

HB4821



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4821

Introduced 01/18/06, by Rep. Bob Biggins

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-305

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Redefines "unit of local government", for purposes of eligible recipients of mass transit grants, to include townships. Effective immediately.

LRB094 17040 JAM 52322 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 Transportation Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 2705-305 as follows:

7 (20 ILCS 2705/2705-305)

8 Sec. 2705-305. Grants for mass transportation.

9 (a) For the purpose of mass transportation grants and
10 contracts, the following definitions apply:

11 "Carrier" means any corporation, authority, partnership,
12 association, person, or district authorized to provide mass
13 transportation within the State.

14 "District" means all of the following:

15 (i) Any district created pursuant to the Local Mass
16 Transit District Act.

17 (ii) The Authority created pursuant to the
18 Metropolitan Transit Authority Act.

19 (iii) Any authority, commission, or other entity that
20 by virtue of an interstate compact approved by Congress is
21 authorized to provide mass transportation.

22 (iv) The Authority created pursuant to the Regional
23 Transportation Authority Act.

24 "Facilities" comprise all real and personal property used
25 in or appurtenant to a mass transportation system, including
26 parking lots.

27 "Mass transportation" means transportation provided within
28 the State of Illinois by rail, bus, or other conveyance and
29 available to the general public on a regular and continuing
30 basis, including the transportation of handicapped or elderly
31 persons as provided more specifically in Section 2705-310.

32 "Unit of local government" means any city, village,

1 incorporated town, township, or county.

2 (b) Grants may be made to units of local government,
3 districts, and carriers for the acquisition, construction,
4 extension, reconstruction, and improvement of mass
5 transportation facilities. Grants shall be made upon the terms
6 and conditions that in the judgment of the Secretary are
7 necessary to ensure their proper and effective utilization.

8 (c) The Department shall make grants under this Law in a
9 manner designed, so far as is consistent with the maintenance
10 and development of a sound mass transportation system within
11 the State, to: (i) maximize federal funds for the assistance of
12 mass transportation in Illinois under the Federal Transit Act
13 and other federal Acts; (ii) facilitate the movement of persons
14 who because of age, economic circumstance, or physical
15 infirmity are unable to drive; (iii) contribute to an improved
16 environment through the reduction of air, water, and noise
17 pollution; and (iv) reduce traffic congestion.

18 (d) The Secretary shall establish procedures for making
19 application for mass transportation grants. The procedures
20 shall provide for public notice of all applications and give
21 reasonable opportunity for the submission of comments and
22 objections by interested parties. The procedures shall be
23 designed with a view to facilitating simultaneous application
24 for a grant to the Department and to the federal government.

25 (e) Grants may be made for mass transportation projects as
26 follows:

27 (1) In an amount not to exceed 100% of the nonfederal
28 share of projects for which a federal grant is made.

29 (2) In an amount not to exceed 100% of the net project
30 cost for projects for which a federal grant is not made.

31 (3) In an amount not to exceed five-sixths of the net
32 project cost for projects essential for the maintenance of
33 a sound transportation system and eligible for federal
34 assistance for which a federal grant application has been
35 made but a federal grant has been delayed. If and when a
36 federal grant is made, the amount in excess of the

1 nonfederal share shall be promptly returned to the
2 Department.

3 In no event shall the Department make a grant that,
4 together with any federal funds or funds from any other source,
5 is in excess of 100% of the net project cost.

6 (f) Regardless of whether any funds are available under a
7 federal grant, the Department shall not make a mass
8 transportation grant unless the Secretary finds that the
9 recipient has entered into an agreement with the Department in
10 which the recipient agrees not to engage in school bus
11 operations exclusively for the transportation of students and
12 school personnel in competition with private school bus
13 operators where those private school bus operators are able to
14 provide adequate transportation, at reasonable rates, in
15 conformance with applicable safety standards, provided that
16 this requirement shall not apply to a recipient that operates a
17 school system in the area to be served and operates a separate
18 and exclusive school bus program for the school system.

19 (g) Grants may be made for mass transportation purposes
20 with funds appropriated from the Build Illinois Bond Fund
21 consistent with the specific purposes for which those funds are
22 appropriated by the General Assembly. Grants under this
23 subsection (g) are not subject to any limitations or conditions
24 imposed upon grants by any other provision of this Section,
25 except that the Secretary may impose the terms and conditions
26 that in his or her judgment are necessary to ensure the proper
27 and effective utilization of the grants under this subsection.

28 (h) The Department may let contracts for mass
29 transportation purposes and facilities for the purpose of
30 reducing urban congestion funded in whole or in part with bonds
31 described in subdivision (b)(1) of Section 4 of the General
32 Obligation Bond Act, not to exceed \$75,000,000 in bonds.

33 (i) The Department may make grants to carriers, districts,
34 and units of local government for the purpose of reimbursing
35 them for providing reduced fares for mass transportation
36 services for students, handicapped persons and the elderly.

1 Grants shall be made upon the terms and conditions that in the
2 judgment of the Secretary are necessary to ensure their proper
3 and effective utilization.

4 (j) The Department may make grants to carriers, districts,
5 and units of local government for costs of providing ADA
6 paratransit service.

7 (Source: P.A. 94-91, eff. 7-1-05.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.