

1 AN ACT in relation to 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 Sections 10, 11, 17, and 27.1 and by adding Sections 8.1, 16.2,  
6 and 27.2 as follows:

7 (605 ILCS 10/8.1 new)

8 Sec. 8.1. Inspector General.

9 (a) The Governor must, with the advice and consent of the  
10 Senate, appoint an Inspector General for the purpose of  
11 providing increased accountability and oversight, detection,  
12 deterrence, and prevention of fraud, corruption, waste,  
13 inefficiencies, and mismanagement in the Authority. The  
14 Inspector General shall serve a 2-year term. If no successor is  
15 appointed and qualified upon the expiration of the Inspector  
16 General's term, the Office of Inspector General is deemed  
17 vacant and the powers and duties under this Section may be  
18 exercised only by an appointed and qualified interim Inspector  
19 General until a successor Inspector General is appointed and  
20 qualified. If the General Assembly is not in session when a  
21 vacancy in the Office of Inspector General occurs, the Governor  
22 may appoint an interim Inspector General whose term shall  
23 expire 2 weeks after the next regularly scheduled session day  
24 of the Senate.

25 (b) The Inspector General shall have the following  
26 qualifications:

27 (1) has not been convicted of any felony under the laws  
28 of this State, another state, or the United States;

29 (2) has earned a baccalaureate degree from an  
30 institution of higher education; and

31 (3) has either (A) 5 or more years of service with a  
32 federal, State, or local law enforcement agency, at least 2

1 years of which have been in a progressive investigatory  
2 capacity; (B) 5 or more years of service as a federal,  
3 State, or local prosecutor; or (C) 5 or more years of  
4 service as a senior manager or executive of a federal,  
5 State, or local agency.

6 (c) The Inspector General may review, coordinate, and  
7 recommend methods and procedures to increase the integrity of  
8 the Authority. The Inspector General must report directly to  
9 the Governor through the Office of the Executive Inspector  
10 General for the Governor.

11 (d) In addition to the authority otherwise provided by this  
12 Section, but only when investigating the Authority, its  
13 employees, or their actions for fraud, corruption, or  
14 mismanagement, the Inspector General is authorized:

15 (1) To have access to all records, reports, audits,  
16 reviews, documents, papers, recommendations, or other  
17 materials available that relate to programs and operations  
18 with respect to which the Inspector General has  
19 responsibilities under this Section.

20 (2) To make any investigations and reports relating to  
21 the administration of the programs and operations of the  
22 Authority that are, in the judgment of the Inspector  
23 General, necessary or desirable.

24 (3) To request any information or assistance that may  
25 be necessary for carrying out the duties and  
26 responsibilities provided by this Section from any local,  
27 State, or federal governmental agency or unit thereof.

28 (4) To issue subpoenas and to compel the attendance of  
29 witnesses for purposes of testimony and the production of  
30 documents and other items for inspection and copying. If a  
31 person has petitioned a court of competent jurisdiction in  
32 Cook County, Sangamon County, or any county where the  
33 subpoena is sought to be enforced for a protective order or  
34 to quash or modify the subpoena, then this Section does not  
35 apply during the pendency of the court proceedings  
36 concerning the petition. A person duly subpoenaed for

1 testimony, documents, or other items who neglects or  
2 refuses to testify or produce documents or other items  
3 under the requirements of the subpoena shall be subject to  
4 punishment as may be determined by a court of competent  
5 jurisdiction, unless the testimony, documents, or other  
6 items are covered by the attorney-client privilege or any  
7 other privilege recognized by State or federal law. Nothing  
8 in this Section limits a person's right to protection  
9 against self-incrimination under the Fifth Amendment of  
10 the United States Constitution or Article I, Section 10, of  
11 the Constitution of the State of Illinois.

12 (5) To have direct and prompt access to the Board of  
13 Directors of the Authority for any purpose pertaining to  
14 the performance of functions and responsibilities under  
15 this Section.

16 (f) The Inspector General may receive and investigate  
17 complaints or information from an employee of the Authority  
18 concerning the possible existence of an activity constituting a  
19 violation of law, rules, or regulations; mismanagement; abuse  
20 of authority; or substantial and specific danger to the public  
21 health and safety. The Inspector General shall have the  
22 discretion to determine the appropriate means of investigation  
23 as permitted by law. Any employee who knowingly files a false  
24 complaint or files a complaint with reckless disregard for the  
25 truth or the falsity of the facts underlying the complaint may  
26 be subject to discipline.

27 The Inspector General may not, after receipt of a complaint  
28 or information from an employee, disclose the identity of the  
29 employee without the consent of the employee, unless the  
30 Inspector General determines that disclosure of the identity is  
31 reasonable and necessary for the furtherance of the  
32 investigation.

33 Any employee who has the authority to recommend or approve  
34 any personnel action or to direct others to recommend or  
35 approve any personnel action may not, with respect to that  
36 authority, take or threaten to take any action against any

1 employee as a reprisal for making a complaint or disclosing  
2 information to the Inspector General, unless the complaint was  
3 made or the information disclosed with the knowledge that it  
4 was false or with willful disregard for its truth or falsity.

5 (g) The Inspector General must adopt rules, in accordance  
6 with the provisions of the Illinois Administrative Procedure  
7 Act, establishing minimum requirements for initiating,  
8 conducting, and completing investigations. The rules must  
9 establish criteria for determining, based upon the nature of  
10 the allegation, the appropriate method of investigation, which  
11 may include, but is not limited to, site visits, telephone  
12 contacts, personal interviews, or requests for written  
13 responses. The rules must also clarify how the Office of the  
14 Inspector General shall interact with other local, State, and  
15 federal law enforcement investigations.

16 Any employee of the Authority subject to investigation or  
17 inquiry by the Inspector General, or any agent or  
18 representative of the Inspector General, concerning misconduct  
19 that is criminal shall have the right to be notified of the  
20 right to remain silent during the investigation or inquiry and  
21 the right to be represented in the investigation or inquiry by  
22 a representative of a labor organization that is the exclusive  
23 collective bargaining representative of employees of the  
24 Authority. Any such investigation or inquiry must be conducted  
25 in a manner consistent with the provisions of a collective  
26 bargaining agreement that applies to the employees of the  
27 Authority. Any recommendation for discipline or any action  
28 taken against any employee by the Inspector General, or any  
29 representative or agent of the Inspector General, must be  
30 undertaken in a manner consistent with the rights of the  
31 employees as set forth in State and federal law and applicable  
32 judicial decisions.

33 (h) The Inspector General shall provide to the Authority  
34 and the General Assembly a summary of reports and  
35 investigations made under this Section for the previous fiscal  
36 year no later than January 1 of each year. The summaries shall

1 detail the final disposition of the Inspector General's  
2 recommendations. The summaries shall not contain any  
3 confidential or identifying information concerning the  
4 subjects of the reports and investigations. The summaries shall  
5 also include detailed, recommended administrative actions and  
6 matters for consideration by the General Assembly.

7 (i) The Office of the Inspector General shall be  
8 represented in all legal matters by the Attorney General.

9 (605 ILCS 10/10) (from Ch. 121, par. 100-10)

10 Sec. 10. The Authority shall have power:

11 (a) To pass resolutions, make by-laws, rules and  
12 regulations for the management, regulation and control of its  
13 affairs, and to fix tolls, and to make, enact and enforce all  
14 needful rules and regulations in connection with the  
15 construction, operation, management, care, regulation or  
16 protection of its property or any toll highways, constructed or  
17 reconstructed hereunder.

18 (a-5) To fix, assess, and collect civil fines for a  
19 vehicle's operation on a toll highway without the required toll  
20 having been paid. The Authority may establish by rule a system  
21 of civil administrative adjudication to adjudicate only  
22 alleged instances of a vehicle's operation on a toll highway  
23 without the required toll having been paid, as detected by the  
24 Authority's video or photo surveillance system. In cases in  
25 which the operator of the vehicle is not the registered vehicle  
26 owner, the establishment of ownership of the vehicle creates a  
27 rebuttable presumption that the vehicle was being operated by  
28 an agent of the registered vehicle owner. If the registered  
29 vehicle owner liable for a violation under this Section was not  
30 the operator of the vehicle at the time of the violation, the  
31 owner may maintain an action for indemnification against the  
32 operator in the circuit court. Rules establishing a system of  
33 civil administrative adjudication must provide for written  
34 notice, by first class mail or other means provided by law, to  
35 the address of the registered owner of the cited vehicle as

1 recorded with the Secretary of State or to the lessee of the  
2 cited vehicle at the last address known to the lessor of the  
3 cited vehicle at the time of the lease, of the alleged  
4 violation and an opportunity to be heard on the question of the  
5 violation and must provide for the establishment of a toll-free  
6 telephone number to receive inquiries concerning alleged  
7 violations. The notice shall also inform the registered vehicle  
8 owner that failure to contest in the manner and time provided  
9 shall be deemed an admission of liability and that a final  
10 order of liability may be entered on that admission. A duly  
11 authorized agent of the Authority may perform or execute the  
12 preparation, certification, affirmation, or mailing of the  
13 notice. A notice of violation, sworn or affirmed to or  
14 certified by a duly authorized agent of the Authority, or a  
15 facsimile of the notice, based upon an inspection of  
16 photographs, microphotographs, videotape, or other recorded  
17 images produced by a video or photo surveillance system, shall  
18 be admitted as prima facie evidence of the correctness of the  
19 facts contained in the notice or facsimile. Only civil fines,  
20 along with the corresponding outstanding toll, and costs may be  
21 imposed by administrative adjudication. A fine may be imposed  
22 under this paragraph only if a violation is established by a  
23 preponderance of the evidence. Judicial review of all final  
24 orders of the Authority under this paragraph shall be conducted  
25 in the circuit court of the county in which the administrative  
26 hearing was held in accordance with the Administrative Review  
27 Law.

28 Any outstanding toll, fine, additional late payment fine,  
29 other sanction, or costs imposed, or part of any fine, other  
30 sanction, or costs imposed, remaining unpaid after the  
31 exhaustion of, or the failure to exhaust, judicial review  
32 procedures under the Illinois Administrative Review Law are a  
33 debt due and owing the Authority and may be collected in  
34 accordance with applicable law. After expiration of the period  
35 in which judicial review under the Illinois Administrative  
36 Review Law may be sought, unless stayed by a court of competent

1 jurisdiction, a final order of the Authority under this  
2 subsection (a-5) may be enforced in the same manner as a  
3 judgment entered by a court of competent jurisdiction.  
4 Notwithstanding any other provision of this Act, the Authority  
5 may, with the approval of the Attorney General, retain a law  
6 firm or law firms with expertise in the collection of  
7 government fines and debts for the purpose of collecting fines,  
8 costs, and other moneys due under this subsection (a-5).

9 A system of civil administrative adjudication may also  
10 provide for a program of vehicle immobilization, tow, or  
11 impoundment for the purpose of facilitating enforcement of any  
12 final order or orders of the Authority under this subsection  
13 (a-5) that result in a finding or liability for 5 or more  
14 violations after expiration of the period in which judicial  
15 review under the Illinois Administrative Review Law may be  
16 sought. The registered vehicle owner of a vehicle immobilized,  
17 towed, or impounded for nonpayment of a final order of the  
18 Authority under this subsection (a-5) shall have the right to  
19 request a hearing before the Authority's civil administrative  
20 adjudicatory system to challenge the validity of the  
21 immobilization, tow, or impoundment. This hearing, however,  
22 shall not constitute a readjudication of the merits of  
23 previously adjudicated notices. Judicial review of all final  
24 orders of the Authority under this subsection (a-5) shall be  
25 conducted in accordance with the Administrative Review Law.

26 No commercial entity that is the lessor of a vehicle under  
27 a written lease agreement shall be liable for an administrative  
28 notice of violation for toll evasion issued under this  
29 subsection (a-5) involving that vehicle during the period of  
30 the lease if the lessor provides a copy of the leasing  
31 agreement to the Authority within 21 days of the issue date on  
32 the notice of violation. The leasing agreement also must  
33 contain a provision or addendum informing the lessee that the  
34 lessee is liable for payment of all tolls and any fines for  
35 toll evasion. Each entity must also post a sign at the leasing  
36 counter notifying the lessee of that liability. The copy of the

1 leasing agreement provided to the Authority must contain the  
2 name, address, and driver's license number of the lessee.

3 As used in this subsection (a-5), "lessor" includes  
4 commercial leasing and rental entities but does not include  
5 public passenger vehicle entities.

6 The Authority shall establish an amnesty program for  
7 violations adjudicated under this subsection (a-5). Under the  
8 program, any person who has an outstanding notice of violation  
9 for toll evasion or final order of a hearing officer for toll  
10 evasion dated prior to the effective date of this amendatory  
11 Act of the 93rd General Assembly and who has not been mailed a  
12 notice of impending vehicle plate registration or driver's  
13 license suspension pursuant to Section 3-704.2 or Section  
14 6-306.7 of the Illinois Vehicle Code and who pays to the  
15 Authority the full percentage amounts listed in this paragraph  
16 remaining due on the notice of violation or final order of the  
17 hearing officer on or before 5:00 p.m., Central Standard Time,  
18 of the 60th day after the effective date of this amendatory Act  
19 the 93rd General Assembly shall not be required to pay more  
20 than the listed percentage of the original fine amount and  
21 outstanding toll as listed on the notice of violation or final  
22 order of the hearing officer. The payment percentage scale  
23 shall be as follows: a person with 25 or fewer violations shall  
24 be eligible for amnesty upon payment of 50% of the original  
25 fine amount and the outstanding tolls; a person with more than  
26 25 but fewer than 51 violations shall be eligible for amnesty  
27 upon payment of 60% of the original fine amount and the  
28 outstanding tolls; and a person with 51 or more violations  
29 shall be eligible for amnesty upon payment of 75% of the  
30 original fine amount and the outstanding tolls. In such a  
31 situation, the Executive Director of the Authority or his or  
32 her designee is authorized and directed to waive any late fine  
33 amount above the applicable percentage of the original fine  
34 amount. Partial payment of the amount due shall not be a basis  
35 to extend the amnesty payment deadline nor shall it act to  
36 relieve the person of liability for payment of the late fine



1 amount. In order to receive amnesty, the full amount of the  
2 applicable percentage of the original fine amount and  
3 outstanding toll remaining due on the notice of violation or  
4 final order of the hearing officer must be paid in full by 5:00  
5 p.m., Central Standard Time, of the 60th day after the  
6 effective date of this amendatory Act of the 93rd General  
7 Assembly. This amendatory Act of the 93rd General Assembly has  
8 no retroactive effect with regard to payments already tendered  
9 to the Authority that were full payments or payments in an  
10 amount greater than the applicable percentage, and this Act  
11 shall not be the basis for either a refund or a credit. This  
12 amendatory Act of the 93rd General Assembly does not apply to  
13 toll evasion citations issued by the Illinois State Police or  
14 other authorized law enforcement agencies and for which payment  
15 may be due to or through the clerk of the circuit court. The  
16 Authority shall adopt rules as necessary to implement the  
17 provisions of this amendatory Act of the 93rd General Assembly.  
18 The Authority, by a resolution of the Board of Directors, shall  
19 have the discretion to implement similar amnesty programs in  
20 the future.

21 (b) To prescribe rules and regulations applicable to  
22 traffic on highways under the jurisdiction of the Authority,  
23 concerning:

24 (1) Types of vehicles permitted to use such highways or  
25 parts thereof, and classification of such vehicles;

26 (2) Designation of the lanes of traffic to be used by  
27 the different types of vehicles permitted upon said  
28 highways;

29 (3) Stopping, standing, and parking of vehicles;

30 (4) Control of traffic by means of police officers or  
31 traffic control signals;

32 (5) Control or prohibition of processions, convoys,  
33 and assemblages of vehicles and persons;

34 (6) Movement of traffic in one direction only on  
35 designated portions of said highways;

36 (7) Control of the access, entrance, and exit of

1 vehicles and persons to and from said highways; and

2 (8) Preparation, location and installation of all  
3 traffic signs; and to prescribe further rules and  
4 regulations applicable to such traffic, concerning matters  
5 not provided for either in the foregoing enumeration or in  
6 the Illinois Vehicle Code. Notice of such rules and  
7 regulations shall be posted conspicuously and displayed at  
8 appropriate points and at reasonable intervals along said  
9 highways, by clearly legible markers or signs, to provide  
10 notice of the existence of such rules and regulations to  
11 persons traveling on said highways. At each toll station,  
12 the Authority shall make available, free of charge,  
13 pamphlets containing all of such rules and regulations.

14 (c) The Authority, in fixing the rate for tolls for the  
15 privilege of using the said toll highways, is authorized and  
16 directed, in fixing such rates, to base the same upon annual  
17 estimates to be made, recorded and filed with the Authority.  
18 Said estimates shall include the following: The estimated total  
19 amount of the use of the toll highways; the estimated amount of  
20 the revenue to be derived therefrom, which said revenue, when  
21 added to all other receipts and income, will be sufficient to  
22 pay the expense of maintaining and operating said toll  
23 highways, including the administrative expenses of the  
24 Authority, and to discharge all obligations of the Authority as  
25 they become due and payable.

26 (d) To accept from any municipality or political  
27 subdivision any lands, easements or rights in land needed for  
28 the operation, construction, relocation or maintenance of any  
29 toll highways, with or without payment therefor, and in its  
30 discretion to reimburse any such municipality or political  
31 subdivision out of its funds for any cost or expense incurred  
32 in the acquisition of land, easements or rights in land, in  
33 connection with the construction and relocation of the said  
34 toll highways, widening, extending roads, streets or avenues in  
35 connection therewith, or for the construction of any roads or  
36 streets forming extension to and connections with or between

1 any toll highways, or for the cost or expense of widening,  
2 grading, surfacing or improving any existing streets or roads  
3 or the construction of any streets and roads forming extensions  
4 of or connections with any toll highways constructed,  
5 relocated, operated, maintained or regulated hereunder by the  
6 Authority. Where property owned by a municipality or political  
7 subdivision is necessary to the construction of an approved  
8 toll highway, if the Authority cannot reach an agreement with  
9 such municipality or political subdivision and if the use to  
10 which the property is being put in the hands of the  
11 municipality or political subdivision is not essential to the  
12 existence or the administration of such municipality or  
13 political subdivision, the Authority may acquire the property  
14 by condemnation.

15 (Source: P.A. 89-120, eff. 7-7-95.)

16 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

17 Sec. 11. The Authority shall have power:

18 (a) To enter upon lands, waters and premises in the State  
19 for the purpose of making surveys, soundings, drillings and  
20 examinations as may be necessary, expedient or convenient for  
21 the purposes of this Act, and such entry shall not be deemed to  
22 be a trespass, nor shall an entry for such purpose be deemed an  
23 entry under any condemnation proceedings which may be then  
24 pending; provided, however, that the Authority shall make  
25 reimbursement for any actual damage resulting to such lands,  
26 waters and premises as the result of such activities.

27 (b) To construct, maintain and operate stations for the  
28 collection of tolls or charges upon and along any toll  
29 highways.

30 (c) To provide for the collection of tolls and charges for  
31 the privilege of using the said toll highways. Before it adopts  
32 an increase in the rates for toll, the Authority shall hold a  
33 public hearing at which any person may appear, express  
34 opinions, suggestions, or objections, or direct inquiries  
35 relating to the proposed increase. Any person may submit a

1 written statement to the Authority at the hearing, whether  
2 appearing in person or not. The hearing shall be held in the  
3 county in which the proposed increase of the rates is to take  
4 place. The Authority shall give notice of the hearing by  
5 advertisement on 3 successive days at least 15 days prior to  
6 the date of the hearing in a daily newspaper of general  
7 circulation within the county within which the hearing is held.  
8 The notice shall state the date, time, and place of the  
9 hearing, shall contain a description of the proposed increase,  
10 and shall specify how interested persons may obtain copies of  
11 any reports, resolutions, or certificates describing the basis  
12 on which the proposed change, alteration, or modification was  
13 calculated. After consideration of any statements filed or oral  
14 opinions, suggestions, objections, or inquiries made at the  
15 hearing, the Authority may proceed to adopt the proposed  
16 increase of the rates for toll. No change or alteration in or  
17 modification of the rates for toll shall be effective unless at  
18 least 30 days prior to the effective date of such rates notice  
19 thereof shall be given to the public by publication in a  
20 newspaper of general circulation, and such notice, or notices,  
21 thereof shall be posted and publicly displayed at each and  
22 every toll station upon or along said toll highways.

23 (d) To construct, at the Authority's discretion, grade  
24 separations at intersections with any railroads, waterways,  
25 street railways, streets, thoroughfares, public roads or  
26 highways intersected by the said toll highways, and to change  
27 and adjust the lines and grades thereof so as to accommodate  
28 the same to the design of such grade separation and to  
29 construct interchange improvements. The Authority is  
30 authorized to provide such grade separations or interchange  
31 improvements at its own cost or to enter into contracts or  
32 agreements with reference to division of cost therefor with any  
33 municipality or political subdivision of the State of Illinois,  
34 or with the Federal Government, or any agency thereof, or with  
35 any corporation, individual, firm, person or association.  
36 Where such structures have been built by the Authority and a

1 local highway agency did not enter into an agreement to the  
2 contrary, the Authority shall maintain the entire structure,  
3 including the road surface, at the Authority's expense.

4 (e) To contract with and grant concessions to or lease or  
5 license to any person, partnership, firm, association or  
6 corporation so desiring the use of any part of any toll  
7 highways, excluding the paved portion thereof, but including  
8 the right of way adjoining, under, or over said paved portion  
9 for the placing of telephone, telegraph, electric, power lines  
10 and other utilities, and for the placing of pipe lines, and to  
11 enter into operating agreements with or to contract with and  
12 grant concessions to or to lease to any person, partnership,  
13 firm, association or corporation so desiring the use of any  
14 part of the toll highways, excluding the paved portion thereof,  
15 but including the right of way adjoining, or over said paved  
16 portion for motor fuel service stations and facilities,  
17 garages, stores and restaurants, or for any other lawful  
18 purpose, and to fix the terms, conditions, rents, rates and  
19 charges for such use.

20 The Authority shall also have power to establish reasonable  
21 regulations for the installation, construction, maintenance,  
22 repair, renewal, relocation and removal of pipes, mains,  
23 conduits, cables, wires, towers, poles and other equipment and  
24 appliances (herein called public utilities) of any public  
25 utility as defined in the Public Utilities Act along, over or  
26 under any toll road project. Whenever the Authority shall  
27 determine that it is necessary that any such public utility  
28 facilities which now are located in, on, along, over or under  
29 any project or projects be relocated or removed entirely from  
30 any such project or projects, the public utility owning or  
31 operating such facilities shall relocate or remove the same in  
32 accordance with the order of the Authority. All costs and  
33 expenses of such relocation or removal, including the cost of  
34 installing such facilities in a new location or locations, and  
35 the cost of any land or lands, or interest in land, or any  
36 other rights required to accomplish such relocation or removal

1 shall be ascertained and paid by the Authority as a part of the  
2 cost of any such project or projects, and further, there shall  
3 be no rent, fee or other charge of any kind imposed upon the  
4 public utility owning or operating any facilities ordered  
5 relocated on the properties of the said Authority and the said  
6 Authority shall grant to the said public utility owning or  
7 operating said facilities and its successors and assigns the  
8 right to operate the same in the new location or locations for  
9 as long a period and upon the same terms and conditions as it  
10 had the right to maintain and operate such facilities in their  
11 former location or locations.

12 (f) To enter into an intergovernmental agreement or  
13 contract with a unit of local government or other public or  
14 private entity for the collection by electronic means of tolls,  
15 fees, and revenue.

16 (Source: P.A. 90-681, eff. 7-31-98.)

17 (605 ILCS 10/16.2 new)

18 Sec. 16.2. Financial benefit prohibited.

19 (a) A director, employee, or agent of the Authority may not  
20 receive a financial benefit from a contract let by the  
21 Authority during his or her term of service with the Authority  
22 and for a period of one year following the termination of his  
23 or her term of service as a director of the Authority or as an  
24 employee or agent of the Authority.

25 (b) A member of the immediate family or household of a  
26 director, employee, or agent of the Authority may not receive a  
27 financial benefit from a contract let by the Authority during  
28 the immediate family or household member's term of service with  
29 the Authority and for a period of one year following the  
30 termination of the immediate family or household member's term  
31 of service as a director of the Authority or as an employee or  
32 agent of the Authority.

33 (c) A director, employee, or agent of the Authority may not  
34 use material non-public information for personal financial  
35 gain nor may he or she disclose that information to any other

1 person for that person's personal financial gain when that  
2 information was obtained as a result of his or her  
3 directorship, employment, or agency with the Authority.

4 (d) A member of the immediate family or household of a  
5 director, employee, or agent of the Authority may not use  
6 material non-public information for personal financial gain  
7 nor may he or she disclose that information to any other person  
8 for that person's personal financial gain when that information  
9 was obtained as a result of his or her immediate family or  
10 household member's directorship, employment, or agency with  
11 the Authority.

12 (e) For purposes of this Section, "immediate family or  
13 household member" means the spouse, child, parent, brother,  
14 sister, grandparent, or grandchild, whether of the whole blood  
15 or half blood or by adoption, or a person who shares a common  
16 dwelling with a director of the Authority or with an employee  
17 or agent of the Authority.

18 (605 ILCS 10/17) (from Ch. 121, par. 100-17)

19 Sec. 17. (a) The Authority may from time to time issue  
20 bonds for any lawful purpose including, without limitation, the  
21 costs of issuance thereof and all such bonds or other  
22 obligations of the Authority issued pursuant to this Act shall  
23 be and are hereby declared to be negotiable for all purposes  
24 notwithstanding their payment from a limited source and without  
25 regard to any other law or laws.

26 (b) The bonds of every issue shall be payable solely out of  
27 revenues of the Authority, accumulated reserves or sinking  
28 funds, bond proceeds, proceeds of refunding bonds, or  
29 investment earnings as the Authority shall specify in a bond  
30 resolution.

31 (c) The bonds may be issued as serial bonds or as term  
32 bonds, or the Authority, in its discretion, may issue bonds of  
33 both types. The bonds shall be authorized by a bond resolution  
34 of the Authority, may be issued in one or more series and shall  
35 bear such date or dates, mature at such time or times not

1 exceeding 25 years from their respective date or dates of  
2 issue, bear interest at such rate or rates, fixed or variable,  
3 without regard to any limit contained in any other statute or  
4 law of the State of Illinois, be payable as to principal and  
5 interest at such time or times, be in such denominations, be in  
6 such form, either coupon or fully registered, carry such  
7 registration and conversion privileges, be payable in lawful  
8 money of the United States of America at such places, be  
9 subject to such terms of redemption and may contain such other  
10 terms and provisions, as such bond resolution or resolutions  
11 may provide. The bonds shall be executed by the manual or  
12 facsimile signatures of the Chairman and the Secretary. In case  
13 any of the officers whose signature appears on the bonds or  
14 coupons, if any, shall cease to be an officer before the  
15 delivery of such bonds, such signature shall nevertheless be  
16 valid and sufficient for all purposes, as if he had remained in  
17 office until such delivery. The bonds shall be sold in such  
18 manner as the Authority shall determine. The proceeds from the  
19 sale of such bonds shall be paid to the Treasurer of the State  
20 of Illinois as ex officio custodian. Pending preparation of the  
21 definitive bonds, the Authority may issue interim receipts or  
22 certificates which shall be exchanged for such definitive  
23 bonds.

24 (d) Any bond resolution, or trust indenture entered into  
25 pursuant to a bond resolution, may contain provisions, which  
26 shall be a part of the contract with the holders of the bonds  
27 to be authorized, as to: (i) pledging or creating a lien upon  
28 all or part of the revenues of the Authority or any reserves,  
29 sinking funds, bond proceeds or investment earnings; (ii) the  
30 setting aside of reserves or sinking funds, and the regulation,  
31 investment and disposition thereof; (iii) the use and  
32 maintenance requirements for the toll highways; (iv) the  
33 purposes to which or the investments in which the proceeds of  
34 sale of any series or issue of bonds then or thereafter to be  
35 issued may be applied; (v) the issuance of additional bonds,  
36 the terms upon which additional bonds may be issued and



1 secured, the purposes for such additional bonds, and the terms  
2 upon which additional bonds may rank on a parity with, or be  
3 subordinate or superior to other bonds; (vi) the refunding of  
4 outstanding bonds; (vii) the procedure, if any, by which the  
5 terms of any contract with bondholders may be amended or  
6 abrogated, the amount of bonds the holders of which must  
7 consent thereto, and the manner in which such consent may be  
8 given; (viii) defining the acts or omissions to act which shall  
9 constitute a default in the duties of the Authority to holders  
10 of its obligations and providing the rights and remedies of  
11 such holders in the event of a default; (ix) any other matters  
12 relating to the bonds which the Authority deems desirable.

13 (e) Neither the directors of the Authority nor any person  
14 executing the bonds shall be liable personally on the bonds or  
15 be subject to any personal liability or accountability by  
16 reason of the issuance thereof.

17 (f) The Authority shall have power out of any funds  
18 available therefor to purchase its bonds. The Authority may  
19 hold, pledge, cancel or resell such bonds subject to and in  
20 accordance with agreements with bondholders.

21 (g) In the discretion of the Authority any bonds issued  
22 under the provisions of this Act may be secured by a trust  
23 indenture by and between the Authority and a trustee or  
24 trustees, which may be any trust company or bank in the State  
25 of Illinois having the powers of a trust company and possessing  
26 capital and surplus of not less than \$50,000,000. The bond  
27 resolution or trust indenture providing for the issuance of  
28 bonds so secured shall pledge such revenues of the Authority,  
29 sinking funds, bond proceeds, or investment earnings as may be  
30 specified therein, may contain such provisions for protecting  
31 and enforcing the rights and remedies of the bondholders as may  
32 be reasonable and proper and not in violation of law, including  
33 particularly such provisions as have hereinabove been  
34 specifically authorized to be included in any bond resolution  
35 or trust indenture of the Authority, and may restrict the  
36 individual right of action by bondholders. In addition to the

1 foregoing, any bond resolution or trust indenture may contain  
2 such other provisions as the Authority may deem reasonable and  
3 proper for the security of the bondholders, including, but not  
4 limited to, the purchase of bond insurance and the arrangement  
5 of letters of credit, lines of credit or other credit or  
6 liquidity enhancement facilities; provided there shall be no  
7 pledge of the toll highway or any part thereof. All expenses  
8 incurred in carrying out the provisions of any bond resolution  
9 or trust indenture may be treated as a part of the cost of the  
10 operation of the toll highways.

11 (h) Bonds issued under the authority of this Act do not,  
12 and shall state upon the face of each bond that they do not,  
13 represent or constitute a debt of the Authority or of the State  
14 of Illinois within the meaning of any constitutional or  
15 statutory limitation or a pledge of the faith and credit of the  
16 Authority or the State of Illinois, or grant to the owners or  
17 holders thereof any right to have the Authority or the General  
18 Assembly levy any taxes or appropriate any funds for the  
19 payment of the principal thereof or interest thereon. Such  
20 bonds shall be payable and shall state that they are payable  
21 solely from the revenues and the sources authorized under this  
22 Act and pledged for their payment in accordance with the bond  
23 resolution or trust indenture.

24 Nothing in this Act shall be construed to authorize the  
25 Authority or any department, board, commission or other agency  
26 to create an obligation of the State of Illinois within the  
27 meaning of the Constitution or Statutes of Illinois.

28 (i) Any resolution or trust indenture authorizing the  
29 issuance of the bonds may include provision for the issuance of  
30 additional bonds. All resolutions of the Authority to carry  
31 such adopted bond resolutions into effect, to provide for the  
32 sale and delivery of the bonds, for letting of contracts for  
33 the construction of toll highways and the acquisition of real  
34 and personal property deemed by the Authority necessary or  
35 convenient for the construction thereof, shall not require the  
36 approval of the Governor or of any other department, division,

1 commission, bureau, board or other agency of the State.

2 (j) Prior to expending or obligating any amounts on deposit  
3 in any fund or account established in any bond resolution or  
4 trust indenture entered into pursuant to a bond resolution, in  
5 excess of the amount required to be held by the Authority in  
6 order to satisfy covenants established in any such bond  
7 resolution or trust indenture entered into pursuant to a bond  
8 resolution, the Authority shall submit to the General Assembly  
9 the proposed expenditure or obligation. If the General Assembly  
10 fails to adopt a joint resolution disapproving of such  
11 expenditure or obligation within the current legislative  
12 session, or, if the General Assembly is not in session at the  
13 time of submission, during the next legislative session  
14 thereafter, the Authority may proceed to expend or obligate  
15 such funds substantially in accordance with such proposal.

16 (Source: P.A. 83-1258.)

17 (605 ILCS 10/27.1) (from Ch. 121, par. 100-27.1)

18 Sec. 27.1. Any person who shall use any spurious or  
19 counterfeit tickets, coupons or tokens in payment of any toll  
20 required to be paid by the Authority under the provisions of  
21 this Act, or who shall attempt to use the highway without  
22 payment of the tolls prescribed by the Authority, shall be  
23 deemed guilty of a petty offense and shall be fined not less  
24 than \$5 nor more than \$100 for each such offense. The fine  
25 range set forth in this Section for prosecution of toll evasion  
26 as a petty offense shall not apply to toll evasion offenses  
27 that are adjudicated in the Authority's administration system  
28 ~~Each day any toll highway is used by any person in violation of~~  
29 ~~this Act shall constitute a separate offense.~~

30 (Source: P.A. 77-2239.)

31 (605 ILCS 10/27.2 new)

32 Sec. 27.2. Obstruction of registration plate visibility to  
33 electronic image recording.

34 (a) A person may not operate on a toll highway any motor

1 vehicle that is equipped with tinted plastic or tinted glass  
2 registration plate covers or any covers, coating, wrappings,  
3 materials, streaking, distorting, holographic, reflective, or  
4 other devices that obstruct the visibility or electronic image  
5 recording of the plate.

6 (b) If a State or local law enforcement officer having  
7 jurisdiction observes that a cover or other device or material  
8 or substance is obstructing the visibility or electronic image  
9 recording of the plate, the officer shall issue a Uniform  
10 Traffic Citation and shall confiscate the cover or other device  
11 that obstructed the visibility or electronic image recording of  
12 the plate. If the State or local law enforcement officer having  
13 jurisdiction observes that the plate itself has been physically  
14 treated with a substance or material that is obstructing the  
15 visibility or electronic image recording of the plate, the  
16 officer shall issue a Uniform Traffic Citation and shall  
17 confiscate the plate. The Secretary of State shall revoke the  
18 registration of any plate that has been found by a court or  
19 administrative tribunal to have been physically altered with  
20 any chemical or reflective substance or coating that obstructs  
21 the visibility or electronic image recording of the plate.

22 (c) A violation of this Section is a petty offense. A fine  
23 of \$750 shall be imposed if a plate cover obstructs the  
24 visibility or electronic image recording of the plate. A fine  
25 of \$1,000 shall be imposed if a plate has been physically  
26 altered with any chemical or reflective substance or coating  
27 that obstructs the visibility or electronic image recording of  
28 the plate.

29 (d) The Attorney General may file suit against any  
30 individual or entity offering or marketing the sale, including  
31 via the Internet, of any product advertised as having the  
32 capacity to obstruct the visibility or electronic image  
33 recording of a license plate. In addition to injunctive and  
34 monetary relief, punitive damages, and attorneys fees, the suit  
35 shall also seek a full accounting of the records of all sales  
36 to residents of or entities within the State of Illinois.

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.