



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3083

Introduced 2/23/2011, by Rep. David Harris

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/25-75

605 ILCS 5/4-221 new

605 ILCS 10/11

from Ch. 121, par. 100-11

Amends the Illinois Procurement Code, the Illinois Highway Code, and the Toll Highway Act. Provides that on and after January 1, 2015, 25% of all vehicles purchased with State funds shall be vehicles fueled by electricity, compressed natural gas, liquid petroleum gas, or liquid natural gas. Provides that by January 1, 2015, the Illinois Department of Transportation shall construct and maintain at least one electric vehicle charging station at each rest area on State highways. Provides that by January 1, 2015, the Toll Highway Authority shall construct and maintain at least one electric vehicle charging station at any location where the Authority has entered into an agreement with any entity for the purposes of providing motor fuel service stations and facilities, garages, stores, or restaurants along the toll highways. Directs the Department and Authority to adopt rules to implement these requirements.

LRB097 10874 HEP 51386 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 Illinois Procurement Code is amended by  
5 changing Section 25-75 as follows:

6 (30 ILCS 500/25-75)

7 Sec. 25-75. Purchase of motor vehicles.

8 (a) Beginning on the effective date of this amendatory Act  
9 of the 94th General Assembly, all gasoline-powered vehicles  
10 purchased from State funds must be flexible fuel vehicles.  
11 Beginning July 1, 2007, all gasoline-powered vehicles  
12 purchased from State funds must be flexible fuel or fuel  
13 efficient hybrid vehicles. For purposes of this Section,  
14 "flexible fuel vehicles" are automobiles or light trucks that  
15 operate on either gasoline or E-85 (85% ethanol, 15% gasoline)  
16 fuel and "Fuel efficient hybrid vehicles" are automobiles or  
17 light trucks that use a gasoline or diesel engine and an  
18 electric motor to provide power and gain at least a 20%  
19 increase in combined US-EPA city-highway fuel economy over the  
20 equivalent or most-similar conventionally-powered model.

21 (b) On and after the effective date of this amendatory Act  
22 of the 94th General Assembly, any vehicle purchased from State  
23 funds that is fueled by diesel fuel shall be certified by the

1 manufacturer to run on 5% biodiesel (B5) fuel.

2 (b-5) On and after January 1, 2015, 25% of vehicles  
3 purchased with State funds shall be vehicles fueled by  
4 electricity, compressed natural gas, liquid petroleum gas, or  
5 liquid natural gas.

6 (c) The Chief Procurement Officer may determine that  
7 certain vehicle procurements are exempt from this Section based  
8 on intended use or other reasonable considerations such as  
9 health and safety of Illinois citizens.

10 (Source: P.A. 94-1079, eff. 6-1-07.)

11 Section 10. The Illinois Highway Code is amended by adding  
12 Section 4-221 as follows:

13 (605 ILCS 5/4-221 new)

14 Sec. 4-221. Electric vehicle charging stations. By January  
15 1, 2015, the Department shall construct and maintain at least  
16 one electric vehicle charging station at each rest area on  
17 State highways.

18 The Department shall adopt and publish specifications  
19 detailing the kind and type of electric vehicle charging  
20 station to be constructed and maintained and shall adopt rules  
21 governing the place of erection and maintenance of electric  
22 vehicle charging stations.

23 Section 15. The Toll Highway Act is amended by changing

1 Section 11 as follows:

2 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

3 Sec. 11. The Authority shall have power:

4 (a) To enter upon lands, waters and premises in the State  
5 for the purpose of making surveys, soundings, drillings and  
6 examinations as may be necessary, expedient or convenient for  
7 the purposes of this Act, and such entry shall not be deemed to  
8 be a trespass, nor shall an entry for such purpose be deemed an  
9 entry under any condemnation proceedings which may be then  
10 pending; provided, however, that the Authority shall make  
11 reimbursement for any actual damage resulting to such lands,  
12 waters and premises as the result of such activities.

13 (b) To construct, maintain and operate stations for the  
14 collection of tolls or charges upon and along any toll  
15 highways.

16 (c) To provide for the collection of tolls and charges for  
17 the privilege of using the said toll highways. Before it adopts  
18 an increase in the rates for toll, the Authority shall hold a  
19 public hearing at which any person may appear, express  
20 opinions, suggestions, or objections, or direct inquiries  
21 relating to the proposed increase. Any person may submit a  
22 written statement to the Authority at the hearing, whether  
23 appearing in person or not. The hearing shall be held in the  
24 county in which the proposed increase of the rates is to take  
25 place. The Authority shall give notice of the hearing by

1 advertisement on 3 successive days at least 15 days prior to  
2 the date of the hearing in a daily newspaper of general  
3 circulation within the county within which the hearing is held.  
4 The notice shall state the date, time, and place of the  
5 hearing, shall contain a description of the proposed increase,  
6 and shall specify how interested persons may obtain copies of  
7 any reports, resolutions, or certificates describing the basis  
8 on which the proposed change, alteration, or modification was  
9 calculated. After consideration of any statements filed or oral  
10 opinions, suggestions, objections, or inquiries made at the  
11 hearing, the Authority may proceed to adopt the proposed  
12 increase of the rates for toll. No change or alteration in or  
13 modification of the rates for toll shall be effective unless at  
14 least 30 days prior to the effective date of such rates notice  
15 thereof shall be given to the public by publication in a  
16 newspaper of general circulation, and such notice, or notices,  
17 thereof shall be posted and publicly displayed at each and  
18 every toll station upon or along said toll highways.

19 (d) To construct, at the Authority's discretion, grade  
20 separations at intersections with any railroads, waterways,  
21 street railways, streets, thoroughfares, public roads or  
22 highways intersected by the said toll highways, and to change  
23 and adjust the lines and grades thereof so as to accommodate  
24 the same to the design of such grade separation and to  
25 construct interchange improvements. The Authority is  
26 authorized to provide such grade separations or interchange

1 improvements at its own cost or to enter into contracts or  
2 agreements with reference to division of cost therefor with any  
3 municipality or political subdivision of the State of Illinois,  
4 or with the Federal Government, or any agency thereof, or with  
5 any corporation, individual, firm, person or association.  
6 Where such structures have been built by the Authority and a  
7 local highway agency did not enter into an agreement to the  
8 contrary, the Authority shall maintain the entire structure,  
9 including the road surface, at the Authority's expense.

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

26 By January 1, 2015, the Authority shall construct and

1 maintain at least one electric vehicle charging station at any  
2 location where the Authority has entered into an agreement with  
3 any entity pursuant to this subsection (e) for the purposes of  
4 providing motor fuel service stations and facilities, garages,  
5 stores, or restaurants. The Authority shall adopt rules to  
6 implement the erection and maintenance of electric vehicle  
7 charging stations pursuant to this subsection (e).

8       The Authority shall also have power to establish reasonable  
9 regulations for the installation, construction, maintenance,  
10 repair, renewal, relocation and removal of pipes, mains,  
11 conduits, cables, wires, towers, poles and other equipment and  
12 appliances (herein called public utilities) of any public  
13 utility as defined in the Public Utilities Act along, over or  
14 under any toll road project. Whenever the Authority shall  
15 determine that it is necessary that any such public utility  
16 facilities which now are located in, on, along, over or under  
17 any project or projects be relocated or removed entirely from  
18 any such project or projects, the public utility owning or  
19 operating such facilities shall relocate or remove the same in  
20 accordance with the order of the Authority. All costs and  
21 expenses of such relocation or removal, including the cost of  
22 installing such facilities in a new location or locations, and  
23 the cost of any land or lands, or interest in land, or any  
24 other rights required to accomplish such relocation or removal  
25 shall be ascertained and paid by the Authority as a part of the  
26 cost of any such project or projects, and further, there shall

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

10 (f) To enter into an intergovernmental agreement or  
11 contract with a unit of local government or other public or  
12 private entity for the collection, enforcement, and  
13 administration of tolls, fees, revenue, and violations.

14 (Source: P.A. 94-636, eff. 8-22-05.)