22 established by the Department for its administrative purposes  
23 and statutorily authorized activities.

24 "Downstate MPO" means an MPO whose metropolitan planning  
25 boundaries are entirely outside of Cook, DuPage, Kane, Kendall,

1 Lake, McHenry, and Will Counties.

2 "MPO" means a metropolitan planning organization  
3 designated under 23 U.S.C. 134 whose metropolitan planning area  
4 boundaries are partially or completely within the State.

5 "Project of interregional or statewide significance" means  
6 a surface transportation corridor or project that links major  
7 State destinations in support of the State's economy as  
8 designated by the Department with the advice of the Committee.

9 "Regional programs" means the regional annual and  
10 multiyear transportation improvement programs established  
11 under this Law.

12 "Secretary" means the Secretary of Transportation.

13 "Statewide programs" means the statewide annual and  
14 multiyear transportation improvement programs established  
15 under this Law.

16 "Surface transportation" means roadway, bridge, public  
17 transportation, rail, trail, walkway, bicycle, and intermodal  
18 facilities.

19 "Surface transportation capital project" or "project"  
20 means a capital project for the maintenance, improvement,  
21 acquisition, or new construction of surface transportation  
22 facilities, including facilities or improvements ancillary to  
23 surface transportation facilities.

24 (Source: P.A. 91-239, eff. 1-1-00.)

1       Sec. 2705-176. Transportation Policy Committee; creation;  
2 members; terms.

3       (a) There is created a State Transportation Policy  
4 Committee. The Committee shall perform the duties enumerated in  
5 this Law. The Committee members shall each represent the State  
6 as a whole and balance the needs of urban and rural areas of  
7 the State. The Committee shall consist of 13 voting members and  
8 8 non-voting members, all of whom must be residents of the  
9 State of Illinois, as follows:

10           (1) 6 members from Cook, DuPage, Kane, Kendall, Lake,  
11 McHenry, or Will County appointed by the Chicago  
12 Metropolitan Agency for Planning Board, no more than 3 of  
13 whom may be members of such Board.

14           (2) 3 members appointed by the Downstate MPOs through  
15 the concurrence of at least three-fifths of the  
16 chairpersons of the Downstate MPOs.

17           (3) 3 members who are representatives of areas of the  
18 State not within a metropolitan planning area, appointed by  
19 the Governor.

20           (4) The Secretary of the Department of Transportation  
21 or his or her designee, who shall serve as the chairperson  
22 of the Committee.

23           (5) The Speaker and Minority Leader of the House of  
24 Representatives and the President and Minority Leader of  
25 the Senate, or the designee of each, shall be ex officio  
26 non-voting members.

1           (6) The chairperson of the Illinois State Toll Highway  
2           Authority, or his or her designee, shall be an ex officio  
3           non-voting member.

4           (7) The Department's Director of Highways, Director of  
5           Planning and Programming, and Director of Public and  
6           Intermodal Transportation, or the designee of each, shall  
7           be ex officio non-voting members.

8           (b) The terms of the members initially appointed to the  
9           Committee shall begin within 60 days after the effective date  
10           of this amendatory Act of the 96th General Assembly. Appointed  
11           committee members shall hold office for a term specified in  
12           this subsection (b) or until successors are appointed. The  
13           terms of the initial appointed committee members shall expire  
14           as follows: the terms of 3 members appointed by the Chicago  
15           Metropolitan Agency for Planning Board, one member appointed by  
16           the Downstate MPOs, and 2 members appointed by the Governor for  
17           areas of the State not within a metropolitan planning area  
18           shall expire on December 31, 2010; the terms of the remaining 3  
19           members appointed by the Chicago Metropolitan Agency for  
20           Planning Board, 2 members appointed by the Downstate MPOs, and  
21           one member appointed by the Governor from areas of the State  
22           not within a metropolitan planning area shall expire December  
23           31, 2012. The successors of the initial appointed committee  
24           members shall hold office for a term of 4 years. To comply with  
25           this provision, the appointing authority shall specify the term  
26           for each appointment.

1       (c) Vacancies shall be filled by the appointing authority  
2 for the unexpired portion of the terms in which they occur.

3       (d) Each appointing authority shall give notice of its  
4 Committee appointments to each other appointing authority, to  
5 the Committee, to the Secretary of State, and to the Secretary  
6 of Transportation. Within 30 days after his or her appointment  
7 and before entering upon the duties of the office, each  
8 Committee member shall take and subscribe to the constitutional  
9 oath of office and file that oath with the Secretary of State.

10       (e) Members of the Committee shall serve without  
11 compensation, but shall be reimbursed by the Department for  
12 their travel to and from meetings and other reasonable expenses  
13 in connection with meetings, if those expenses are approved by  
14 the Department.

15       (20 ILCS 2705/2705-177 new)

16       Sec. 2705-177. Committee meetings; officers.

17       (a) The Secretary of Transportation shall convene the first  
18 meeting within 90 days after the effective date of this  
19 amendatory Act of the 96th General Assembly. At that time and  
20 annually thereafter, the Committee shall elect one of its  
21 voting members as vice-chairperson to preside in the absence of  
22 the chairperson.

23       (b) Regular meetings of the Committee shall be held at  
24 least 3 times each year. The time and place of Committee  
25 meetings shall be fixed by resolution of the Committee. The

1 Committee shall be deemed a public body for purposes of the  
2 Open Meetings Act. The Committee shall maintain records in  
3 accordance with the provisions of the State Records Act. A  
4 majority of voting members of the Committee shall constitute a  
5 quorum. The affirmative vote of a majority of the voting  
6 members of the Committee shall be required to approve  
7 recommendations related to a State transportation plan or  
8 statewide program.

9 (c) The Committee shall adopt its own rules of procedure.

10 (d) The Department shall provide staff assistance and  
11 office space for the Committee. The Department shall prepare  
12 all plans, reports, and documents needed to enable the  
13 Committee to review and make recommendations related to the  
14 statewide plans and programs and otherwise to fulfill its  
15 responsibilities. The necessary expenses of the Committee  
16 shall be provided through the Department.

17 (20 ILCS 2705/2705-200) (was 20 ILCS 2705/49.16)

18 Sec. 2705-200. State transportation plan ~~Master plan,~~  
19 ~~reporting requirements.~~

20 (a) The Department, with the advice of the Committee, shall  
21 ~~has the power to~~ develop and maintain a continuing,  
22 comprehensive, and integrated planning process that shall  
23 develop and periodically revise a State transportation plan  
24 ~~statewide master plan for transportation~~ to guide program  
25 development and to foster efficient and economical

1 transportation services in ~~ground, air, water, and all other~~  
2 modes of surface transportation throughout the State. The  
3 Department shall coordinate its transportation planning  
4 activities with those of other State agencies and authorities  
5 and shall coordinate ~~supervise~~ and review any transportation  
6 planning performed by other Executive agencies under the  
7 direction of the Governor. The Department shall cooperate and  
8 participate with federal, regional, interstate, State, and  
9 local agencies, in accordance with Sections 5-301 and 7-301 of  
10 the Illinois Highway Code, and with interested private  
11 individuals and organizations in the coordination of plans and  
12 policies for development of the state's transportation system.

13 To meet the provisions of this Section, the Department, in  
14 consultation with the Committee, shall prepare, subject to the  
15 review of the Governor, ~~publish and deliver to the Governor and~~  
16 ~~General Assembly~~ by December 31, 2010 and at intervals not to  
17 exceed every 5 years, ~~January 1, 1982 and every 2 years~~  
18 ~~thereafter,~~ its State transportation master plan for surface  
19 transportation systems. Not less than 60 days prior to  
20 submission to the Governor and General Assembly, the Department  
21 shall submit the plan to the Committee. Within 30 days after  
22 submission of the plan by the Department, the Committee shall  
23 recommend revisions. If the Committee recommends revision of  
24 the plan, the Department shall, within 30 days, either revise  
25 the plan to address the Committee's recommendations or provide  
26 a written explanation to the Committee for not revising the

1 plan. The Committee's recommendation and any Department  
2 response thereto shall be included with the plan filed with the  
3 Governor and General Assembly highway, waterway, aeronautic,  
4 mass transportation, and railroad systems. The plan shall  
5 identify priority subsystems or components of each system that  
6 are critical to the economic and general welfare of this State  
7 regardless of public jurisdictional responsibility or private  
8 ownership.

9 The State transportation plan shall set forth goals,  
10 objectives, performance measures, and criteria that may  
11 provide the basis for selecting projects for inclusion in the  
12 annual and multiyear transportation improvement programs. It  
13 may examine policies, strategies, opportunities, and  
14 challenges.

15 The State transportation plan shall set forth goals and  
16 objectives designed to assure the development and maintenance  
17 of a comprehensive and balanced statewide transportation  
18 system. Goals may include, but are not limited to, maintaining  
19 a state of good repair, lowering travel times, reducing traffic  
20 congestion, decreasing vehicle emissions, improving air  
21 quality, protecting the environment, reducing transportation  
22 costs, encouraging the effective use of pricing and other  
23 demand management strategies, improving safety, encouraging  
24 economic growth, supporting the greater use of alternative  
25 transportation opportunities, such as walking and biking, and  
26 establishing other goals that advance an adequate, efficient,

1 and coordinated transportation system.

2 The State transportation plan may establish performance  
3 measures addressing the adequacy, efficiency, and coordination  
4 of transportation services and the implementation of goals and  
5 objectives. It may include transportation policies that  
6 reflect the relationship of transportation to land use,  
7 economic development, the environment, air quality, and energy  
8 consumption; foster the efficient movement of people and goods;  
9 coordinate modes of transportation; coordinate planning among  
10 federal agencies, State agencies, transportation agencies, and  
11 local governments; and address the safety and equity of  
12 transportation services. It may include priorities,  
13 challenges, and strategies for improvement. The State  
14 transportation plan shall incorporate the adopted regional  
15 transportation plans, prepared by each MPO pursuant to Section  
16 2705-201, based on the state transportation plan's criteria and  
17 performance measurements.

18 The State transportation plan shall include criteria by  
19 which proposals for capital improvements may be evaluated and  
20 prioritized for inclusion in the statewide programs. The  
21 criteria shall be designed to advance the goals and objectives  
22 established in the State transportation plan. The criteria may  
23 include but not be limited to the following categories:

24 (1) objective transportation criteria, such as system  
25 maintenance, efficiency, safety, and intermodal  
26 connectivity;

1           (2) economic development criteria, such as job  
2           creation and retention, inclusion of transit oriented  
3           development, and cost effectiveness;

4           (3) environmental criteria, such as reduced emissions;

5           (4) population affected by the project; and

6           (5) financial criteria, such as life-cycle cost,  
7           return on investment, effect on transportation costs, and  
8           effective leveraging of private capital.

9           The State transportation plan shall include a description  
10          of the criteria and performance measures developed by the  
11          Department to prioritize proposals for inclusion in the  
12          statewide program pursuant to subsection (c) of Section  
13          2705-220.

14          ~~The master plan shall provide particular emphasis and~~  
15          ~~detail of at least the 5 year period in the immediate future.~~

16          ~~Annual and 5 year, or longer, project programs for each~~  
17          ~~State system in this Section shall be published and furnished~~  
18          ~~the General Assembly on the first Wednesday in April of each~~  
19          ~~year.~~

20          ~~Identified needs included in the project programs shall be~~  
21          ~~listed and mapped in a distinctive fashion to clearly identify~~  
22          ~~the priority status of the projects: (1) projects to be~~  
23          ~~committed for execution; (2) tentative projects that are~~  
24          ~~dependent upon funding or other constraints; and (3) needed~~  
25          ~~projects that are not programmed due to lack of funding or~~  
26          ~~other constraints.~~

1 ~~All projects shall be related to the priority systems of~~  
2 ~~the master plan, and the priority criteria identified. Cost and~~  
3 ~~estimated completion dates shall be included for work required~~  
4 ~~to complete a useable segment or component beyond the period of~~  
5 ~~the program.~~

6 (b) The Department shall publish and deliver to the  
7 Governor and General Assembly by December 31, 2012 and at  
8 intervals not to exceed every 5 years thereafter a master plan  
9 and 5-year program for aeronautics. ~~on the first Wednesday in~~  
10 ~~April of each year a 5 year, or longer, Highway Improvement~~  
11 ~~Program reporting the number of fiscal years each project has~~  
12 ~~been on previous plans submitted by the Department.~~

13 (c) (Blank) ~~The Department shall publish and deliver to the~~  
14 ~~Governor and the General Assembly by November 1 of each year a~~  
15 ~~For the Record report that shall include the following:~~

16 ~~(1) All the projects accomplished in the previous~~  
17 ~~fiscal year listed by each Illinois Department of~~  
18 ~~Transportation District.~~

19 ~~(2) The award cost and the beginning dates of each~~  
20 ~~listed project.~~

21 (Source: P.A. 94-91, eff. 7-1-05.)

22 (20 ILCS 2705/2705-201 new)

23 Sec. 2705-201. Regional transportation plans. Each MPO  
24 shall develop a regional transportation plan that includes:

25 (1) Criteria by which proposals for capital

1 improvements will be evaluated for inclusion in the  
2 regional programs. Each MPO may adopt the criteria listed  
3 in the State transportation plan or may propose alternative  
4 criteria. Alternative criteria shall be submitted to the  
5 Department and Committee for review and comment. The  
6 criteria shall be designed to advance the goals and  
7 objectives established by the Department's State  
8 transportation plan and the MPO through its regional  
9 transportation planning process.

10 (2) A description of the measurement system and process  
11 the MPO will use to prioritize proposals for inclusion in  
12 the regional programs.

13 The regional transportation plan shall meet all federal  
14 requirements, regulations, and laws pursuant to federally  
15 required metropolitan transportation plans. The regional  
16 transportation plan shall be submitted to the Department upon  
17 completion for incorporation, as much as practicable, in the  
18 State transportation plan.

19 (20 ILCS 2705/2705-219 new)

20 Sec. 2705-219. Program outreach; funding estimates,  
21 allocation, and recommendations.

22 (a) Program outreach. No later than September 30 of each  
23 year, the Department, through each of its District offices,  
24 shall hold a program development meeting open to the public  
25 with all key regional and local agencies and officials to

1 review current annual and multi-year Programs, to present  
2 projected information on district road and bridge condition,  
3 and to solicit input on key highway system improvement and  
4 priorities. At least 5 days before holding a program  
5 development meeting, notice of the meeting shall be posted on  
6 the Department's website and separately delivered to, at a  
7 minimum, all MPOs, mass transit districts, County Highway  
8 Engineers, and all municipalities outside MPO regions with  
9 populations greater than 10,000 inhabitants in the District  
10 jurisdiction. A record of the proceedings must be taken and  
11 produced for public review. No later than November 30 of each  
12 year, each district shall deliver to the committee a summary  
13 analysis of the program development outreach meeting and attach  
14 all written proposals, recommendations, and comments by  
15 counties, municipalities, mass transit districts, other local  
16 governments, MPOs, and members of the General Assembly. This  
17 summary shall be included in the written record for public  
18 involvement documentation as required by Federal and State law.

19 (b) Annual funding estimates. The Department, with the  
20 advice of the Committee, shall annually establish a 5-year  
21 estimate of all federal and State funds reasonably expected to  
22 be available for surface transportation capital programs  
23 during each of the following 5 fiscal years.

24 (c) System needs estimates. No later than March 1 of each  
25 year, the Department shall provide the Committee with the most  
26 current assessments of State highway road and bridge needs for

1 the State as a whole and for each Department district.

2 (d) Funding allocation. The Department may allocate the  
3 State and federal funds estimated to be available for surface  
4 transportation capital programs in accordance with the annual  
5 and multiyear improvement programs prescribed by this Law, as  
6 follows:

7 (1) Any State and federal funds designated by law for  
8 specific surface transportation purposes or specific  
9 geographic areas shall be allocated, in accordance with  
10 law, for those specific purposes or areas.

11 (2) The Department, with the advice of the Committee,  
12 may for each 5-year program set percentage allocations for  
13 each of the criteria in the State transportation plan.  
14 Funding allocations may be based upon their percentage  
15 share of need as defined by the criteria.

16 (e) Not less often than once every 2 years, the Committee  
17 shall review and evaluate the funding allocations and make  
18 recommendations for changes to the Department, General  
19 Assembly, and the Governor.

20 (f) The Committee shall evaluate available transportation  
21 funding sources and make recommendations to the Department,  
22 General Assembly, and the Governor regarding the raising of  
23 adequate and sustainable revenues for transportation.

24 (20 ILCS 2705/2705-220 new)

25 Sec. 2705-220. Annual and multiyear transportation

1 improvement programs.

2 (a) Preparation guidelines. The Department, with the  
3 advice of the Committee, shall develop guidelines for  
4 preparation of the regional and statewide programs.

5 (b) Statewide annual and multiyear transportation  
6 improvement programs. The Department shall publish and submit  
7 to the Governor, the General Assembly, and the Committee, no  
8 later than April 7, 2011 and the first Wednesday of April of  
9 every year thereafter, an annual and 5-year schedule of all  
10 surface transportation improvement projects and their  
11 anticipated costs. These schedules are designated the  
12 statewide annual and multiyear transportation improvement  
13 programs. The Department shall be responsible for the planning  
14 and programming of its funds for all areas of the State.

15 (1) The statewide programs shall include projects and  
16 programs proposed to be funded, in whole or in part, by  
17 State or federal funds and shall consist of the following:

18 (A) The Department shall choose projects for  
19 inclusion. The Department, counties, municipalities,  
20 mass transit districts, other local governments, MPOs,  
21 and members of the General Assembly may nominate or  
22 recommend projects for the statewide programs.

23 (B) The Department shall identify projects of  
24 interregional or statewide significance for inclusion.  
25 The Department, counties, municipalities, mass transit  
26 districts, other local governments, MPOs, and members

1           of the General Assembly may nominate or recommend  
2           projects of interregional or statewide significance  
3           for the statewide programs.

4           (2) All projects shall be consistent with the adopted  
5           State transportation plan. The Department shall  
6           demonstrate how such projects advance the goals and  
7           objectives of the adopted State transportation plan.

8           (3) No later than 30 days after publication of the  
9           surface transportation improvement program, the Committee  
10           shall, by resolution, either (i) determine that the  
11           statewide programs are consistent with the adopted State  
12           transportation plan or (ii) determine that all or any  
13           portions of the statewide programs are not consistent with  
14           the adopted State transportation plan, including within  
15           the resolution an explanation for any such determination.  
16           Individual Committee members may prepare a written  
17           statement indicating their disagreement with the  
18           resolution adopted by the Committee. The Committee's  
19           resolution and any written statements prepared by  
20           individual members shall be published and delivered to the  
21           General Assembly and the Governor with the statewide  
22           programs.

23           (4) Within 30 days after the adoption of the  
24           Committee's resolution pursuant to paragraph (3) of  
25           subsection (b) of this Section, an MPO may amend its  
26           regional program included within the statewide programs

1       for the sole purpose of addressing a Committee  
2       determination that the program is not consistent with the  
3       adopted State transportation plan. Within 30 days after the  
4       adoption of the Committee's resolution pursuant to  
5       paragraph (3), the Department may amend any portion of a  
6       statewide program prepared by the Department for the sole  
7       purpose of addressing a Committee determination that such  
8       portion of a program is not consistent with the adopted  
9       State transportation plan. Any amendments shall be  
10       published and delivered to the Committee, General  
11       Assembly, and Governor.

12       (c) Regional annual and multiyear transportation  
13       improvement programs. After consultation with the Department,  
14       each MPO shall prepare and adopt an annual and 5-year schedule  
15       of all regional transportation improvement projects and their  
16       anticipated costs. These schedules shall be known as the  
17       regional annual and multiyear transportation improvement  
18       programs. The regional programs shall be submitted to the  
19       Department and the Committee no later than August 31, 2011 and  
20       August 31 of every year thereafter.

21               (1) The regional programs shall include projects and  
22               programs within the MPO's jurisdiction proposed to be  
23               funded, in whole or in part, by federal funds.

24               (2) Counties, municipalities, mass transit districts,  
25               other local governments, the Department, and members of the  
26               General Assembly may nominate or recommend the inclusion of

1 projects in the regional programs. The MPOs shall have  
2 authority for determining whether any of the project  
3 nominations or recommendations for federal funding are  
4 accepted and included in the regional programs. This  
5 authority extends only to a project located within the  
6 MPO's jurisdiction.

7 (3) Projects included in the regional programs shall be  
8 consistent with the regional transportation plan adopted  
9 by the MPO. The regional programs shall demonstrate how  
10 projects are consistent with the State transportation  
11 plans.

12 (4) Projects shall be prioritized for inclusion in the  
13 programs using a measurement system and the criteria  
14 established by the regional transportation plan.

15 (5) The Department shall provide assistance to MPOs in  
16 preparing the regional programs, at the request of the MPO.

17 (d) Fiscal year 2011 statewide program. After consultation  
18 with the MPOs, the Department shall prepare, by no later than  
19 April 7, 2010, and the first Wednesday in each April  
20 thereafter, an annual program of surface transportation  
21 capital projects and their anticipated costs proposed for  
22 funding in whole or in part from appropriations made by the  
23 State for fiscal year 2011 and each year thereafter. The fiscal  
24 year 2011 statewide program required by this subsection shall,  
25 so much as is practicable, comply with the objectives of this  
26 Law. The Committee shall review and provide comments on the

1 fiscal year 2011 statewide program by no later than 30 days  
2 after the annual program publication.

3 (20 ILCS 2705/2705-221 new)

4 Sec. 2705-221. Inclusion in transportation improvement  
5 program. The transportation improvement program the Department  
6 must develop pursuant to 23 U.S.C. 135 may only include  
7 projects that have been prioritized for inclusion in a regional  
8 or statewide program by an MPO or the Department pursuant to  
9 this Law. It is not the intent of this Section to interfere  
10 with administrative changes to the Transportation Improvement  
11 Program, but only to ensure that all included projects undergo  
12 the process prescribed by this Law.

13 (20 ILCS 2705/2705-222 new)

14 Sec. 2705-222. Public involvement and accountability.

15 (a) The Department and the Committee shall provide timely  
16 and clear information and accountability to the public and  
17 shall engage the public when making State transportation  
18 decisions and recommendations. The Department shall elicit the  
19 public's views both with respect to adequate transportation  
20 services and appropriate means of minimizing the adverse  
21 social, economic, environmental, and energy impacts of  
22 transportation programs. All documents listed in this Law shall  
23 be made publicly available for distribution in print and on the  
24 Department's website.

1       (b) The Department and the Committee shall provide the  
2 opportunity for public comment throughout the State prior to  
3 the development and completion of the statewide transportation  
4 plan and the statewide multi-year program. Public comment may  
5 be solicited through various methods, including, but not  
6 limited to, hearings, focus groups, surveys, and feedback on  
7 draft plans.

8       (c) The Department, in consultation with the Committee,  
9 shall publish in its publication "For the Record" and deliver  
10 to the Governor and the General Assembly by November 1 of each  
11 year a report on all modes of transportation that shall include  
12 the following:

13           (1) All the projects accomplished in the previous  
14 fiscal year listed by each Illinois Department of  
15 Transportation District.

16           (2) The award cost and the beginning dates of each  
17 listed project.

18           (3) A summary of the Department's prior-year decisions  
19 in allocating transportation capital outlay appropriations  
20 and identifying timely and relevant transportation issues  
21 facing the State of Illinois.

22           (4) Statewide and for each district, a description of  
23 any project receiving an appropriation from the General  
24 Assembly that was not included in the statewide program.

25           (5) An explanation and summary of major policies and  
26 decisions adopted by the Department and the recommendation

1       of the Committee during the previously completed State and  
2       federal fiscal year, with an explanation of any changes in  
3       policy associated with the performance of the Department's  
4       duties and responsibilities over the past year.

5       (6) A review of the progress made in achieving the  
6       State transportation goals.

7       (7) Statewide and for each district, the total of  
8       program accomplishments in dollars, number of miles,  
9       number of bridges, and number of transit projects.

10       (8) Statewide and for each district, the current  
11       condition of roadway miles and bridges for roads and  
12       bridges under State jurisdiction.

13       (d) All MPOs shall publish and deliver to the Department by  
14       October 1 of each year a "For the Record" report that shall  
15       include the following:

16       (1) A list of all projects accomplished in the previous  
17       fiscal year, their award costs, and their beginning dates.

18       (2) An explanation and summary of changes in major  
19       policies, goals, objectives, performance measures and  
20       criteria that were adopted by the MPO during the previous  
21       fiscal year.

22       (3) A review of the progress made in achieving the  
23       goals and objectives of the State transportation plan and  
24       the MPO regional transportation plan.

1       Sec. 2705-223. Evaluation.

2       (a) The Committee shall evaluate the effectiveness of the  
3 processes and procedures established by this Law to ensure that  
4 they contribute to a well-coordinated and cost-effective  
5 transportation system. The Committee shall recommend changes  
6 as needed to the General Assembly and the Governor.

7       (b) Every 2 years, the Auditor General shall review the  
8 performance of the Department to assure the Department is  
9 meeting the requirements of this Law.

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