



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2359

Introduced 2/19/2009, by Rep. Kathleen A. Ryg - David E. Miller

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-2 new
20 ILCS 2705/2705-5
20 ILCS 2705/2705-176 new
20 ILCS 2705/2705-177 new
20 ILCS 2705/2705-200 was 20 ILCS 2705/49.16
20 ILCS 2705/2705-201 new
20 ILCS 2705/2705-219 new
20 ILCS 2705/2705-220 new
20 ILCS 2705/2705-221 new
20 ILCS 2705/2705-222 new
20 ILCS 2705/2705-223 new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Creates the State Transportation Policy Committee. Specifies the terms and appointment of the Committee members. Provides that the Department of Transportation, with the advice and approval of the Committee, shall develop a planning process that shall develop and periodically revise a State transportation plan (instead of a "statewide master plan for transportation"). Provides that the purpose of the State transportation plan is to guide program development and foster economical transportation services in all modes of "surface transportation" (instead of ground, air, water, and other modes). Defines "surface transportation". Sets forth the requirements for the State transportation plan. Provides for the development of regional transportation plans by specified metropolitan planning organizations. Sets forth the requirements of the regional transportation plans. Makes other changes. Effective immediately.

LRB096 11098 RLJ 21443 b

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 Sections 2705-5 and 2705-200 and by adding Sections 2705-2,
7 2705-176, 2705-177, 2705-201, 2705-219, 2705-220, 2705-221,
8 2705-222, and 2705-223 as follows:

9 (20 ILCS 2705/2705-2 new)

10 Sec. 2705-2. Purpose and scope. The purpose of this Law is
11 to ensure that transportation investments in the State of
12 Illinois enhance State and local economic development and the
13 quality of life for Illinois residents. It is the intent of the
14 General Assembly to provide greater transparency, full and
15 careful consideration of investments on the merits, and
16 accountability for results that will give the public confidence
17 that tax dollars are being used effectively for transportation
18 projects and that limited funds are allocated to achieve the
19 best outcomes. To that end, all surface transportation capital
20 moneys appropriated by the State, including but not limited to,
21 appropriations from the Road Fund, the State Construction
22 Account Fund, transportation bonds, and federal funds to the
23 extent allowed by federal law, shall be allocated based on the

1 State and regional transportation plans and the annual and
2 multiyear transportation improvement programs prescribed by
3 this Law. This Law does not apply to (i) any grant programs
4 administered by the Department of Natural Resources, (ii) any
5 funds administered by the Department of Commerce and Economic
6 Opportunity that support local transportation improvements as
7 part of an economic development project, or (iii) any moneys
8 distributed to local government entities pursuant to item (2)
9 of subsection (e) of Section 8 of the Motor Fuel Tax Law.

10 (20 ILCS 2705/2705-5)

11 Sec. 2705-5. Definitions. In this Law:

12 "Acceptable condition" means a condition determined by the
13 Department as acceptable using a technical assessment system
14 developed by the Department to rate the condition of roads and
15 bridges.

16 "Committee" means the Illinois Transportation Policy
17 Committee established by this Law.

18 "Department" means the Department of Transportation.

19 "District" means the 9 districts of the State of Illinois
20 established by the Department for its administrative purposes
21 and statutorily authorized activities.

22 "Downstate MPO" means an MPO whose metropolitan planning
23 boundaries are entirely outside of Cook, DuPage, Kane, Kendall,
24 Lake, McHenry, and Will Counties.

25 "MPO" means a metropolitan planning organization

1 designated under 23 U.S.C. 134 whose metropolitan planning area
2 boundaries are partially or completely within the State.

3 "Project of interregional or statewide significance" means
4 a surface transportation project or combination of surface
5 transportation projects that cross multiple MPO or District
6 jurisdictional boundaries or connect major State destinations
7 in support of the State's economy and are so designated by the
8 Department with the advice and approval of the Committee.

9 "Regional programs" means the regional annual and
10 multiyear transportation improvement programs established
11 under this Law.

12 "Secretary" means the Secretary of Transportation.

13 "Statewide programs" means the statewide annual and
14 multiyear transportation improvement programs established
15 under this Law.

16 "Surface transportation" means roadway, bridge, public
17 transportation, rail, trail, walkway, bicycle, and intermodal
18 facilities.

19 "Surface transportation capital project" or "project"
20 means a capital project for the maintenance, improvement,
21 acquisition, or new construction of surface transportation
22 facilities, including facilities or improvements ancillary to
23 surface transportation facilities.

24 (Source: P.A. 91-239, eff. 1-1-00.)

1 Sec. 2705-176. Transportation Policy Committee; creation;
2 members; terms.

3 (a) There is created a State Transportation Policy
4 Committee. The Committee shall perform the duties enumerated in
5 this Law. The Committee members shall each represent the State
6 as a whole and balance the needs of urban and rural areas of
7 the State. The Committee shall consist of 7 voting members and
8 4 non-voting members, as follows:

9 (1) One from the City of Chicago appointed by the
10 Chicago Metropolitan Agency for Planning Board.

11 (2) One from that portion of Cook County outside of the
12 City of Chicago appointed by the Chicago Metropolitan
13 Agency for Planning Board.

14 (3) One from DuPage, Kane, Kendall, Lake, McHenry, or
15 Will County appointed by the Chicago Metropolitan Agency
16 for Planning Board.

17 (4) Three appointed by the Downstate MPOs through the
18 concurrence of at least three-fifths of the chairpersons of
19 the Downstate MPOs.

20 (5) The Secretary of the Department of Transportation
21 or his or her designee shall serve as an ex officio voting
22 member.

23 (6) The Speaker and Minority Leader of the House of
24 Representatives and the President and Minority Leader of
25 the Senate, or the designee of each, shall be ex officio
26 non-voting members.

1 (b) The terms of the members initially appointed to the
2 Committee shall begin within 60 days after the effective date
3 of this amendatory Act of the 96th General Assembly. Appointed
4 committee members shall hold office for a term of 4 years or
5 until successors are appointed. The terms of the initial
6 appointed committee members shall expire as follows: the terms
7 of the one member appointed by the Chicago Metropolitan Agency
8 for Planning Board and the 2 members appointed by the downstate
9 MPOs shall expire on December 31, 2010; the terms of the 2
10 members appointed by the Chicago Metropolitan Agency for
11 Planning Board and the one member appointed by the downstate
12 MPOs shall expire December 31, 2012. To comply with this
13 provision, the appointing authority shall specify the term for
14 each appointment.

15 (c) Vacancies shall be filled by the appointing authority
16 for the unexpired portion of the terms in which they occur.

17 (d) Each appointing authority shall give notice of its
18 Committee appointments to each other appointing authority, to
19 the Committee, to the Secretary of State, and to the Secretary
20 of Transportation. Within 30 days after his or her appointment
21 and before entering upon the duties of the office, each
22 Committee member shall take and subscribe to the constitutional
23 oath of office and file it with the Secretary of State.

24 (e) Members of the Committee shall serve without
25 compensation, but shall be reimbursed by the Department for
26 their travel to and from meetings and other reasonable expenses

1 in connection with meetings if approved by the Department.

2 (20 ILCS 2705/2705-177 new)

3 Sec. 2705-177. Committee meetings; officers.

4 (a) The Secretary of the Department of Transportation shall
5 convene the first meeting within 90 days after the effective
6 date of this amendatory Act of the 96th General Assembly. At
7 that time and annually thereafter, the Committee shall elect
8 one of its voting members as a chairperson to preside at all
9 meetings, and a voting member as vice-chairperson to preside in
10 the absence of the chairperson. The chairperson shall serve a
11 term of one year.

12 (b) Regular meetings of the Committee shall be held at
13 least 3 times each year. The time and place of Committee
14 meetings shall be fixed by resolution of the Committee. The
15 Committee shall be deemed a public body for purposes of the
16 Open Meetings Act. The Committee shall maintain records in
17 accordance with the provisions of the State Records Act. A
18 majority of voting members of the Committee shall constitute a
19 quorum. The affirmative vote of a majority of the voting
20 members of the Committee shall be required to approve or revise
21 a State transportation plan or statewide program.

22 (c) The Committee shall adopt its own rules of procedure.

23 (d) The Department shall provide staff assistance and
24 office space for the Committee. The Department shall prepare
25 all plans, reports, and documents needed to enable the

1 Committee to fulfill its responsibilities. The necessary
2 expenses of the Committee shall be provided through the
3 Department.

4 (20 ILCS 2705/2705-200) (was 20 ILCS 2705/49.16)

5 Sec. 2705-200. State transportation plan ~~Master plan,~~
6 ~~reporting requirements.~~

7 (a) The Department, with the advice and approval of the
8 Committee, shall ~~has the power to~~ develop and maintain a
9 continuing, comprehensive, and integrated planning process
10 that shall develop and periodically revise a State
11 transportation plan ~~statewide master plan for transportation~~
12 to guide program development and to foster efficient and
13 economical transportation services in ~~ground, air, water, and~~
14 all ~~other~~ modes of surface transportation throughout the State.
15 The Department shall coordinate its transportation planning
16 activities with those of other State agencies and authorities
17 and shall coordinate ~~supervise~~ and review any transportation
18 planning performed by other Executive agencies under the
19 direction of the Governor. The Department shall cooperate and
20 participate with federal, regional, interstate, State, and
21 local agencies, in accordance with Sections 5-301 and 7-301 of
22 the Illinois Highway Code, and with interested private
23 individuals and organizations in the coordination of plans and
24 policies for development of the state's transportation system.

25 To meet the provisions of this Section, the Department,

1 with the advice and approval of the Committee, shall prepare,
2 subject to the review of the Governor and General Assembly,
3 ~~publish and deliver to the Governor and General Assembly by~~
4 June 30, 2010 and at intervals not to exceed every 5 years,
5 ~~January 1, 1982 and every 2 years thereafter,~~ its State
6 transportation master plan for surface transportation systems
7 ~~highway, waterway, aeronautic, mass transportation, and~~
8 ~~railroad systems. The plan shall identify priority subsystems~~
9 ~~or components of each system that are critical to the economic~~
10 ~~and general welfare of this State regardless of public~~
11 ~~jurisdictional responsibility or private ownership.~~

12 The State transportation plan shall set forth goals,
13 objectives, performance measures, and criteria that will
14 provide the basis for selecting projects for inclusion in the
15 annual and multiyear transportation improvement programs. It
16 shall examine policies, strategies, opportunities, and
17 challenges, and shall not be an inventory of projects.

18 The State transportation plan shall set goals and
19 objectives designed to assure the development and maintenance
20 of a comprehensive and balanced statewide transportation
21 system. Goals may include maintenance of a state of good
22 repair, lowering travel times, reducing traffic congestion,
23 decreasing vehicle emissions, improving air quality,
24 environmental protection, reducing household housing and
25 transportation costs, the effective use of pricing and other
26 demand management strategies, improved safety, economic

1 growth, greater use of alternative transportation
2 opportunities such as walking and biking, and other goals that
3 advance an adequate, efficient, and coordinated transportation
4 system.

5 The State transportation plan shall establish performance
6 measures regarding the adequacy, efficiency, and coordination
7 of transportation services and the implementation of goals and
8 objectives. It shall include transportation policies that
9 reflect the relationship of transportation to land use,
10 economic development, the environment, air quality, and energy
11 consumption; foster the efficient movement of people and goods;
12 coordinate modes of transportation; coordinate planning among
13 federal agencies, State agencies, transportation agencies, and
14 local governments; and address the safety and equity of
15 transportation services. It shall include priorities,
16 challenges, and strategies for improvement. The State
17 transportation plan shall, as much as practicable, incorporate
18 the adopted regional transportation plans prepared pursuant to
19 Section 2705-201.

20 The State transportation plan shall include policies to
21 ensure that the percentage of State-jurisdiction mileage and
22 bridges in acceptable condition is comparable throughout the
23 State and that the percentage of State-jurisdiction miles and
24 bridges in acceptable condition in each of the Department's
25 highway districts, as those districts were organized on January
26 1, 2009, is no more than 5 percentage points below the

1 statewide average percentage in acceptable condition.

2 The State transportation plan shall include criteria by
3 which proposals for capital improvements may be evaluated and
4 prioritized for inclusion in the statewide programs. The
5 criteria shall be designed to advance the goals and objectives
6 established in the State transportation plan. The criteria may
7 include:

8 (1) objective transportation criteria such as system
9 maintenance, efficiency, safety, and intermodal
10 connectivity;

11 (2) economic development criteria such as job creation
12 and retention, inclusion of transit oriented development,
13 and cost effectiveness;

14 (3) environmental criteria such as reduced emissions;

15 (4) population affected by the project; and

16 (5) financial criteria such as life-cycle cost, return
17 on investment, effect on household housing and
18 transportation costs, and effective leveraging of private
19 capital.

20 The State transportation plan shall include a description
21 of the measurement system and process developed by the
22 Department to prioritize proposals for inclusion in the
23 statewide program pursuant to subsection (c) of Section
24 2705-220.

25 ~~The master plan shall provide particular emphasis and~~
26 ~~detail of at least the 5 year period in the immediate future.~~

1 ~~Annual and 5-year, or longer, project programs for each~~
2 ~~State system in this Section shall be published and furnished~~
3 ~~the General Assembly on the first Wednesday in April of each~~
4 ~~year.~~

5 ~~Identified needs included in the project programs shall be~~
6 ~~listed and mapped in a distinctive fashion to clearly identify~~
7 ~~the priority status of the projects: (1) projects to be~~
8 ~~committed for execution; (2) tentative projects that are~~
9 ~~dependent upon funding or other constraints; and (3) needed~~
10 ~~projects that are not programmed due to lack of funding or~~
11 ~~other constraints.~~

12 ~~All projects shall be related to the priority systems of~~
13 ~~the master plan, and the priority criteria identified. Cost and~~
14 ~~estimated completion dates shall be included for work required~~
15 ~~to complete a useable segment or component beyond the period of~~
16 ~~the program.~~

17 (b) The Department shall publish and deliver to the
18 Governor and General Assembly by June 30, 2012 and at intervals
19 not to exceed every 5 years a master plan and 5-year program
20 for aeronautics. ~~on the first Wednesday in April of each year a~~
21 ~~5-year, or longer, Highway Improvement Program reporting the~~
22 ~~number of fiscal years each project has been on previous plans~~
23 ~~submitted by the Department.~~

24 (c) (Blank). ~~The Department shall publish and deliver to~~
25 ~~the Governor and the General Assembly by November 1 of each~~
26 ~~year a For the Record report that shall include the following:~~

1 ~~(1) All the projects accomplished in the previous~~
2 ~~fiscal year listed by each Illinois Department of~~
3 ~~Transportation District.~~

4 ~~(2) The award cost and the beginning dates of each~~
5 ~~listed project.~~

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

7 (20 ILCS 2705/2705-201 new)

8 Sec. 2705-201. Regional transportation plans. At intervals
9 not to exceed every 5 years, each MPO shall develop a regional
10 transportation plan. The process established by each MPO for
11 the development of the regional transportation plan and any
12 modifications to it shall provide reasonable opportunities for
13 the involvement of residents, units of local government,
14 business and labor organizations, environmental organizations,
15 transportation and planning agencies, State agencies, private
16 and civic organizations, public and private providers of
17 transportation, and land preservation agencies.

18 The regional transportation plan shall include, but shall
19 not be limited to:

20 (1) Regional goals, objectives, and policies. The
21 regional transportation plan shall demonstrate how the
22 goals, objectives, and policies relate to those within the
23 State transportation plan.

24 (2) A plan for a coordinated and integrated surface
25 transportation system for the region consisting of a

1 multimodal network of facilities and services to be
2 developed over a 20-year period to support efficient
3 movement of people and goods. The transportation system
4 plan shall include statements of minimum levels of service
5 that describe the performance for each mode in order to
6 meet the goals and policies of the plan.

7 (3) Performance standards and measurements regarding
8 the adequacy, efficiency, and coordination of
9 transportation services and the implementation of goals
10 and objectives.

11 (4) Criteria by which proposals for capital
12 improvements will be evaluated for inclusion in the
13 regional programs. Each MPO may adopt the criteria listed
14 in the State transportation plan or may propose alternative
15 criteria. Alternative criteria shall be submitted to the
16 Committee for review and comment. The criteria shall be
17 designed to advance the goals and objectives established in
18 the regional transportation plan.

19 (5) A description of the measurement system and process
20 the MPO will use to prioritize proposals for inclusion in
21 the regional programs.

22 The regional transportation plan shall be submitted to the
23 Department upon completion for incorporation, as much as
24 practicable, in the State transportation plan.

1 Sec. 2705-219. Funding estimates, distribution, and
2 recommendations.

3 (a) Annual funding estimates. The Department, subject to
4 the advice and approval of the Committee, shall annually
5 establish a 5-year estimate of all federal and State funds
6 reasonably expected to be available for surface transportation
7 capital programs during each of the following 5 fiscal years.

8 (b) Funding distribution. State and federal funds
9 estimated to be available for surface transportation capital
10 programs shall be programmed by the Department in accordance
11 with the annual and multiyear improvement programs prescribed
12 by this Law, subject to the advice and approval of the
13 Committee, as follows:

14 (1) Any State and federal funds designated by law for
15 specific surface transportation purposes or specific
16 geographic areas shall be allocated in accordance with law
17 for those specific purposes or areas.

18 (2) All remaining monies shall be allocated as follows:

19 (A) Fifty percent for improvements within areas
20 under the jurisdiction of an MPO. The Department shall
21 determine the amount of programming for each MPO based
22 on a formula which is based 75% on the population of
23 the MPO region to the total population of all MPO
24 regions and 25% on State highway miles in the MPO
25 region to the total State highway miles in all MPO
26 regions. Any State moneys appropriated for a specific

1 project within the jurisdiction of an MPO shall be
2 deducted from that MPO's allocation.

3 (i) Individual MPO share shortfalls and
4 surpluses at the end of each year, if any, shall be
5 carried forward and credited or debited to the
6 following year. The Department shall maintain a
7 long-term balance of such shortfalls and
8 surpluses.

9 (ii) An MPO may request to reserve all or part
10 of its share for a higher cost project or request
11 to advance an amount of the share, in an amount not
12 to exceed 200% of its current share, for a larger
13 project, to be deducted from shares for future
14 programming years.

15 (iii) An MPO or District may pool resources
16 with other MPOs or Districts.

17 (B) Fifty percent to be distributed by the
18 Department, subject to the advice and approval of the
19 Committee, according to need, for:

20 (i) Projects in areas of the State outside the
21 jurisdiction of an MPO. These funds shall be
22 distributed according to District.

23 (ii) Projects of interregional or statewide
24 significance.

25 (c) Not less often than once every 2 years, the Committee
26 shall review and evaluate the funding distributions and make

1 recommendations for changes to the General Assembly and the
2 Governor.

3 (d) The Committee shall evaluate available transportation
4 funding sources and make recommendations to the General
5 Assembly and the Governor regarding the raising of adequate and
6 sustainable revenues for transportation.

7 (20 ILCS 2705/2705-220 new)

8 Sec. 2705-220. Annual and multiyear transportation
9 improvement programs.

10 (a) Preparation guidelines. The Department, with the
11 advice and approval of the Committee, shall develop guidelines
12 for preparation of the regional and statewide programs.

13 (b) Regional annual and multiyear transportation
14 improvement programs. After consultation with the Department,
15 each MPO shall prepare and adopt an annual and 5-year schedule
16 of all regional transportation improvement projects and their
17 anticipated costs. These schedules shall be known as the
18 regional annual and multiyear transportation improvement
19 programs. The regional programs shall be submitted to the
20 Department and the Committee no later than January 15, 2011 and
21 January 15 of every year thereafter.

22 (1) The regional programs shall include projects and
23 programs within the MPO's jurisdiction proposed to be
24 funded, in whole or in part, by State or federal funds.

25 (2) Counties, municipalities, mass transit districts,

1 other local governments, the Department, and members of the
2 General Assembly may nominate or recommend the inclusion of
3 projects in the regional programs. The MPOs shall have
4 authority for determining whether any of the project
5 nominations or recommendations are accepted and included
6 in the regional programs adopted and submitted to the
7 Department and Committee pursuant to this Section. This
8 authority extends only to a project located within the
9 MPO's jurisdiction.

10 (3) Projects included in the regional programs shall be
11 consistent with the adopted regional transportation plan.
12 The regional programs shall demonstrate how projects are
13 consistent with the adopted regional transportation plan.

14 (4) Projects shall be prioritized for inclusion in the
15 programs using a measurement system and the criteria
16 established by the regional transportation plan.

17 (5) The Department shall provide assistance to MPOs in
18 preparing the regional programs, at the request of the MPO.

19 (c) Recommended statewide annual and multiyear
20 transportation improvement programs. After consultation with
21 MPOs, the Department shall prepare no later than March 1, 2011
22 and March 1 of every year thereafter, an annual and 5-year
23 schedule of all surface transportation improvement projects
24 and their anticipated costs. These schedules are designated the
25 statewide annual and multiyear transportation improvement
26 programs. The Department shall be responsible for the planning

1 and programming of all areas of the State outside the
2 jurisdiction of an MPO and for projects of interregional or
3 statewide significance. The statewide programs shall be
4 subject to the review and approval of the Committee.

5 (1) The statewide programs shall include projects and
6 programs proposed to be funded, in whole or in part, by
7 State or federal funds and shall consist of the following:

8 (A) For regions of the State under the jurisdiction
9 of an MPO, the schedule shall be limited to projects
10 that are listed in the regional programs.

11 (B) For regions of the State outside the
12 jurisdiction of an MPO, the Department shall choose
13 projects for inclusion. The Department, counties,
14 municipalities, mass transit districts, other local
15 governments, MPOs, and members of the General Assembly
16 may nominate or recommend projects for the statewide
17 programs.

18 (C) The Department shall choose projects of
19 interregional or statewide significance for inclusion.
20 The Department, counties, municipalities, mass transit
21 districts, other local governments, MPOs, and members
22 of the General Assembly may nominate or recommend
23 projects of interregional or statewide significance
24 for the statewide programs.

25 (2) Projects outside the jurisdiction of an MPO and
26 projects of interregional or statewide significance shall

1 be consistent with the adopted State transportation plan.
2 The Department shall demonstrate how such projects are
3 consistent with the adopted State transportation plan.

4 (3) Projects outside the jurisdiction of an MPO and
5 projects of interregional or statewide significance shall
6 be recommended for inclusion in the statewide programs
7 considering a measurement system and the criteria
8 established by the State transportation plan.

9 (4) The recommended statewide programs shall ensure
10 that the percentage of State-jurisdiction mileage and
11 bridges in acceptable condition is comparable throughout
12 the State and that the percentage of State-jurisdiction
13 miles and bridges in acceptable condition in each of the
14 Department's highway districts, as those districts were
15 organized on January 1, 2009, is no more than 5 percentage
16 points below the statewide average percentage in
17 acceptable condition. The programs shall include the
18 following information statewide and for each district:

19 (A) For roads and bridges under State
20 jurisdiction, the current percentage of miles and
21 bridges in acceptable condition.

22 (B) For roads and bridges under State
23 jurisdiction, the projected percentage of miles and
24 bridges in acceptable condition at the end of the
25 Programs.

26 (d) Adopted statewide annual and multiyear transportation

1 improvement programs. The Committee shall review the
2 recommended statewide programs and make adjustments pursuant
3 to this subsection. The Committee shall adopt the final
4 statewide programs, subject to appropriation, no later than
5 April 7, 2011 and the first Wednesday in April of every year
6 thereafter.

7 (1) The Committee shall incorporate each regional
8 program prepared by MPOs and the Department's recommended
9 statewide program into the final statewide programs,
10 except that the Committee may deviate from such programs if
11 an objective analysis finds that:

12 (A) A program is not consistent with the adopted
13 State transportation plan or the guidelines developed
14 by the Department and Committee and is determined to
15 not be a cost-effective expenditure of funds.

16 (B) There are insufficient funds available to
17 implement the program.

18 (C) A program needs to be modified to permit the
19 expenditure of funds in accordance with funding
20 restrictions set forth in State or federal law.

21 (D) There are conflicts between regional programs.

22 (E) There are conflicts between a regional program
23 and the statewide program.

24 (F) There is an overriding State need for a project
25 to adequately accommodate interregional traffic.

26 (2) If the Committee deviates from a Department or MPO

1 program, the Committee shall make the reasons publicly
2 available and promptly seek comments from the Department
3 and MPO. Based on those comments, the Committee may adjust
4 the recommended program. The Committee shall comply with
5 all relevant federal requirements, and may not deviate from
6 a regional program in any manner that would affect the
7 inclusion of a project in a transportation improvement
8 program developed by an MPO pursuant to 23 U.S.C. 134.

9 (e) Fiscal year 2011 statewide program. After consultation
10 with the MPOs, the Department shall prepare by no later than
11 March 1, 2010 an annual program of surface transportation
12 capital projects and their anticipated costs proposed for
13 funding in whole or in part from appropriations made by the
14 State in fiscal year 2011. The fiscal year 2011 statewide
15 program required by this subsection shall, so much as is
16 practicable, comply with the objectives of this Law. The
17 Committee shall review and provide comments on the fiscal year
18 2011 statewide program by no later than April 7, 2010.

19 (20 ILCS 2705/2705-221 new)

20 Sec. 2705-221. Inclusion in transportation improvement
21 program. The transportation improvement program the Department
22 must develop pursuant to 23 U.S.C. 135 may only include
23 projects that have been prioritized for inclusion in a regional
24 or statewide program by an MPO or the Department pursuant to
25 this Law. It is not the intent of this Section to interfere

1 with administrative changes to the Transportation Improvement
2 Program, but only to ensure that all included projects undergo
3 the process prescribed by this Law.

4 (20 ILCS 2705/2705-222 new)

5 Sec. 2705-222. Public involvement and accountability.

6 (a) The Department and the Committee shall provide timely
7 and clear information and accountability to the public and
8 shall engage the public when making State transportation
9 decisions. The Department shall elicit the public's views both
10 with respect to adequate transportation services and
11 appropriate means of minimizing adverse social, economic,
12 environmental, and energy impact of transportation programs.
13 All documents listed in this Law shall be made publicly
14 available for distribution in print and on the Department's
15 website.

16 (b) The Department and the Committee shall provide the
17 opportunity for public comment throughout the State prior to
18 the completion of the statewide transportation plan and the
19 recommended and adopted statewide programs. Public comment may
20 be solicited through hearings, focus groups, surveys, and
21 feedback on draft plans and programs.

22 (c) The Department in conjunction with the Committee shall
23 publish and deliver to the Governor and the General Assembly by
24 November 1 of each year a For the Record report on all modes of
25 transportation that shall include the following:

1 (1) All the projects accomplished in the previous
2 fiscal year listed by each Illinois Department of
3 Transportation District and MPO.

4 (2) The award cost and the beginning dates of each
5 listed project.

6 (3) A summary of the Committee's prior-year decisions
7 in allocating transportation capital outlay appropriations
8 and identifying timely and relevant transportation issues
9 facing the State of Illinois.

10 (4) Statewide and for each district and MPO, a
11 description of any project receiving an appropriation from
12 the General Assembly that was not included in the final
13 statewide program.

14 (5) An explanation and summary of major policies and
15 decisions adopted by the Department and the Committee
16 during the previously completed State and federal fiscal
17 year, with an explanation of any changes in policy
18 associated with the performance of its duties and
19 responsibilities over the past year.

20 (6) A review of the progress made in achieving the
21 State transportation goals.

22 (7) Statewide and for each district and MPO, the total
23 of program accomplishments in dollars, number of miles,
24 number of bridges, and number of transit projects.

25 (8) Statewide and for each district and MPO, the
26 current percentage of miles and bridges in acceptable

1 condition for roads and bridges under State jurisdiction.

2 (9) A description of remedial actions that will be
3 taken in the next statewide transportation improvement
4 program for raising the percentage of roads or bridges, or
5 both, that are in acceptable condition for any district
6 whose percentage is more than 5 percentage points below the
7 statewide average.

8 (20 ILCS 2705/2705-223 new)

9 Sec. 2705-223. Evaluation.

10 (a) The Committee shall evaluate the effectiveness of the
11 processes and procedures established by this Law to ensure that
12 they contribute to a well-coordinated and cost-effective
13 transportation system. The Committee shall recommend changes
14 as needed to the General Assembly and the Governor.

15 (b) Following publication of the For the Record report
16 required by this Law, the Commission on Government Forecasting
17 and Accountability shall review the documents and certify to
18 the Governor, Senate President, and Speaker of the House
19 whether the requirement is being met that the percentage of
20 State-jurisdiction miles and bridges in acceptable condition
21 in each of the Districts be no lower than 5 percentage points
22 below the statewide average percentage in acceptable
23 condition.

24 (c) Every 2 years, the Auditor General shall review the
25 performance of the Department to assure the Department is

1 meeting the requirements of this Law.

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