

# HB5877



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5877

by Rep. Martin McLaughlin

### SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Allows an active-status member of the Illinois National Guard to use a toll highway without paying the toll if the active-status member has applied for and received from the Illinois State Toll Highway Authority an Official Permit Card. Requires the Authority to adopt rules for the issuance of a permit that allows an active-status member of the Illinois National Guard to use any toll highway without paying the established toll.

LRB103 42435 LNS 75665 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  
10 this 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  
19 (c) the principal of all bonds, interest thereon and all  
20 sinking fund requirements and other requirements provided by  
21 resolutions authorizing the issuance of the bonds as they  
22 shall become due. In fixing the toll rates pursuant to this  
23 Section 19 and Section 10(c) of this Act, the Authority shall

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

1 service or duty that necessitates the use of the toll highway  
2 system, or other emergency vehicle that is plainly marked  
3 shall not be required to pay a toll to use a toll highway. A  
4 law enforcement, fire protection, or emergency services  
5 officer driving a law enforcement, fire protection, emergency  
6 services agency vehicle, or public or private ambulance  
7 service vehicle engaging in the performance of emergency  
8 services or duties that is not plainly marked must present an  
9 Official Permit Card which the law enforcement, fire  
10 protection, or emergency services officer receives from his or  
11 her law enforcement, fire protection, emergency services  
12 agency, or public or private ambulance service in order to use  
13 a toll highway without paying the toll. A law enforcement,  
14 fire protection, emergency services agency, or public or  
15 private ambulance service engaging in the performance of  
16 emergency services or duties must apply to the Authority to  
17 receive a permit, and the Authority shall adopt rules for the  
18 issuance of a permit, that allows public or private ambulance  
19 service vehicles engaged in the performance of emergency  
20 services or duties that necessitate the use of the toll  
21 highway system and all law enforcement, fire protection, or  
22 emergency services agency vehicles of the law enforcement,  
23 fire protection, or emergency services agency to use any toll  
24 highway without paying the toll established under this  
25 Section. An active-status member of the Illinois National  
26 Guard may use a toll highway without paying the toll if the

1 active-status member has applied for and received from the  
2 Authority an Official Permit Card. The Authority shall adopt  
3 rules for the issuance of a permit that allows an  
4 active-status member of the Illinois National Guard to use any  
5 toll highway without paying the toll established under this  
6 Section. The Authority shall maintain in its office a list of  
7 all persons that are authorized to use any toll highway  
8 without charge when on official business of the Authority and  
9 such list shall be open to the public for inspection. In  
10 recognition of the unique role of public transportation in  
11 providing effective transportation in the Authority's service  
12 region, and to give effect to the exemption set forth in  
13 subsection (b) of Section 2.06 of the Regional Transportation  
14 Authority Act, the following vehicles may use any toll highway  
15 without paying the toll: (1) a vehicle owned or operated by the  
16 Suburban Bus Division of the Regional Transportation Authority  
17 that is being used to transport passengers for hire; and (2)  
18 any revenue vehicle that is owned or operated by a Mass Transit  
19 District created under Section 3 of the Local Mass Transit  
20 District Act and running regular scheduled service.

21 Among other matters, this amendatory Act of 1990 is  
22 intended to clarify and confirm the prior intent of the  
23 General Assembly to allow toll revenues from the toll highway  
24 system to be used to pay a portion of the cost of the  
25 construction of the North-South Toll Highway authorized by  
26 Senate Joint Resolution 122 of the 83rd General Assembly in

1 1984.

2 (Source: P.A. 100-739, eff. 1-1-19.)