

HB5796



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5796

by Rep. Katherine Cloonen

SYNOPSIS AS INTRODUCED:

605 ILCS 10/19

from Ch. 121, par. 100-19

Amends the Toll Highway Act. Provides that vehicles owned or operated by a Mass Transit District created under Section 3 of the Local Mass Transit District Act may use any toll highway without paying a toll.

LRB098 17042 MLW 52126 b

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. Toll rates.

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

1 Authority shall take into account the effect of the provisions
2 of this Section 19 permitting the use of the toll highway
3 system without payment of the covenants of the Authority
4 contained in the resolutions and trust indentures authorizing
5 the issuance of bonds of the Authority. No such provision
6 permitting the use of the toll highway system without payment
7 of tolls after the date of this amendatory Act of the 95th
8 General Assembly shall be applied in a manner that impairs the
9 rights of bondholders pursuant to any resolution or trust
10 indentures authorizing the issuance of bonds of the Authority.
11 The use and disposition of any sinking or reserve fund shall be
12 subject to such regulation as may be provided in the resolution
13 or trust indenture authorizing the issuance of the bonds.
14 Subject to the provisions of any resolution or trust indenture
15 authorizing the issuance of bonds any moneys in any such
16 sinking fund in excess of an amount equal to one year's
17 interest on the bonds then outstanding secured by such sinking
18 fund may be applied to the purchase or redemption of bonds. All
19 such bonds so redeemed or purchased shall forthwith be
20 cancelled and shall not again be issued. No person shall be
21 permitted to use any toll highway without paying the toll
22 established under this Section except when on official Toll
23 Highway Authority business which includes police and other
24 emergency vehicles. However, any law enforcement agency
25 vehicle, fire department vehicle, public or private ambulance
26 service vehicle engaged in the performance of an emergency

1 service or duty that necessitates the use of the toll highway
2 system, or other emergency vehicle that is plainly marked shall
3 not be required to pay a toll to use a toll highway. A law
4 enforcement, fire protection, or emergency services officer
5 driving a law enforcement, fire protection, emergency services
6 agency vehicle, or public or private ambulance service vehicle
7 engaging in the performance of emergency services or duties
8 that is not plainly marked must present an Official Permit Card
9 which the law enforcement, fire protection, or emergency
10 services officer receives from his or her law enforcement, fire
11 protection, emergency services agency, or public or private
12 ambulance service in order to use a toll highway without paying
13 the toll. A law enforcement, fire protection, emergency
14 services agency, or public or private ambulance service
15 engaging in the performance of emergency services or duties
16 must apply to the Authority to receive a permit, and the
17 Authority shall adopt rules for the issuance of a permit, that
18 allows public or private ambulance service vehicles engaged in
19 the performance of emergency services or duties that
20 necessitate the use of the toll highway system and all law
21 enforcement, fire protection, or emergency services agency
22 vehicles of the law enforcement, fire protection, or emergency
23 services agency to use any toll highway without paying the toll
24 established under this Section. The Authority shall maintain in
25 its office a list of all persons that are authorized to use any
26 toll highway without charge when on official business of the

1 Authority and such list shall be open to the public for
2 inspection. In recognition of the unique role of public
3 transportation ~~the Suburban Bus Division of the Regional~~
4 ~~Transportation Authority~~ in providing effective transportation
5 in the Authority's service region, and to give effect to the
6 exemption set forth in subsection (b) of Section 2.06 of the
7 Regional Transportation Authority Act, a vehicle owned or
8 operated by the Suburban Bus Division of the Regional
9 Transportation Authority that is being used to transport
10 passengers for hire, or any vehicle owned or operated by a Mass
11 Transit District created under Section 3 of the Local Mass
12 Transit District Act, may use any toll highway without paying
13 the toll.

14 Among other matters, this amendatory Act of 1990 is
15 intended to clarify and confirm the prior intent of the General
16 Assembly to allow toll revenues from the toll highway system to
17 be used to pay a portion of the cost of the construction of the
18 North-South Toll Highway authorized by Senate Joint Resolution
19 122 of the 83rd General Assembly in 1984.

20 (Source: P.A. 97-784, eff. 1-1-13.)