



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB3967

Introduced 12/18/2003, by William B. Black

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-815.1

Amends the Illinois Vehicle Code. Provides that the commercial distribution fee does not apply to personal-use vehicles with a gross vehicle weight of 16,000 pounds or less. Defines "personal-use vehicle" as a vehicle that is personally owned and not used for any business purpose or available for hire. Makes provision for refunds of commercial distribution fees paid for personal-use vehicles for the registration year that began on July 1, 2003. Effective immediately.

LRB093 14658 SJM 40430 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning vehicles.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 3-815.1 as follows:

6 (625 ILCS 5/3-815.1)

7 Sec. 3-815.1. Commercial distribution fee. Beginning July
8 1, 2003, in addition to any tax or fee imposed under this Code:

9 (a) Vehicles of the second division with a gross
10 vehicle weight that exceeds 8,000 pounds and that incur any
11 tax or fee under subsection (a) of Section 3-815 of this
12 Code or subsection (a) of Section 3-818 of this Code, as
13 applicable, other than personal-use vehicles with a gross
14 vehicle weight of 16,000 pounds or less, ~~and~~ shall pay to
15 the Secretary of State a commercial distribution fee, for
16 each registration year, for the use of the public highways,
17 State infrastructure, and State services, in an amount
18 equal to 36% of the taxes and fees incurred under
19 subsection (a) of Section 3-815 of this Code, or subsection
20 (a) of Section 3-818 of this Code, as applicable, rounded
21 up to the nearest whole dollar.

22 (b) Vehicles of the second division with a gross
23 vehicle weight of 8,000 pounds or less and that incur any
24 tax or fee under subsection (a) of Section 3-815 of this
25 Code or subsection (a) of Section 3-818 of this Code, as
26 applicable, and have claimed the rolling stock exemption
27 under the Retailers' Occupation Tax Act, Use Tax Act,
28 Service Occupation Tax Act, or Service Use Tax Act, other
29 than personal-use vehicles, shall pay to the Illinois
30 Department of Revenue (or the Secretary of State under an
31 intergovernmental agreement) a commercial distribution
32 fee, for each registration year, for the use of the public

1 highways, State infrastructure, and State services, in an
2 amount equal to 36% of the taxes and fees incurred under
3 subsection (a) of Section 3-815 of this Code or subsection
4 (a) of Section 3-818 of this Code, as applicable, rounded
5 up to the nearest whole dollar.

6 The fees paid under this Section shall be deposited by the
7 Secretary of State into the General Revenue Fund.

8 As used in this Section "personal-use vehicle" means a
9 vehicle that is personally owned and not used for any business
10 purpose or available for hire.

11 Any person who paid the fee imposed under this Section for
12 a personal-use vehicle with a gross vehicle weight of 16,000
13 pounds or less for the registration year beginning on July 1,
14 2003 is entitled to a refund of the amount paid. The Secretary
15 of State shall establish a procedure by which a person who paid
16 the fee imposed under this Section for a personal-use vehicle
17 with a gross vehicle weight of 16,000 pounds or less may apply
18 for and receive a refund of the amount paid.

19 (Source: P.A. 93-23, eff. 6-20-03; revised 10-9-03.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.