

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 2. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-625 as follows:

7 (20 ILCS 2605/2605-625 new)

8 Sec. 2605-625. Technical managers workforce goals and
9 report.

10 (a) By August 1 of each calendar year, the Illinois State
11 Police shall make a report in writing to the Governor and the
12 General Assembly, stating in detail the Illinois State
13 Police's efforts in the prior fiscal year to fill open
14 technical manager positions.

15 (b) The report shall include:

16 (1) The total number of technical manager positions
17 within the Illinois State Police for the previous fiscal
18 year.

19 (2) The number of technical manager positions that
20 were unfilled at any point during the previous fiscal
21 year.

22 (3) The duration of time each technical manager
23 position remained unfilled.

1 (4) The number of technical manager positions filled
2 during the previous fiscal year.

3 (5) A detailed report of any recruitment efforts or
4 initiatives undertaken to fill technical manager
5 positions.

6 (c) The General Assembly may review the report and may
7 request additional information or hold hearings regarding the
8 Illinois State Police's staffing levels, recruitment
9 strategies, and efforts.

10 Section 4. The State Finance Act is amended by changing
11 Section 6z-82 as follows:

12 (30 ILCS 105/6z-82)

13 Sec. 6z-82. State Police Operations Assistance Fund.

14 (a) There is created in the State treasury a special fund
15 known as the State Police Operations Assistance Fund. The Fund
16 shall receive revenue under the Criminal and Traffic
17 Assessment Act, the Illinois Hazardous Materials
18 Transportation Act, and the Illinois Motor Carrier Safety Law.
19 The Fund may also receive revenue from grants, donations,
20 appropriations, and any other legal source.

21 (a-5) This Fund may charge, collect, and receive fees or
22 moneys as described in Section 15-312 of the Illinois Vehicle
23 Code and receive all fees received by the Illinois State
24 Police under that Section. The moneys shall be used by the

1 Illinois State Police for its expenses in providing police
2 escorts and commercial vehicle enforcement activities.

3 (b) The Illinois State Police may use moneys in the Fund to
4 finance any of its lawful purposes or functions.

5 (c) Expenditures may be made from the Fund only as
6 appropriated by the General Assembly by law.

7 (d) Investment income that is attributable to the
8 investment of moneys in the Fund shall be retained in the Fund
9 for the uses specified in this Section.

10 (e) The State Police Operations Assistance Fund shall not
11 be subject to administrative chargebacks.

12 (f) (Blank).

13 (g) (Blank).

14 (h) (Blank). ~~June 9, 2023 (Public Act 103-34)~~

15 (Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21;
16 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff.
17 6-9-23; 103-363, eff. 7-28-23; 103-605, eff. 7-1-24; 103-616,
18 eff. 7-1-24; revised 7-23-24.)

19 Section 5. The Liquefied Petroleum Gas Regulation Act is
20 amended by changing Section 3 as follows:

21 (430 ILCS 5/3) (from Ch. 96 1/2, par. 5603)

22 Sec. 3. The Office of the State Fire Marshal has power to
23 make, adopt and enforce rules and regulations governing the
24 storing, transporting as cargo, selling, dispensing or use of

1 liquefied petroleum gases for purposes other than as a
2 propellant fuel in school buses, except as otherwise regulated
3 by the Illinois State Police ~~Department of Transportation~~
4 under the provisions of the "Illinois Hazardous Materials
5 Transportation Act", ~~approved August 26, 1977, as amended.~~

6 Rules and regulations adopted under this Section shall be in
7 substantial conformity with the generally accepted standards
8 of safety concerning the same subject matter. Rules and
9 regulations in substantial conformity with the published
10 Standards of the National Fire Protection Association for the
11 Storage and Handling of Liquefied Petroleum Gases and with the
12 published Recommended Good Practice Rules for Liquefied
13 Petroleum Gas Piping and Appliance Installations in Buildings
14 as recommended by the National Fire Protection Association,
15 shall be considered in substantial conformity with the
16 generally accepted standards of safety. No municipality or
17 other political subdivision shall enforce any ordinance or
18 regulation in conflict with this Act or with the regulations
19 promulgated under this Section, except in the location and
20 operation of liquefied petroleum gas bulk plants and storage
21 systems of over 1200 gallon capacity.

22 (Source: P.A. 83-1362.)

23 Section 10. The Illinois Hazardous Materials
24 Transportation Act is amended by changing Sections 2, 3, and
25 11 as follows:

1 (430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

2 Sec. 2. It is the finding of the General Assembly that
3 hazardous materials are essential for various industrial,
4 commercial and other purposes; that their transportation is a
5 necessary incident to their use; and that such transportation
6 is required for the employment and economic prosperity of the
7 People of the State of Illinois.

8 It is therefore declared to be the policy of the General
9 Assembly to improve the regulatory and enforcement authority
10 of the Illinois State Police ~~Department of Transportation~~ to
11 protect the People of the State of Illinois against the risk to
12 life and property inherent in the transportation of hazardous
13 materials over highways by keeping such risk to a minimum
14 consistent with technical feasibility and economic
15 reasonableness.

16 It is not the intent of the General Assembly to regulate
17 the movement of hazardous materials in such quantities that
18 would not pose a substantial danger to the public health and
19 safety, such as fuels, fertilizer and agricultural chemicals
20 while being used in a normal farming operation or in transit to
21 the farm.

22 (Source: P.A. 80-351.)

23 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

24 Sec. 3. Unless the context otherwise clearly requires, as

1 used in this Act:

2 "Commerce" means trade, traffic, commerce or
3 transportation within the State;

4 "Department" means the Illinois State Police ~~Department of~~
5 ~~Transportation~~;

6 "Discharge" means leakage, seepage, or other release;

7 "Hazardous material" means a substance or material in a
8 quantity and form determined by the United States Department
9 of Transportation to be capable of posing an unreasonable risk
10 to health and safety or property when transported in commerce;

11 "Knowingly" means a person has actual knowledge of the
12 facts giving rise to the violation or a reasonable person
13 acting in the circumstances and exercising due care would have
14 such knowledge;

15 "Law Enforcement Officials" means the Illinois State
16 Police or any duly authorized employees of a local
17 governmental agency who are primarily responsible for
18 prevention or detection of crime and enforcement of the
19 criminal code and the highway and traffic laws of this State or
20 any political subdivision of such State;

21 "Local road" means any State or local highway except for
22 (i) a highway with 4 or more lanes, or (ii) an interstate
23 highway.

24 "Person" means any natural person or individual,
25 governmental body, firm, association, partnership,
26 copartnership, joint venture, company, corporation, joint

1 stock company, trust, estate or any other legal entity or
2 their legal representative, agent or assigns;

3 "Transports" or "transportation" means any movement of
4 property over the highway and any loading, unloading or
5 storage incidental to such movement.

6 (Source: P.A. 102-513, eff. 8-20-21.)

7 (430 ILCS 30/11) (from Ch. 95 1/2, par. 700-11)

8 Sec. 11. Any person who is determined by the Department
9 after reasonable notice and opportunity for a fair and
10 impartial hearing to have knowingly committed an act that is a
11 violation of this Act or any rule or regulation issued under
12 this Act is liable to the State for a civil penalty. Whoever
13 knowingly commits an act that is a violation of any rule or
14 regulation applicable to any person who transports or ships or
15 causes to be transported or shipped hazardous materials is
16 subject to a civil penalty of not more than \$10,000 for such
17 violation and, if any such violation is a continuing one, each
18 day of violation constitutes a separate offense. The amount of
19 any such penalty shall be assessed by the Department by a
20 written notice. In determining the amount of such penalty, the
21 Department shall take into account the nature, circumstances,
22 extent and gravity of the violation and, with respect to a
23 person found to have committed such violation, the degree of
24 culpability, history of prior offenses, ability to pay, effect
25 on ability to continue to do business and such other matters as

1 justice may require.

2 Such civil penalty is recoverable in an action brought by
3 the State's Attorney or the Attorney General on behalf of the
4 State in the circuit court or, prior to referral to the State's
5 Attorney or the Attorney General, such civil penalty may be
6 compromised by the Department. The amount of such penalty when
7 finally determined (or agreed upon in compromise), may be
8 deducted from any sums owed by the State to the person charged.
9 All civil penalties collected under this Section shall be
10 deposited in the State Police Operations Assistance ~~Road~~ Fund.
11 (Source: P.A. 80-351.)

12 Section 15. The Illinois Vehicle Code is amended by
13 changing Sections 1-115.05, 18b-101, 18b-102, 18b-104,
14 18b-106.2, 18b-107, and 18b-109 and by adding Sections
15 18b-104.1 and 18b-104.2 as follows:

16 (625 ILCS 5/1-115.05)

17 Sec. 1-115.05. Department. The Department of
18 Transportation of the State of Illinois, acting directly or
19 through its duly authorized officers and agents, except that:
20 (i) in Chapter 5 and Articles X and XI of Chapter 3 of this
21 Code, "Department" means the Department of Revenue of the
22 State of Illinois; and (ii) in Chapter 18B, "Department" means
23 the Illinois State Police.

24 (Source: P.A. 90-89, eff. 1-1-98.)

1 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

2 Sec. 18b-101. Definitions. Unless the context otherwise
3 clearly requires, as used in this Chapter:

4 "Agricultural commodities" means any agricultural
5 commodity, non-processed food, feed, fiber, or livestock,
6 including insects.

7 "Agricultural operations" means the operation of a motor
8 vehicle or combination of vehicles transporting agricultural
9 commodities or farm supplies for agricultural purposes.

10 "Air mile" means a nautical mile, which is equivalent to
11 6,076 feet or 1,852 meters. Accordingly, 100 air miles are
12 equivalent to 115.08 statute miles or 185.2 kilometers.

13 "Commercial motor vehicle" means any self propelled or
14 towed vehicle used on public highways in interstate and
15 intrastate commerce to transport passengers or property when
16 the vehicle has a gross vehicle weight, a gross vehicle weight
17 rating, a gross combination weight, or a gross combination
18 weight rating of 10,001 or more pounds; or the vehicle is used
19 or designed to transport more than 15 passengers, including
20 the driver; or the vehicle is designed to carry 15 or fewer
21 passengers and is operated by a contract carrier transporting
22 employees in the course of their employment on a highway of
23 this State; or the vehicle is used or designed to transport
24 between 9 and 15 passengers, including the driver, for direct
25 compensation; or the vehicle is used in the transportation of

1 hazardous materials in a quantity requiring placarding under
2 the Illinois Hazardous Materials Transportation Act. This
3 definition shall not include farm machinery, fertilizer
4 spreaders, and other special agricultural movement equipment
5 described in Section 3-809 nor implements of husbandry as
6 defined in Section 1-130.

7 "Covered farm vehicle", for purposes of this Chapter and
8 rule-making under this Chapter, means a straight truck or
9 articulated vehicle, excluding vehicles transporting hazardous
10 materials of a type or quantity that requires the vehicle to be
11 placarded in accordance with the Illinois Hazardous Materials
12 Transportation Act, registered in this State or another state
13 and equipped with a special license plate or other designation
14 by the state in which the vehicle is registered identifying
15 the vehicle as a covered farm vehicle for law enforcement
16 personnel and:

17 (1) is operated by a farm or ranch owner or operator,
18 or an employee or family member of the farm or ranch owner
19 or operator; and

20 (2) is being used to transport the following to or
21 from a farm or ranch:

22 (A) agricultural commodities;

23 (B) livestock; or

24 (C) machinery or supplies; and

25 (3) if registered in this State, is:

26 (A) registered as a farm truck under subsection

1 (c) of Section 3-815 of this Code; or

2 (B) operated in combination as an articulated
3 vehicle when the truck in the combination is
4 registered for 12,000 lbs. or less as a covered farm
5 vehicle under subsections (a) and (a-5) of Section
6 3-815 of this Code or subsection (a) of Section 3-818
7 of this Code and contains in the cab of the motor
8 vehicle a registration designating the vehicle as a
9 covered farm vehicle under subsections (a) and (a-5)
10 of Section 3-815 of this Code and the trailer in the
11 combination is registered as a farm trailer under
12 subsection (a) of Section 3-819 of this Code and
13 displays a farm registration license plate; or

14 (C) a truck registered for 12,000 lbs. or less as a
15 covered farm vehicle under subsections (a) and (a-5)
16 of Section 3-815 of this Code or subsection (a) of
17 Section 3-818 of this Code containing in the cab of the
18 motor vehicle a registration designating the vehicle
19 as a covered farm vehicle under subsections (a) and
20 (a-5) of Section 3-815 of this Code that is towing an
21 implement of husbandry as part of a farming operation;
22 and

23 (4) is not used in for-hire motor carrier operations;
24 however, for-hire motor carrier operations do not include
25 the operation of a vehicle meeting the definition of a
26 covered farm vehicle by a tenant pursuant to a crop share

1 farm lease agreement to transport the landlord's portion
2 of the crops under that agreement; and

3 (5) has a gross vehicle weight rating (GVWR), a gross
4 combination weight rating (GCWR), or a gross vehicle
5 weight or gross vehicle combination weight, whichever is
6 greater, that is:

7 (A) 26,001 lbs. or less, for vehicles operating in
8 interstate commerce; or

9 (B) greater than 26,001 lbs., operating in
10 interstate commerce and registered in this State; or

11 (C) greater than 26,001 lbs. and traveling
12 interstate within 150 air miles of the farm or ranch
13 for which the vehicle is being operated, regardless of
14 whether it is registered in this State; or

15 (D) greater than 10,000 lbs. and traveling
16 intrastate.

17 "Department" means the Illinois State Police.

18 "Direct compensation" means payment made to the motor
19 carrier by the passengers or a person acting on behalf of the
20 passengers for the transportation services provided, and not
21 included in a total package charge or other assessment for
22 highway transportation services.

23 "Farm supplies for agricultural purposes" means products
24 directly related to the growing or harvesting of agricultural
25 commodities and livestock feed at any time of the year.

26 "Livestock" means cattle, sheep, goats, swine, poultry

1 (including egg-producing poultry), fish used for food, and
2 other animals designated by the Secretary of the United States
3 Department of Transportation (at his or her sole discretion)
4 that are part of a foundation herd (including producing dairy
5 cattle) or offspring.

6 "Officer" means Illinois State Police Officer.

7 "Person" means any natural person or individual,
8 governmental body, firm, association, partnership,
9 copartnership, joint venture, company, corporation, joint
10 stock company, trust, estate or any other legal entity or
11 their legal representative, agent or assigns.

12 (Source: P.A. 97-795, eff. 1-1-13; 98-882, eff. 8-13-14.)

13 (625 ILCS 5/18b-102) (from Ch. 95 1/2, par. 18b-102)

14 Sec. 18b-102. Authority of Department. To the extent
15 necessary to administer this Chapter, the Department is
16 authorized to:

17 (a) Adopt by reference all or any portion of the Federal
18 Motor Carrier Safety Regulations of the United States
19 Department of Transportation, as they are now or hereafter
20 amended.

21 (b) Conduct investigations; make reports; issue subpoenas;
22 conduct hearings; require the production of relevant
23 documents, records and property; take depositions; ~~and, in~~
24 ~~conjunction with the Illinois State Police,~~ conduct directly
25 or indirectly research, development, demonstrations and

1 training activities.

2 (c) Authorize any officer or Department employee to enter
3 upon, inspect and examine at reasonable times and in a
4 reasonable manner, the records and properties of persons to
5 the extent such records and properties relate to the
6 transportation by motor vehicle of persons or property.

7 (d) Conduct a continuing review of all aspects of the
8 transportation of persons and property by motor vehicle in
9 order to determine and recommend appropriate steps to assure
10 safe transportation by motor vehicle in Illinois.

11 (e) Administer and enforce the provisions of this Chapter
12 and any rules and regulations issued under this Chapter. Only
13 the Department ~~Illinois State Police~~ shall be authorized to
14 stop and inspect any commercial motor vehicle or driver at any
15 time for the purpose of determining compliance with the
16 provisions of this Chapter or rules and regulations issued
17 under this Chapter.

18 (Source: P.A. 90-89, eff. 1-1-98.)

19 (625 ILCS 5/18b-104) (from Ch. 95 1/2, par. 18b-104)

20 Sec. 18b-104. Cooperation with State Agencies - Records
21 and Data - Availability. The Department shall cooperate with
22 other State agencies regulating transportation by motor
23 vehicles and may enter into interagency agreements for the
24 purpose of sharing data. ~~The Department shall enter into an~~
25 ~~interagency agreement with the Illinois State Police for the~~

~~purpose of enforcing any provisions of this Chapter and the
rules and regulations issued under this Chapter.~~

(Source: P.A. 86-611.)

(625 ILCS 5/18b-104.1 new)

Sec. 18b-104.1. Personnel transfers.

(a) On January 1, 2026, the personnel responsible for
administering this Chapter are transferred from the
transferring agency designated by the Governor to the
Department. Prior to the transfer, the personnel shall be
subject to a background check and any additional screening
requirements established by the Department. The status and
rights of the employees and the State or its transferring
agency under the Personnel Code, the Illinois Public Labor
Relations Act, and applicable collective bargaining agreements
or under any pension, retirement, or annuity plan shall not be
affected by this amendatory Act of the 104th General Assembly.
Under the direction of the Governor, the Department, in
consultation with the transferring agencies, Central
Management Services, and labor organizations representing the
affected employees, shall identify each position and employee
who is engaged in the performance of functions transferred to
the Department, or engaged in the administration of a law the
administration of which is transferred to the Department, to
be transferred to the Department. An employee engaged
primarily in providing administrative and investigative

1 support to the Illinois Motor Carrier Safety Assistance
2 Program may be considered engaged in the performance of
3 functions transferred to the Department.

4 (b) Until October 1, 2026, all union employees assigned to
5 the Motor Carrier Safety Assistance Program shall retain the
6 rights and benefits of their collective bargaining agreement,
7 including, but not limited to, for personnel transactions, as
8 if the employees were still employed by the Department of
9 Transportation. As used in this subsection, "personnel
10 transactions" includes promotions, lateral transfers, or
11 voluntary reductions to other union titles within the
12 Department of Transportation.

13 (625 ILCS 5/18b-104.2 new)

14 Sec. 18b-104.2. Material transfers. On January 1, 2026,
15 the Department shall take possession from the Department of
16 Transportation any tangible items, including, but not limited
17 to, vehicles, computers, uniforms, equipment, and supplies,
18 which were procured or purchased using the Motor Carrier
19 Safety Assistance Program Grant from the Federal Motor Carrier
20 Safety Administration. These items shall become property of
21 the Department.

22 (625 ILCS 5/18b-106.2)

23 Sec. 18b-106.2. Hours of service; utility service
24 interruption emergencies.

1 (a) As used in this Section:

2 "Commercial driver's license" has the meaning set forth in
3 Section 1-111.6 of this Code.

4 "Commercial motor vehicle" has the meaning set forth in
5 Section 18b-101 of this Code.

6 "Utility service interruption emergency" means an outage
7 or interruption of utility service in Illinois occasioned by a
8 set of circumstances included in the definition of "emergency"
9 set forth at 49 CFR 390.5.

10 "Utility service" means the repairing, maintaining, or
11 operating of any structures or any other physical facilities
12 necessary for the delivery of utility services, including the
13 furnishing of electric, gas, water, sanitary sewer, telephone,
14 and television cable or community antenna service.

15 "Utility service vehicle" has the meaning set forth in 49
16 CFR 395.2.

17 (b) Upon receipt of notification of a utility service
18 interruption emergency by a utility service provider, the
19 ~~Illinois Department of Transportation~~ shall declare that an
20 emergency exists pursuant to 49 CFR 390.23. Should an audit by
21 the ~~Illinois Department of Transportation~~ establish that there
22 has been an abuse of the notification procedure by a utility
23 service provider, the ~~Illinois Department of Transportation~~
24 may refuse to grant emergency declarations to that utility
25 service provider in the future without further confirmation of
26 the existence of a utility service interruption emergency.

1 (c) A utility service interruption emergency continues
2 until:

3 (1) the necessary maintenance or repair work is
4 completed; and

5 (2) personnel used to perform necessary maintenance or
6 repair work have returned to their respective normal work
7 routines.

8 (d) An individual is exempt from any regulation of the
9 maximum hours of service that an employee may work under 49 CFR
10 395 if he or she:

11 (1) is the holder of a commercial driver's license;

12 (2) is:

13 (A) an employee;

14 (B) an employee of a contractor; or

15 (C) an employee of a subcontractor;

16 of a utility service provider in an employment capacity in
17 which the commercial driver's license is used; and

18 (3) operates a commercial motor vehicle as a utility
19 service vehicle and engages in intrastate maintenance or
20 repair work in response to a utility service interruption
21 emergency.

22 (e) The exemption from maximum hours of service
23 regulations provided under subsection (d) shall not exceed the
24 duration of the utility service provider's or driver's direct
25 assistance in providing utility service interruption emergency
26 relief, or 5 days from the date of the initial declaration,

1 whichever is less.

2 (f) Nothing in this amendatory Act of the 94th General
3 Assembly shall be construed to contravene any federal law or
4 to jeopardize State of Illinois entitlement to federal
5 funding. If any provision of this amendatory Act of the 94th
6 General Assembly or its application is found to jeopardize
7 federal funding, that provision is declared invalid but does
8 not affect any other provision or application. The provisions
9 of this amendatory Act of the 94th General Assembly are
10 declared to be severable.

11 (Source: P.A. 94-1, eff. 5-23-05.)

12 (625 ILCS 5/18b-107) (from Ch. 95 1/2, par. 18b-107)

13 Sec. 18b-107. Violations - Civil penalties. Except as
14 provided in Section 18b-108, any person who is determined by
15 the Department after reasonable notice and opportunity for a
16 fair and impartial hearing to have committed an act in
17 violation of this Chapter or any rule or regulation issued
18 under this Chapter is liable to the State for a civil penalty.
19 Such person is subject to a civil penalty as prescribed by
20 Appendix B to 49 CFR Part 386 -- Penalty Schedule; Violations
21 and Maximum Monetary Penalties, except that a person
22 committing a railroad-highway grade crossing violation is
23 subject to a civil penalty of not more than \$10,000, and, if
24 any such violation is a continuing one, each day of violation
25 constitutes a separate offense. The amount of any such penalty

1 shall be assessed by the Department by a written notice. In
2 determining the amount of such penalty, the Department shall
3 take into account the nature, circumstances, extent and
4 gravity of the violation and, with respect to a person found to
5 have committed such violation, the degree of culpability,
6 history or prior offenses, ability to pay, effect on ability
7 to continue to do business and such other matters as justice
8 may require.

9 Such civil penalty is recoverable in an action brought by
10 the State's Attorney or the Attorney General on behalf of the
11 State in the circuit court or, prior to referral to the State's
12 Attorney or the Attorney General, such civil penalty may be
13 compromised by the Department. The amount of such penalty when
14 finally determined (or agreed upon in compromise), may be
15 deducted from any sums owed by the State to the person charged.
16 All civil penalties collected under this subsection shall be
17 deposited in the State Police Operations Assistance Fund ~~Road~~
18 ~~Fund~~.

19 On the effective date of this amendatory Act of the 104th
20 General Assembly, the hearing process established by this
21 Section shall be completed by the Department. All such
22 violations dated prior to the effective date of this
23 amendatory Act of the 104th General Assembly shall be
24 completed by the Department of Transportation.

25 (Source: P.A. 94-519, eff. 8-10-05.)

1 (625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)

2 Sec. 18b-109. Enforcement of Rules and Regulations. Only
3 the Department ~~Illinois State Police~~ shall enforce the rules
4 and regulations issued under this Chapter against drivers and
5 persons other than drivers. ~~The Department and the Illinois~~
6 ~~State Police shall enforce the rules and regulations issued~~
7 ~~under this Chapter against persons other than drivers.~~

8 (Source: P.A. 86-611.)

9 Section 99. Effective date. This Act takes effect October
10 1, 2025.