

SB0170



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0170

Introduced 1/31/2007, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that the Illinois State Toll Highway Authority shall provide that vehicles owned or operated by the Suburban Bus Division of the Regional Transportation Authority to transport passengers for hire are exempt from paying tolls for operation on highways under the Authority's jurisdiction. Provides that the provision allowing the vehicles to use the Toll Highway System without payment of tolls shall not be applied in a manner that impairs the rights of the holders of bonds issued by the Authority.

LRB095 05005 DRH 25073 b

FISCAL NOTE ACT
MAY APPLY

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

1 the provisions of the Section 19 permitting the use of the toll
2 highway system without payment of the covenants of the
3 Authority contained in the resolutions and trust indentures
4 authorizing the issuance of Bonds of the Authority. No such
5 provision permitting the use of the toll highway system without
6 payment of tolls after the date of this amendatory Act of the
7 95th General Assembly shall be applied in a manner that impairs
8 the rights of bondholders pursuant to any resolution or trust
9 indentures authorizing the issuance of Bonds of the Authority.

10 The use and disposition of any sinking or reserve fund shall be
11 subject to such regulation as may be provided in the resolution
12 or trust indenture authorizing the issuance of the bonds.
13 Subject to the provisions of any resolution or trust indenture
14 authorizing the issuance of bonds any moneys in any such
15 sinking fund in excess of an amount equal to one year's
16 interest on the bonds then outstanding secured by such sinking
17 fund may be applied to the purchase or redemption of bonds. All
18 such bonds so redeemed or purchased shall forthwith be
19 cancelled and shall not again be issued. No person shall be
20 permitted to use any toll highway without paying the toll
21 established under this Section except when on official Toll
22 Highway Authority business which includes police and other
23 emergency vehicles. However, any law enforcement agency
24 vehicle, fire department vehicle, or other emergency vehicle
25 that is plainly marked shall not be required to pay a toll to
26 use a toll highway. A law enforcement, fire protection, or

1 emergency services officer driving a law enforcement, fire
2 protection, or emergency services agency vehicle that is not
3 plainly marked must present an Official Permit Card which the
4 law enforcement, fire protection, or emergency services
5 officer receives from his or her law enforcement, fire
6 protection, or emergency services agency in order to use a toll
7 highway without paying the toll. A law enforcement, fire
8 protection, or emergency services agency must apply to the
9 Authority to receive a permit, and the Authority shall adopt
10 rules for the issuance of a permit, that allows all law
11 enforcement, fire protection, or emergency services agency
12 vehicles of the law enforcement, fire protection, or emergency
13 services agency that are not plainly marked to use any toll
14 highway without paying the toll established under this Section.
15 The Authority shall maintain in its office a list of all
16 persons that are authorized to use any toll highway without
17 charge when on official business of the Authority and such list
18 shall be open to the public for inspection. In recognition of
19 the unique role of the Suburban Bus Division of the Regional
20 Transportation Authority in providing effective transportation
21 in the Authority's service region and to give effect to the
22 exemption set forth in subsection (b) of Section 2.06 of the
23 Regional Transportation Authority Act, a vehicle owned or
24 operated by the Suburban Bus Division of the Regional
25 Transportation Authority that is being used to transport
26 passengers for hire may use any toll highway without paying the

1 toll.

2 Among other matters, this amendatory Act of 1990 is
3 intended to clarify and confirm the prior intent of the General
4 Assembly to allow toll revenues from the toll highway system to
5 be used to pay a portion of the cost of the construction of the
6 North-South Toll Highway authorized by Senate Joint Resolution
7 122 of the 83rd General Assembly in 1984.

8 (Source: P.A. 90-152, eff. 7-23-97.)