

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 2. The Illinois State Police Law of the Civil Administrative Code of Illinois is amended by adding Section 2605-625 as follows:

(20 ILCS 2605/2605-625 new)

Sec. 2605-625. Technical managers workforce goals and report.

(a) By August 1 of each calendar year, the Illinois State Police shall make a report in writing to the Governor and the General Assembly, stating in detail the Illinois State Police's efforts in the prior fiscal year to fill open technical manager positions.

(b) The report shall include:

(1) The total number of technical manager positions within the Illinois State Police for the previous fiscal year.

(2) The number of technical manager positions that were unfilled at any point during the previous fiscal year.

(3) The duration of time each technical manager position remained unfilled.

(4) The number of technical manager positions filled during the previous fiscal year.

(5) A detailed report of any recruitment efforts or initiatives undertaken to fill technical manager positions.

(c) The General Assembly may review the report and may request additional information or hold hearings regarding the Illinois State Police's staffing levels, recruitment strategies, and efforts.

Section 4. The State Finance Act is amended by changing Section 6z-82 as follows:

(30 ILCS 105/6z-82)

Sec. 6z-82. State Police Operations Assistance Fund.

(a) There is created in the State treasury a special fund known as the State Police Operations Assistance Fund. The Fund shall receive revenue under the Criminal and Traffic Assessment Act, the Illinois Hazardous Materials Transportation Act, and the Illinois Motor Carrier Safety Law. The Fund may also receive revenue from grants, donations, appropriations, and any other legal source.

(a-5) This Fund may charge, collect, and receive fees or moneys as described in Section 15-312 of the Illinois Vehicle Code and receive all fees received by the Illinois State Police under that Section. The moneys shall be used by the

Illinois State Police for its expenses in providing police escorts and commercial vehicle enforcement activities.

(b) The Illinois State Police may use moneys in the Fund to finance any of its lawful purposes or functions.

(c) Expenditures may be made from the Fund only as appropriated by the General Assembly by law.

(d) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(e) The State Police Operations Assistance Fund shall not be subject to administrative chargebacks.

(f) (Blank).

(g) (Blank).

(h) (Blank). ~~June 9, 2023 (Public Act 103-34)~~

(Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff. 6-9-23; 103-363, eff. 7-28-23; 103-605, eff. 7-1-24; 103-616, eff. 7-1-24; revised 7-23-24.)

Section 5. The Liquefied Petroleum Gas Regulation Act is amended by changing Section 3 as follows:

(430 ILCS 5/3) (from Ch. 96 1/2, par. 5603)

Sec. 3. The Office of the State Fire Marshal has power to make, adopt and enforce rules and regulations governing the storing, transporting as cargo, selling, dispensing or use of

liquefied petroleum gases for purposes other than as a propellant fuel in school buses, except as otherwise regulated by the Illinois State Police ~~Department of Transportation~~ under the provisions of the ~~"Illinois Hazardous Materials Transportation Act", approved August 26, 1977, as amended.~~ Rules and regulations adopted under this Section shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Rules and regulations in substantial conformity with the published Standards of the National Fire Protection Association for the Storage and Handling of Liquefied Petroleum Gases and with the published Recommended Good Practice Rules for Liquefied Petroleum Gas Piping and Appliance Installations in Buildings as recommended by the National Fire Protection Association, shall be considered in substantial conformity with the generally accepted standards of safety. No municipality or other political subdivision shall enforce any ordinance or regulation in conflict with this Act or with the regulations promulgated under this Section, except in the location and operation of liquefied petroleum gas bulk plants and storage systems of over 1200 gallon capacity.

(Source: P.A. 83-1362.)

Section 10. The Illinois Hazardous Materials Transportation Act is amended by changing Sections 2, 3, and 11 as follows:

(430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

Sec. 2. It is the finding of the General Assembly that hazardous materials are essential for various industrial, commercial and other purposes; that their transportation is a necessary incident to their use; and that such transportation is required for the employment and economic prosperity of the People of the State of Illinois.

It is therefore declared to be the policy of the General Assembly to improve the regulatory and enforcement authority of the Illinois State Police ~~Department of Transportation~~ to protect the People of the State of Illinois against the risk to life and property inherent in the transportation of hazardous materials over highways by keeping such risk to a minimum consistent with technical feasibility and economic reasonableness.

It is not the intent of the General Assembly to regulate the movement of hazardous materials in such quantities that would not pose a substantial danger to the public health and safety, such as fuels, fertilizer and agricultural chemicals while being used in a normal farming operation or in transit to the farm.

(Source: P.A. 80-351.)

(430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

Sec. 3. Unless the context otherwise clearly requires, as

used in this Act:

"Commerce" means trade, traffic, commerce or transportation within the State;

"Department" means the Illinois State Police ~~Department of Transportation~~;

"Discharge" means leakage, seepage, or other release;

"Hazardous material" means a substance or material in a quantity and form determined by the United States Department of Transportation to be capable of posing an unreasonable risk to health and safety or property when transported in commerce;

"Knowingly" means a person has actual knowledge of the facts giving rise to the violation or a reasonable person acting in the circumstances and exercising due care would have such knowledge;

"Law Enforcement Officials" means the Illinois State Police or any duly authorized employees of a local governmental agency who are primarily responsible for prevention or detection of crime and enforcement of the criminal code and the highway and traffic laws of this State or any political subdivision of such State;

"Local road" means any State or local highway except for (i) a highway with 4 or more lanes, or (ii) an interstate highway.

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint

stock company, trust, estate or any other legal entity or their legal representative, agent or assigns;

"Transports" or "transportation" means any movement of property over the highway and any loading, unloading or storage incidental to such movement.

(Source: P.A. 102-513, eff. 8-20-21.)

(430 ILCS 30/11) (from Ch. 95 1/2, par. 700-11)

Sec. 11. Any person who is determined by the Department after reasonable notice and opportunity for a fair and impartial hearing to have knowingly committed an act that is a violation of this Act or any rule or regulation issued under this Act is liable to the State for a civil penalty. Whoever knowingly commits an act that is a violation of any rule or regulation applicable to any person who transports or ships or causes to be transported or shipped hazardous materials is subject to a civil penalty of not more than \$10,000 for such violation and, if any such violation is a continuing one, each day of violation constitutes a separate offense. The amount of any such penalty shall be assessed by the Department by a written notice. In determining the amount of such penalty, the Department shall take into account the nature, circumstances, extent and gravity of the violation and, with respect to a person found to have committed such violation, the degree of culpability, history of prior offenses, ability to pay, effect on ability to continue to do business and such other matters as

justice may require.

Such civil penalty is recoverable in an action brought by the State's Attorney or the Attorney General on behalf of the State in the circuit court or, prior to referral to the State's Attorney or the Attorney General, such civil penalty may be compromised by the Department. The amount of such penalty when finally determined (or agreed upon in compromise), may be deducted from any sums owed by the State to the person charged. All civil penalties collected under this Section shall be deposited in the State Police Operations Assistance ~~Road~~ Fund. (Source: P.A. 80-351.)

Section 15. The Illinois Vehicle Code is amended by changing Sections 1-115.05, 18b-101, 18b-102, 18b-104, 18b-106.2, 18b-107, and 18b-109 and by adding Sections 18b-104.1 and 18b-104.2 as follows:

(625 ILCS 5/1-115.05)

Sec. 1-115.05. Department. The Department of Transportation of the State of Illinois, acting directly or through its duly authorized officers and agents, except that: (i) in Chapter 5 and Articles X and XI of Chapter 3 of this Code, "Department" means the Department of Revenue of the State of Illinois; and (ii) in Chapter 18B, "Department" means the Illinois State Police.

(Source: P.A. 90-89, eff. 1-1-98.)

(625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

Sec. 18b-101. Definitions. Unless the context otherwise clearly requires, as used in this Chapter:

"Agricultural commodities" means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.

"Agricultural operations" means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.

"Air mile" means a nautical mile, which is equivalent to 6,076 feet or 1,852 meters. Accordingly, 100 air miles are equivalent to 115.08 statute miles or 185.2 kilometers.

"Commercial motor vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed to transport between 9 and 15 passengers, including the driver, for direct compensation; or the vehicle is used in the transportation of

hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 nor implements of husbandry as defined in Section 1-130.

"Covered farm vehicle", for purposes of this Chapter and rule-making under this Chapter, means a straight truck or articulated vehicle, excluding vehicles transporting hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials Transportation Act, registered in this State or another state and equipped with a special license plate or other designation by the state in which the vehicle is registered identifying the vehicle as a covered farm vehicle for law enforcement personnel and:

(1) is operated by a farm or ranch owner or operator, or an employee or family member of the farm or ranch owner or operator; and

(2) is being used to transport the following to or from a farm or ranch:

(A) agricultural commodities;

(B) livestock; or

(C) machinery or supplies; and

(3) if registered in this State, is:

(A) registered as a farm truck under subsection

(c) of Section 3-815 of this Code; or

(B) operated in combination as an articulated vehicle when the truck in the combination is registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code and contains in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code and the trailer in the combination is registered as a farm trailer under subsection (a) of Section 3-819 of this Code and displays a farm registration license plate; or

(C) a truck registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code containing in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code that is towing an implement of husbandry as part of a farming operation; and

(4) is not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the definition of a covered farm vehicle by a tenant pursuant to a crop share

farm lease agreement to transport the landlord's portion of the crops under that agreement; and

(5) has a gross vehicle weight rating (GVWR), a gross combination weight rating (GCWR), or a gross vehicle weight or gross vehicle combination weight, whichever is greater, that is:

(A) 26,001 lbs. or less, for vehicles operating in interstate commerce; or

(B) greater than 26,001 lbs., operating in interstate commerce and registered in this State; or

(C) greater than 26,001 lbs. and traveling interstate within 150 air miles of the farm or ranch for which the vehicle is being operated, regardless of whether it is registered in this State; or

(D) greater than 10,000 lbs. and traveling intrastate.

"Department" means the Illinois State Police.

"Direct compensation" means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services.

"Farm supplies for agricultural purposes" means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year.

"Livestock" means cattle, sheep, goats, swine, poultry

(including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring.

"Officer" means Illinois State Police Officer.

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns.

(Source: P.A. 97-795, eff. 1-1-13; 98-882, eff. 8-13-14.)

(625 ILCS 5/18b-102) (from Ch. 95 1/2, par. 18b-102)

Sec. 18b-102. Authority of Department. To the extent necessary to administer this Chapter, the Department is authorized to:

(a) Adopt by reference all or any portion of the Federal Motor Carrier Safety Regulations of the United States Department of Transportation, as they are now or hereafter amended.

(b) Conduct investigations; make reports; issue subpoenas; conduct hearings; require the production of relevant documents, records and property; take depositions; ~~and, in conjunction with the Illinois State Police,~~ conduct directly or indirectly research, development, demonstrations and

training activities.

(c) Authorize any officer or Department employee to enter upon, inspect and examine at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to the transportation by motor vehicle of persons or property.

(d) Conduct a continuing review of all aspects of the transportation of persons and property by motor vehicle in order to determine and recommend appropriate steps to assure safe transportation by motor vehicle in Illinois.

(e) Administer and enforce the provisions of this Chapter and any rules and regulations issued under this Chapter. Only the Department ~~Illinois State Police~~ shall be authorized to stop and inspect any commercial motor vehicle or driver at any time for the purpose of determining compliance with the provisions of this Chapter or rules and regulations issued under this Chapter.

(Source: P.A. 90-89, eff. 1-1-98.)

(625 ILCS 5/18b-104) (from Ch. 95 1/2, par. 18b-104)

Sec. 18b-104. Cooperation with State Agencies - Records and Data - Availability. The Department shall cooperate with other State agencies regulating transportation by motor vehicles and may enter into interagency agreements for the purpose of sharing data. ~~The Department shall enter into an interagency agreement with the Illinois State Police for the~~

~~purpose of enforcing any provisions of this Chapter and the rules and regulations issued under this Chapter.~~

(Source: P.A. 86-611.)

(625 ILCS 5/18b-104.1 new)

Sec. 18b-104.1. Personnel transfers.

(a) On January 1, 2026, the personnel responsible for administering this Chapter are transferred from the transferring agency designated by the Governor to the Department. Prior to the transfer, the personnel shall be subject to a background check and any additional screening requirements established by the Department. The status and rights of the employees and the State or its transferring agency under the Personnel Code, the Illinois Public Labor Relations Act, and applicable collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act of the 104th General Assembly. Under the direction of the Governor, the Department, in consultation with the transferring agencies, Central Management Services, and labor organizations representing the affected employees, shall identify each position and employee who is engaged in the performance of functions transferred to the Department, or engaged in the administration of a law the administration of which is transferred to the Department, to be transferred to the Department. An employee engaged primarily in providing administrative and investigative

support to the Illinois Motor Carrier Safety Assistance Program may be considered engaged in the performance of functions transferred to the Department.

(b) Until October 1, 2026, all union employees assigned to the Motor Carrier Safety Assistance Program shall retain the rights and benefits of their collective bargaining agreement, including, but not limited to, for personnel transactions, as if the employees were still employed by the Department of Transportation. As used in this subsection, "personnel transactions" includes promotions, lateral transfers, or voluntary reductions to other union titles within the Department of Transportation.

(625 ILCS 5/18b-104.2 new)

Sec. 18b-104.2. Material transfers. On January 1, 2026, the Department shall take possession from the Department of Transportation any tangible items, including, but not limited to, vehicles, computers, uniforms, equipment, and supplies, which were procured or purchased using the Motor Carrier Safety Assistance Program Grant from the Federal Motor Carrier Safety Administration. These items shall become property of the Department.

(625 ILCS 5/18b-106.2)

Sec. 18b-106.2. Hours of service; utility service interruption emergencies.

(a) As used in this Section:

"Commercial driver's license" has the meaning set forth in Section 1-111.6 of this Code.

"Commercial motor vehicle" has the meaning set forth in Section 18b-101 of this Code.

"Utility service interruption emergency" means an outage or interruption of utility service in Illinois occasioned by a set of circumstances included in the definition of "emergency" set forth at 49 CFR 390.5.

"Utility service" means the repairing, maintaining, or operating of any structures or any other physical facilities necessary for the delivery of utility services, including the furnishing of electric, gas, water, sanitary sewer, telephone, and television cable or community antenna service.

"Utility service vehicle" has the meaning set forth in 49 CFR 395.2.

(b) Upon receipt of notification of a utility service interruption emergency by a utility service provider, the ~~Illinois Department of Transportation~~ shall declare that an emergency exists pursuant to 49 CFR 390.23. Should an audit by the ~~Illinois Department of Transportation~~ establish that there has been an abuse of the notification procedure by a utility service provider, the ~~Illinois Department of Transportation~~ may refuse to grant emergency declarations to that utility service provider in the future without further confirmation of the existence of a utility service interruption emergency.

(c) A utility service interruption emergency continues until:

(1) the necessary maintenance or repair work is completed; and

(2) personnel used to perform necessary maintenance or repair work have returned to their respective normal work routines.

(d) An individual is exempt from any regulation of the maximum hours of service that an employee may work under 49 CFR 395 if he or she:

(1) is the holder of a commercial driver's license;

(2) is:

(A) an employee;

(B) an employee of a contractor; or

(C) an employee of a subcontractor;

of a utility service provider in an employment capacity in which the commercial driver's license is used; and

(3) operates a commercial motor vehicle as a utility service vehicle and engages in intrastate maintenance or repair work in response to a utility service interruption emergency.

(e) The exemption from maximum hours of service regulations provided under subsection (d) shall not exceed the duration of the utility service provider's or driver's direct assistance in providing utility service interruption emergency relief, or 5 days from the date of the initial declaration,

whichever is less.

(f) Nothing in this amendatory Act of the 94th General Assembly shall be construed to contravene any federal law or to jeopardize State of Illinois entitlement to federal funding. If any provision of this amendatory Act of the 94th General Assembly or its application is found to jeopardize federal funding, that provision is declared invalid but does not affect any other provision or application. The provisions of this amendatory Act of the 94th General Assembly are declared to be severable.

(Source: P.A. 94-1, eff. 5-23-05.)

(625 ILCS 5/18b-107) (from Ch. 95 1/2, par. 18b-107)

Sec. 18b-107. Violations - Civil penalties. Except as provided in Section 18b-108, any person who is determined by the Department after reasonable notice and opportunity for a fair and impartial hearing to have committed an act in violation of this Chapter or any rule or regulation issued under this Chapter is liable to the State for a civil penalty. Such person is subject to a civil penalty as prescribed by Appendix B to 49 CFR Part 386 -- Penalty Schedule; Violations and Maximum Monetary Penalties, except that a person committing a railroad-highway grade crossing violation is subject to a civil penalty of not more than \$10,000, and, if any such violation is a continuing one, each day of violation constitutes a separate offense. The amount of any such penalty

shall be assessed by the Department by a written notice. In determining the amount of such penalty, the Department shall take into account the nature, circumstances, extent and gravity of the violation and, with respect to a person found to have committed such violation, the degree of culpability, history or prior offenses, ability to pay, effect on ability to continue to do business and such other matters as justice may require.

Such civil penalty is recoverable in an action brought by the State's Attorney or the Attorney General on behalf of the State in the circuit court or, prior to referral to the State's Attorney or the Attorney General, such civil penalty may be compromised by the Department. The amount of such penalty when finally determined (or agreed upon in compromise), may be deducted from any sums owed by the State to the person charged. All civil penalties collected under this subsection shall be deposited in the State Police Operations Assistance Fund ~~Road Fund~~.

On the effective date of this amendatory Act of the 104th General Assembly, the hearing process established by this Section shall be completed by the Department. All such violations dated prior to the effective date of this amendatory Act of the 104th General Assembly shall be completed by the Department of Transportation.

(Source: P.A. 94-519, eff. 8-10-05.)

(625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)

Sec. 18b-109. Enforcement of Rules and Regulations. Only the Department ~~Illinois State Police~~ shall enforce the rules and regulations issued under this Chapter against drivers and persons other than drivers. ~~The Department and the Illinois State Police shall enforce the rules and regulations issued under this Chapter against persons other than drivers.~~

(Source: P.A. 86-611.)

Section 99. Effective date. This Act takes effect October 1, 2025.