

HB5856



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5856

by Rep. Nicholas K Smith

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that vehicles owned or operated by a Mass Transit District created under a provision of the Local Mass Transit District Act may use any toll highway without paying a toll.

LRB100 21282 LNS 37545 b

A BILL FOR

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 Toll Highway Act is amended by changing
5 Section 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. Toll rates. The Authority shall fix and revise
8 from time to time, tolls or charges or rates for the privilege
9 of using each of the toll highways constructed pursuant to this
10 Act. Such tolls shall be so fixed and adjusted at rates
11 calculated to provide the lowest reasonable toll rates that
12 will provide funds sufficient with other revenues of the
13 Authority to pay, (a) the cost of the construction of a toll
14 highway authorized by joint resolution of the General Assembly
15 pursuant to Section 14.1 and the reconstruction, major repairs
16 or improvements of toll highways, (b) the cost of maintaining,
17 repairing, regulating and operating the toll highways
18 including only the necessary expenses of the Authority, and (c)
19 the principal of all bonds, interest thereon and all sinking
20 fund requirements and other requirements provided by
21 resolutions authorizing the issuance of the bonds as they shall
22 become due. In fixing the toll rates pursuant to this Section
23 19 and Section 10(c) of this Act, the Authority shall take into

1 account the effect of the provisions of this Section 19
2 permitting the use of the toll highway system without payment
3 of the covenants of the Authority contained in the resolutions
4 and trust indentures authorizing the issuance of bonds of the
5 Authority. No such provision permitting the use of the toll
6 highway system without payment of tolls after the date of this
7 amendatory Act of the 95th General Assembly shall be applied in
8 a manner that impairs the rights of bondholders pursuant to any
9 resolution or trust indentures authorizing the issuance of
10 bonds of the Authority. The use and disposition of any sinking
11 or reserve fund shall be subject to such regulation as may be
12 provided in the resolution or trust indenture authorizing the
13 issuance of the bonds. Subject to the provisions of any
14 resolution or trust indenture authorizing the issuance of bonds
15 any moneys in any such sinking fund in excess of an amount
16 equal to one year's interest on the bonds then outstanding
17 secured by such sinking fund may be applied to the purchase or
18 redemption of bonds. All such bonds so redeemed or purchased
19 shall forthwith be cancelled and shall not again be issued. No
20 person shall be permitted to use any toll highway without
21 paying the toll established under this Section except when on
22 official Toll Highway Authority business which includes police
23 and other emergency vehicles. However, any law enforcement
24 agency vehicle, fire department vehicle, public or private
25 ambulance service vehicle engaged in the performance of an
26 emergency service or duty that necessitates the use of the toll

1 highway system, or other emergency vehicle that is plainly
2 marked shall not be required to pay a toll to use a toll
3 highway. A law enforcement, fire protection, or emergency
4 services officer driving a law enforcement, fire protection,
5 emergency services agency vehicle, or public or private
6 ambulance service vehicle engaging in the performance of
7 emergency services or duties that is not plainly marked must
8 present an Official Permit Card which the law enforcement, fire
9 protection, or emergency services officer receives from his or
10 her law enforcement, fire protection, emergency services
11 agency, or public or private ambulance service in order to use
12 a toll highway without paying the toll. A law enforcement, fire
13 protection, emergency services agency, or public or private
14 ambulance service engaging in the performance of emergency
15 services or duties must apply to the Authority to receive a
16 permit, and the Authority shall adopt rules for the issuance of
17 a permit, that allows public or private ambulance service
18 vehicles engaged in the performance of emergency services or
19 duties that necessitate the use of the toll highway system and
20 all law enforcement, fire protection, or emergency services
21 agency vehicles of the law enforcement, fire protection, or
22 emergency services agency to use any toll highway without
23 paying the toll established under this Section. The Authority
24 shall maintain in its office a list of all persons that are
25 authorized to use any toll highway without charge when on
26 official business of the Authority and such list shall be open

1 to the public for inspection. In recognition of the unique role
2 of public transportation ~~the Suburban Bus Division of the~~
3 ~~Regional Transportation Authority~~ in providing effective
4 transportation in the Authority's service region, and to give
5 effect to the exemption set forth in subsection (b) of Section
6 2.06 of the Regional Transportation Authority Act, the
7 following vehicles may use any toll highway without paying the
8 toll: (1) a vehicle owned or operated by the Suburban Bus
9 Division of the Regional Transportation Authority that is being
10 used to transport passengers for hire; and (2) any vehicle
11 owned or operated by a Mass Transit District created under
12 Section 3 of the Local Mass Transit District Act. ~~may use any~~
13 ~~toll highway without paying the toll.~~

14 Among other matters, this amendatory Act of 1990 is
15 intended to clarify and confirm the prior intent of the General
16 Assembly to allow toll revenues from the toll highway system to
17 be used to pay a portion of the cost of the construction of the
18 North-South Toll Highway authorized by Senate Joint Resolution
19 122 of the 83rd General Assembly in 1984.

20 (Source: P.A. 97-784, eff. 1-1-13.)