

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 Department of Transportation Law of the  
5 Civil Administrative Code of Illinois is amended by changing  
6 Section 2705-590 as follows:

7 (20 ILCS 2705/2705-590)

8 Sec. 2705-590. Roadbuilding criteria; life-cycle cost  
9 analysis.

10 (a) As used in this Section, "life-cycle cost" means the  
11 total of the cost of the initial project plus all anticipated  
12 future costs over the life of the pavement. Actual, relevant  
13 data, and not assumptions or estimates, shall be used to the  
14 extent such data has been collected.

15 (b) The Department shall develop and implement a  
16 life-cycle cost analysis for each State new construction,  
17 reconstruction, or replacement road project under its  
18 jurisdiction for which the total pavement costs exceed  
19 \$500,000 funded in whole, or in part, with State or  
20 State-appropriated funds. State rehabilitation and  
21 preservation projects shall be exempt from this requirement.

22 The Department shall design and award these paving projects  
23 utilizing material having the lowest life-cycle cost. All

1 pavement design life shall ensure that State and  
2 State-appropriated funds are utilized as efficiently as  
3 possible. When alternative material options are substantially  
4 equivalent on a life-cycle cost basis, the Department may make  
5 a decision based on other criteria. At the discretion of the  
6 Department, interstate highways with high traffic volumes or  
7 experimental projects may be exempt from this requirement.

8 (c) Except as otherwise provided in this Section, a  
9 life-cycle cost analysis shall compare equivalent designs  
10 based upon this State's actual historic project schedules and  
11 costs as recorded by the pavement management system, and may  
12 include estimates of user costs throughout the entire pavement  
13 life.

14 (d) For pavement projects for which this State has no  
15 actual historic project schedules and costs as recorded by the  
16 pavement management system, the Department may use actual  
17 historical and comparable data for equivalent designs from  
18 states with similar climates, soil structures, or vehicle  
19 traffic.

20 (Source: P.A. 96-715, eff. 8-25-09; 96-1000, eff. 7-2-10.)

21 Section 10. The Illinois Municipal Code is amended by  
22 changing Section 11-101-3 as follows:

23 (65 ILCS 5/11-101-3)

24 Sec. 11-101-3. Noise mitigation; air quality.

1           (a) A municipality that has implemented a Residential  
2       Sound Insulation Program to mitigate aircraft noise shall  
3       perform indoor air quality monitoring and laboratory analysis  
4       of windows and doors installed pursuant to the Residential  
5       Sound Insulation Program to determine whether there are any  
6       adverse health impacts associated with off-gassing from such  
7       windows and doors. Such monitoring and analysis shall be  
8       consistent with applicable professional and industry  
9       standards. The municipality shall make any final reports  
10      resulting from such monitoring and analysis available to the  
11      public on the municipality's website. The municipality shall  
12      develop a science-based mitigation plan to address significant  
13      health-related impacts, if any, associated with such windows  
14      and doors as determined by the results of the monitoring and  
15      analysis. In a municipality that has implemented a Residential  
16      Sound Insulation Program to mitigate aircraft noise, if  
17      requested by the homeowner pursuant to a process established  
18      by the municipality, which process shall include, at a  
19      minimum, notification in a newspaper of general circulation  
20      and a mailer sent to every address identified as a recipient of  
21      windows and doors installed under the Residential Sound  
22      Insulation Program, the municipality shall replace all windows  
23      and doors installed under the Residential Sound Insulation  
24      Program in such homes where one or more windows or doors have  
25      been found to have caused offensive odors. Subject to  
26      appropriation, the municipality shall replace windows and

1 doors in at least 750 residences a year. Residents who altered  
2 or modified a replacement window or accepted a replacement  
3 screen for the window shall not be disqualified from  
4 compensation or future services. Only those homeowners who  
5 request that the municipality perform an odor inspection as  
6 prescribed by the process established by the municipality  
7 within 6 months of notification being published and mailers  
8 being sent shall be eligible for odorous window and odorous  
9 door replacement. Residents who are eligible to receive  
10 replacement windows shall be allowed to choose the color and  
11 type of replacement window. For purposes of aiding in the  
12 selection of such replacement windows, a showcase and display  
13 of available replacement window types shall be established and  
14 located at Chicago Midway International Airport. Homes that  
15 have been identified by the municipality as having odorous  
16 windows or doors are not required to make said request to the  
17 municipality. The right to make a claim for replacement and  
18 have it considered pursuant to this Section shall not be  
19 affected by the fact of odor-related claims made or  
20 odor-related products received pursuant to the Residential  
21 Sound Insulation Program prior to June 5, 2019 (the effective  
22 date of this Section). The municipality shall also perform  
23 in-home air quality testing in residences in which windows and  
24 doors are replaced under this Section. In order to receive  
25 in-home air quality testing, a homeowner must request such  
26 testing from the municipality, and the total number of homes

1 tested in any given year shall not exceed 25% of the total  
2 number of homes in which windows and doors were replaced under  
3 this Section in the prior calendar year.

4 (b) An advisory committee shall be formed, composed of the  
5 following: (i) 2 members of the municipality who reside in  
6 homes that have received windows or doors pursuant to the  
7 Residential Sound Insulation Program and have been identified  
8 by the municipality as having odorous windows or doors,  
9 appointed by the Secretary of Transportation; (ii) one  
10 employee of the Aeronautics Division of the Department of  
11 Transportation who shall only cast votes when breaking a tie;  
12 (iii) 2 employees of the municipality that implemented the  
13 Residential Sound Insulation Program in question; and (iv) 2  
14 members appointed by the Speaker of the House of  
15 Representatives, 2 members appointed by the President of the  
16 Senate, one member appointed by the Minority Leader of the  
17 House of Representatives, and one member appointed by the  
18 Minority Leader of the Senate. The advisory committee shall  
19 determine by majority vote which homes contain windows or  
20 doors that cause offensive odors and thus are eligible for  
21 replacement, shall promulgate a list of such homes, and shall  
22 develop recommendations as to the order in which homes are to  
23 receive window replacement. The recommendations shall include  
24 reasonable and objective criteria for determining which  
25 windows or doors are odorous, consideration of the date of  
26 odor confirmation for prioritization, severity of odor,

1 geography and individual hardship, and shall provide such  
2 recommendations to the municipality. The advisory committee  
3 shall develop a process in which homeowners can demonstrate  
4 extreme hardship. As used in this subsection, "extreme  
5 hardship" means: liquid infiltration of the window or door;  
6 health and medical condition of the resident; and residents  
7 with sensitivities related to smell. At least 10% of the homes  
8 receiving a replacement in a year shall be homes that have  
9 demonstrated extreme hardship. The advisory committee shall  
10 compile a report demonstrating: (i) the number of homes in  
11 line to receive a replacement; (ii) the number of homes that  
12 received replacement windows or doors, or both; (iii) the  
13 number of homes that received financial compensation instead  
14 of a replacement; and (iv) the number of homes with confirmed  
15 mechanical issues. Until December 31, 2022, the report shall  
16 be compiled monthly, after December 31, 2022, the report shall  
17 be compiled quarterly. The advisory committee shall accept all  
18 public questions and furnish a written response within 2  
19 business days. The advisory committee shall comply with the  
20 requirements of the Open Meetings Act. The Chicago Department  
21 of Aviation shall provide administrative support to the  
22 committee. The municipality shall consider the recommendations  
23 of the committee but shall retain final decision-making  
24 authority over replacement of windows and doors installed  
25 under the Residential Sound Insulation Program, and shall  
26 comply with all federal, State, and local laws involving

1 procurement. A municipality administering claims pursuant to  
2 this Section shall provide to every address identified as  
3 having submitted a valid claim under this Section a quarterly  
4 report setting forth the municipality's activities undertaken  
5 pursuant to this Section for that quarter. However, the  
6 municipality shall replace windows and doors pursuant to this  
7 Section only if, and to the extent, grants are distributed to,  
8 and received by, the municipality from the Sound-Reducing  
9 Windows and Doors Replacement Fund for the costs associated  
10 with the replacement of sound-reducing windows and doors  
11 installed under the Residential Sound Insulation Program  
12 pursuant to Section 6z-20.1 of the State Finance Act. In  
13 addition, the municipality shall revise its specifications for  
14 procurement of windows for the Residential Sound Insulation  
15 Program to address potential off-gassing from such windows in  
16 future phases of the program. A municipality subject to the  
17 Section shall not legislate or otherwise regulate with regard  
18 to indoor air quality monitoring, laboratory analysis or  
19 replacement requirements, except as provided in this Section,  
20 but the foregoing restriction shall not limit said  
21 municipality's taxing power.

22 (c) A home rule unit may not regulate indoor air quality  
23 monitoring and laboratory analysis, and related mitigation and  
24 mitigation plans, in a manner inconsistent with this Section.  
25 This Section is a limitation of home rule powers and functions  
26 under subsection (i) of Section 6 of Article VII of the

1 Illinois Constitution on the concurrent exercise by home rule  
2 units of powers and functions exercised by the State.

3 (d) This Section shall not be construed to create a  
4 private right of action.

5 (Source: P.A. 102-558, eff. 8-20-21; 102-678, eff. 12-10-21;  
6 103-200, eff. 6-30-23.)

7 Section 15. The Illinois Vehicle Code is amended by  
8 changing Section 11-411 as follows:

9 (625 ILCS 5/11-411) (from Ch. 95 1/2, par. 11-411)

10 Sec. 11-411. Crash report electronic submission  
11 requirements ~~forms~~.

12 (a) The Administrator must prepare and upon request supply  
13 to police departments, sheriffs and other appropriate agencies  
14 or individuals, the requirements for electronically submitting  
15 ~~forms for~~ written crash reports as required hereunder,  
16 suitable with respect to the persons required to make such  
17 reports and the purposes to be served. The written reports  
18 must call for sufficiently detailed information to disclose  
19 with reference to a vehicle crash the cause, conditions then  
20 existing, and the persons and vehicles involved or any other  
21 data concerning such crash that may be required for a complete  
22 analysis of all related circumstances and events leading to  
23 the crash or subsequent to the occurrence.

24 (b) Every crash report required to be made in writing must



1 be electronically submitted to the Administrator using an  
2 electronic format approved by the Administrator ~~made on an~~  
3 ~~approved form or in an approved electronic format provided by~~  
4 ~~the Administrator~~ and must contain all the information  
5 required therein unless that information is not available. The  
6 Department shall adopt any rules necessary to implement this  
7 subsection (b).

8 (c) Should special crash studies be required by the  
9 Administrator, the Administrator may provide the supplemental  
10 forms for the special studies.

11 (Source: P.A. 102-982, eff. 7-1-23.)

12 Section 99. Effective date. This Section and Sections 5  
13 and 10 take effect upon becoming law; Section 15 takes effect  
14 January 1, 2027.