



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6206

Introduced 2/11/2016, by Rep. Michael Unes

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-615 new
70 ILCS 3615/2.11

from Ch. 111 2/3, par. 702.11

Amends Regional Transportation Authority Act. Provides that the Illinois Department of Transportation (currently, the Regional Transportation Authority) shall develop, adopt, and implement system safety program standards and procedures meeting the requirements of the federal Moving Ahead for Progress in the 21st Century Act. Limits liability. Amends the Department of Transportation Law of the Civil Administrative Code of Illinois making conforming changes.

LRB099 20606 AWJ 45175 b

1 AN ACT concerning local 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 adding
6 Section 2705-615 as follows:

7 (20 ILCS 2705/2705-615 new)

8 Sec. 2705-615. MAP-21. The Department shall develop,
9 adopt, and implement a system safety program standard and
10 establish procedures to comply with the Moving Ahead for
11 Progress in the 21st Century Act ("MAP-21") as required under
12 Section 2.11 of the Regional Transportation Authority Act.

13 Section 10. The Regional Transportation Authority Act is
14 amended by changing Section 2.11 as follows:

15 (70 ILCS 3615/2.11) (from Ch. 111 2/3, par. 702.11)

16 Sec. 2.11. Safety.

17 (a) The Service Boards may establish, enforce and
18 facilitate achievement and maintenance of standards of safety
19 against accidents with respect to public transportation
20 provided by the Service Boards or by transportation agencies
21 pursuant to purchase of service agreements with the Service

1 Boards. The provisions of general or special orders, rules or
2 regulations issued by the Illinois Commerce Commission
3 pursuant to Section 57 of "An Act concerning public utilities",
4 approved June 29, 1921, as amended, which pertain to public
5 transportation and public transportation facilities of
6 railroads will continue to apply until the Service Board
7 determines that different standards are necessary to protect
8 such health and safety.

9 (b) To the extent required by the Moving Ahead for Progress
10 in the 21st Century Act ("MAP-21"), 49 U.S.C. 5329, ~~49 CFR Part~~
11 ~~659~~ as now or hereafter amended, the Illinois Department of
12 Transportation Authority shall develop, ~~and~~ adopt, ~~and~~
13 implement a system safety program standard meeting the
14 compliance requirements of MAP-21 for the safety of planned,
15 under construction, or in revenue operation rail fixed guideway
16 systems and the personal security of the systems' passengers
17 and employees, ~~and~~ in accordance with MAP-21 shall establish
18 procedures to regulate, investigate, inspect, audit, and
19 enforce all other necessary and incidental functions related to
20 the effectuation of this Act or Federal law pertaining to
21 public transportation oversight ~~for safety and security~~
22 ~~reviews, investigations, and oversight reporting~~. The Illinois
23 Department of Transportation Authority shall require the local
24 mass transit districts, the Authority, and applicable Service
25 Boards to comply with the requirements of MAP-21 ~~49 CFR Part~~
26 ~~659~~ as now or hereafter amended. The Illinois Department of

1 Transportation Authority may contract for the services of a
2 qualified consultant to comply with this subsection.

3 (c) The security portion of the system safety program,
4 investigation reports, surveys, schedules, lists, or data
5 compiled, collected, or prepared by or for the Illinois
6 Department of Transportation or the Authority under this
7 subsection, shall not be subject to discovery or admitted into
8 evidence in federal or State court or considered for other
9 purposes in any civil action for damages arising from any
10 matter mentioned or addressed in such reports, surveys,
11 schedules, lists, data, or information.

12 (d) The ~~Neither the~~ Illinois Department of Transportation,
13 Authority and ~~nor~~ its ~~directors, officers, or~~ employees, and a
14 ~~nor~~ local mass transit district, the Authority, or any Service
15 Board subject to this Section, or ~~nor~~ their ~~its~~ directors,
16 officers, or employees, shall not be held liable in any civil
17 action for any injury to any person or property for any acts or
18 omissions or failure to act under this Section or pursuant to
19 MAP-21 ~~49 CFR Part 659~~ as now or hereafter amended.

20 (Source: P.A. 90-273, eff. 7-30-97.)