



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3291

by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-5
20 ILCS 405/405-280

was 20 ILCS 405/35.2
was 20 ILCS 405/67.15

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that beginning June 30, 2017, each State agency shall report certain information concerning State vehicles to the Department of Central Management Services within 60 days after the end of the fiscal year. Provides that if a State agency fails to report that information, the Department of Central Management Services shall immediately take control of at least 5 vehicles controlled by the non-reporting State agency, or fewer vehicles only if the non-reporting State agency controls fewer than 5 vehicles. Requires the Department to publish information on its website about State vehicles for the previous fiscal year by November 1, 2017 and each November 1 thereafter. Provides that within 60 days after receiving State agency reports, the Director of Central Management Services shall deem any general purpose passenger and light duty vehicle driven under 7,000 miles in a fiscal year as surplus property and begin the process for disposing of the vehicle provided for in the State Property Control Act for transferable property. Contains other provisions concerning the sale of such vehicles and exceptions that may apply. Requires proceeds from such sales to be deposited in the State Surplus Property Revolving Fund. Defines "general purpose passenger vehicles" and "light duty vehicles". Effective immediately.

LRB100 06958 HLH 17009 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Central Management Services
5 Law of the Civil Administrative Code of Illinois is amended by
6 changing Sections 405-5 and 405-280 as follows:

7 (20 ILCS 405/405-5) (was 20 ILCS 405/35.2)

8 Sec. 405-5. Definitions.

9 (a) In this Law:

10 "Department" means the Department of Central Management
11 Services.

12 "Director" means the Director of Central Management
13 Services.

14 (b) In paragraphs (1) and (2) of Section 405-10, ~~and in~~
15 Section 405-15, and in Section 405-280, "State agency", whether
16 used in the singular or plural, means all departments,
17 officers, commissions, boards, institutions, and bodies
18 politic and corporate of the State. The term, however, does not
19 mean the judicial branch, including, without limitation, the
20 several courts of the State, the offices of the clerk of the
21 supreme court and the clerks of the appellate court, and the
22 Administrative Office of the Illinois Courts, nor does it mean
23 the legislature or its committees or commissions.

1 (Source: P.A. 94-295, eff. 7-21-05.)

2 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

3 Sec. 405-280. State garages; passenger cars.

4 (a) To supervise and administer all State garages used for
5 the repair, maintenance, or servicing of State-owned motor
6 vehicles except those operated by any State college or
7 university or by the Illinois Mathematics and Science Academy;
8 and to acquire, maintain, and administer the operation of the
9 passenger cars reasonably necessary to the operations of the
10 executive department of the State government. To this end, the
11 Department shall adopt regulations setting forth guidelines
12 for the acquisition, use, maintenance, and replacement of motor
13 vehicles, including the use of ethanol blended gasoline
14 whenever feasible, used by the executive department of State
15 government; shall occupy the space and take possession of the
16 personnel, facilities, equipment, tools, and vehicles that are
17 in the possession or under the administration of the former
18 Department of Administrative Services for these purposes on
19 July 13, 1982 (the effective date of Public Act 82-789); and
20 shall, from time to time, acquire any further, additional, and
21 replacement facilities, space, tools, and vehicles that are
22 reasonably necessary for the purposes described in this
23 Section.

24 (b) The Department shall evaluate the availability and cost
25 of GPS systems that State agencies may be able to use to track

1 State-owned motor vehicles.

2 (c) The Department shall distribute a spreadsheet or
3 otherwise make data entry available to each State agency to
4 facilitate the collection of data for publishing on the
5 Department's Internet website. Beginning June 30, 2017, each
6 State agency shall report the information required in this
7 subsection to the Department within 60 days after the end of
8 the fiscal year. If a State agency fails to report the
9 information within 60 days after the end of the fiscal year,
10 the Department shall immediately take control of at least 5
11 vehicles controlled by the non-reporting State agency, or fewer
12 vehicles only if the non-reporting State agency controls fewer
13 than 5 vehicles. The vehicles seized by the Department shall be
14 the passenger vehicles to which the 5 highest salaried persons
15 in the non-reporting State agency who have access to vehicles
16 have access, but shall in no case be emergency vehicles. The
17 Department shall only return the vehicles upon the State
18 agency's fulfillment of the reporting requirements of this
19 subsection. Each State agency shall cooperate with the
20 Department in furnishing the data necessary for the
21 implementation of this subsection within the timeframe
22 specified by the Department. Each State agency shall be
23 responsible for the validity and accuracy of the data provided.
24 Beginning on November 1, 2017, and each November 1 thereafter
25 July 1, 2013, the Department shall make available to the public
26 on its Internet website the following information for the

1 previous fiscal year:

2 (1) vehicle cost data, organized by individual vehicle
3 and by State agency, and including repair, maintenance,
4 fuel, insurance, and other costs, as well as whether
5 required vehicle inspections have been performed; ~~and~~

6 (2) an annual vehicle breakeven analysis, organized by
7 individual vehicle and by State agency, comparing the
8 number of miles a vehicle has been driven with the total
9 cost of maintaining the vehicle; ~~and~~

10 (3) the number of miles each car was driven; and

11 (4) the purpose each vehicle served.

12 (d) Beginning on the effective date of this amendatory Act
13 of the 97th General Assembly, and notwithstanding any provision
14 of law to the contrary, the Department may not make any new
15 motor vehicle purchases until the Department sets forth
16 procedures to condition the purchase of new motor vehicles on
17 (i) a determination of need based on a breakeven analysis, and
18 (ii) a determination that no other available means, including
19 car sharing or rental agreements, would be more cost-effective
20 to the State. However, the Department may purchase motor
21 vehicles not meeting or exceeding a breakeven analysis only if
22 there is no alternative available to carry out agency work
23 functions and the purchase is approved by the Manager of the
24 Division of Vehicles upon the receipt of a written explanation
25 from the agency head of the operational needs justifying the
26 purchase.

1 (e) On or before December 31, 2017 and each December 31
2 thereafter, except as provided in this subsection (e), the
3 Director shall deem any general purpose passenger and light
4 duty vehicles driven under 7,000 miles in a fiscal year as
5 surplus property and begin the process for disposing of the
6 vehicle provided for in the State Property Control Act for
7 transferable property. No vehicle purchased during the
8 previous fiscal year shall be sold pursuant to this Section.
9 Notwithstanding any other provision of law, vehicles with
10 remaining useful life may be recycled into the State vehicle
11 fleet to replace mission critical vehicles with higher
12 maintenance costs to reduce the overall cost of maintaining the
13 fleet. If a passenger vehicle contains specialty equipment that
14 cannot be removed and would render the vehicle unlawful for
15 private use on a public roadway, the vehicle shall not be sold
16 to a private person or entity, but must be given to another
17 State agency or sold to another governmental body for which use
18 of the vehicle is legal. This subsection (e) shall not apply to
19 police or emergency vehicles, vehicles with specialty
20 equipment installed, vehicles used by any State agency for
21 undercover operations, vehicles required in a collective
22 bargaining agreement, or vehicles for which a State employee's
23 personal vehicle cannot be substituted without causing
24 excessive wear and tear to the personal vehicle in the opinion
25 of the Director. If the Director opts not to sell a vehicle
26 pursuant to the exceptions provided herein, the Director shall

1 file a report with the Clerk of the House, the Minority Leader
2 of the House, the Secretary of the Senate, the Minority Leader
3 of the Senate, and the Governor on or before December 31 of
4 each year explaining why the exceptions herein provided applied
5 to the vehicle. Proceeds from the sale of these vehicles shall
6 be deposited in the State Surplus Property Revolving Fund.

7 (f) For the purposes of this Section:

8 "General purpose passenger vehicles" mean cars, minivans,
9 sport utility vehicles, crossovers, or other vehicles with not
10 more than a 10 passenger capacity.

11 "Light duty vehicles" means vans, pickups or trucks with
12 8,000 lbs or less gross vehicle weight rating.

13 (Source: P.A. 97-922, eff. 1-1-13.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.