



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1368

Introduced 2/6/2023, by Sen. Donald P. DeWitte

SYNOPSIS AS INTRODUCED:

30 ILCS 105/8.3	from Ch. 127, par. 144.3
430 ILCS 30/2	from Ch. 95 1/2, par. 700-2
430 ILCS 30/3	from Ch. 95 1/2, par. 700-3
625 ILCS 5/18b-101	from Ch. 95 1/2, par. 18b-101
625 ILCS 5/18b-102	from Ch. 95 1/2, par. 18b-102
625 ILCS 5/18b-104	from Ch. 95 1/2, par. 18b-104
625 ILCS 5/18b-104.5 new	
625 ILCS 5/18b-109	from Ch. 95 1/2, par. 18b-109

Amends the State Finance Act. Provides that, beginning fiscal year 2024, no road fund money shall be appropriated to the Illinois State Police, except money appropriated each fiscal year to implement and fulfill the requirements of the Motor Carrier Safety Assistance Program, not to exceed the annual allocation plus 25% from the Federal Motor Carrier Safety Administration. Amends the Illinois Hazardous Materials Transportation Act to provide that the Illinois State Police (instead of the Department of Transportation) shall administer the Act. Amends the Illinois Motor Carrier Safety Law of the Illinois Vehicle Code. Provides that the Illinois State Police (instead of the Department of Transportation in conjunction with the Illinois State Police) shall administer the Law. Effective July 1, 2023.

LRB103 27205 MXP 53575 b

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 State Finance Act is amended by changing
5 Section 8.3 as follows:

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the
8 State of Illinois incurs any bonded indebtedness for the
9 construction of permanent highways, be set aside and used for
10 the purpose of paying and discharging annually the principal
11 and interest on that bonded indebtedness then due and payable,
12 and for no other purpose. The surplus, if any, in the Road Fund
13 after the payment of principal and interest on that bonded
14 indebtedness then annually due shall be used as follows:

15 first -- to pay the cost of administration of Chapters
16 2 through 10 of the Illinois Vehicle Code, except the cost
17 of administration of Articles I and II of Chapter 3 of that
18 Code, and to pay the costs of the Executive Ethics
19 Commission for oversight and administration of the Chief
20 Procurement Officer appointed under paragraph (2) of
21 subsection (a) of Section 10-20 of the Illinois
22 Procurement Code for transportation; and

23 secondly -- for expenses of the Department of

1 Transportation for construction, reconstruction,
2 improvement, repair, maintenance, operation, and
3 administration of highways in accordance with the
4 provisions of laws relating thereto, or for any purpose
5 related or incident to and connected therewith, including
6 the separation of grades of those highways with railroads
7 and with highways and including the payment of awards made
8 by the Illinois Workers' Compensation Commission under the
9 terms of the Workers' Compensation Act or Workers'
10 Occupational Diseases Act for injury or death of an
11 employee of the Division of Highways in the Department of
12 Transportation; or for the acquisition of land and the
13 erection of buildings for highway purposes, including the
14 acquisition of highway right-of-way or for investigations
15 to determine the reasonably anticipated future highway
16 needs; or for making of surveys, plans, specifications,
17 and estimates for and in the construction and maintenance
18 of flight strips and of highways necessary to provide
19 access to military and naval reservations, to defense
20 industries and defense-industry sites, and to the sources
21 of raw materials and for replacing existing highways and
22 highway connections shut off from general public use at
23 military and naval reservations and defense-industry
24 sites, or for the purchase of right-of-way, except that
25 the State shall be reimbursed in full for any expense
26 incurred in building the flight strips; or for the

1 operating and maintaining of highway garages; or for
2 patrolling and policing the public highways and conserving
3 the peace; or for the operating expenses of the Department
4 relating to the administration of public transportation
5 programs; or, during fiscal year 2022, for the purposes of
6 a grant not to exceed \$8,394,800 to the Regional
7 Transportation Authority on behalf of PACE for the purpose
8 of ADA/Para-transit expenses; or, during fiscal year 2023,
9 for the purposes of a grant not to exceed \$8,394,800 to the
10 Regional Transportation Authority on behalf of PACE for
11 the purpose of ADA/Para-transit expenses; or for any of
12 those purposes or any other purpose that may be provided
13 by law.

14 Appropriations for any of those purposes are payable from
15 the Road Fund. Appropriations may also be made from the Road
16 Fund for the administrative expenses of any State agency that
17 are related to motor vehicles or arise from the use of motor
18 vehicles.

19 Beginning with fiscal year 1980 and thereafter, no Road
20 Fund monies shall be appropriated to the following Departments
21 or agencies of State government for administration, grants, or
22 operations; but this limitation is not a restriction upon
23 appropriating for those purposes any Road Fund monies that are
24 eligible for federal reimbursement:

- 25 1. Department of Public Health;
- 26 2. Department of Transportation, only with respect to

1 subsidies for one-half fare Student Transportation and
2 Reduced Fare for Elderly, except fiscal year 2022 when no
3 more than \$17,570,000 may be expended and except fiscal
4 year 2023 when no more than \$17,570,000 may be expended;

5 3. Department of Central Management Services, except
6 for expenditures incurred for group insurance premiums of
7 appropriate personnel;

8 4. Judicial Systems and Agencies.

9 Beginning with fiscal year 1981 and thereafter, no Road
10 Fund monies shall be appropriated to the following Departments
11 or agencies of State government for administration, grants, or
12 operations; but this limitation is not a restriction upon
13 appropriating for those purposes any Road Fund monies that are
14 eligible for federal reimbursement:

15 1. Illinois State Police, except for expenditures with
16 respect to the Division of Patrol Operations and Division
17 of Criminal Investigation;

18 2. Department of Transportation, only with respect to
19 Intercity Rail Subsidies, except fiscal year 2022 when no
20 more than \$50,000,000 may be expended and except fiscal
21 year 2023 when no more than \$55,000,000 may be expended,
22 and Rail Freight Services.

23 Beginning with fiscal year 1982 and thereafter, no Road
24 Fund monies shall be appropriated to the following Departments
25 or agencies of State government for administration, grants, or
26 operations; but this limitation is not a restriction upon

1 appropriating for those purposes any Road Fund monies that are
2 eligible for federal reimbursement: Department of Central
3 Management Services, except for awards made by the Illinois
4 Workers' Compensation Commission under the terms of the
5 Workers' Compensation Act or Workers' Occupational Diseases
6 Act for injury or death of an employee of the Division of
7 Highways in the Department of Transportation.

8 Beginning with fiscal year 1984 and thereafter, no Road
9 Fund monies shall be appropriated to the following Departments
10 or agencies of State government for administration, grants, or
11 operations; but this limitation is not a restriction upon
12 appropriating for those purposes any Road Fund monies that are
13 eligible for federal reimbursement:

14 1. Illinois State Police, except not more than 40% of
15 the funds appropriated for the Division of Patrol
16 Operations and Division of Criminal Investigation;

17 2. State Officers.

18 Beginning with fiscal year 1984 and thereafter, no Road
19 Fund monies shall be appropriated to any Department or agency
20 of State government for administration, grants, or operations
21 except as provided hereafter; but this limitation is not a
22 restriction upon appropriating for those purposes any Road
23 Fund monies that are eligible for federal reimbursement. It
24 shall not be lawful to circumvent the above appropriation
25 limitations by governmental reorganization or other methods.
26 Appropriations shall be made from the Road Fund only in

1 accordance with the provisions of this Section.

2 Money in the Road Fund shall, if and when the State of
3 Illinois incurs any bonded indebtedness for the construction
4 of permanent highways, be set aside and used for the purpose of
5 paying and discharging during each fiscal year the principal
6 and interest on that bonded indebtedness as it becomes due and
7 payable as provided in the Transportation Bond Act, and for no
8 other purpose. The surplus, if any, in the Road Fund after the
9 payment of principal and interest on that bonded indebtedness
10 then annually due shall be used as follows:

11 first -- to pay the cost of administration of Chapters
12 2 through 10 of the Illinois Vehicle Code; and

13 secondly -- no Road Fund monies derived from fees,
14 excises, or license taxes relating to registration,
15 operation and use of vehicles on public highways or to
16 fuels used for the propulsion of those vehicles, shall be
17 appropriated or expended other than for costs of
18 administering the laws imposing those fees, excises, and
19 license taxes, statutory refunds and adjustments allowed
20 thereunder, administrative costs of the Department of
21 Transportation, including, but not limited to, the
22 operating expenses of the Department relating to the
23 administration of public transportation programs, payment
24 of debts and liabilities incurred in construction and
25 reconstruction of public highways and bridges, acquisition
26 of rights-of-way for and the cost of construction,

1 reconstruction, maintenance, repair, and operation of
2 public highways and bridges under the direction and
3 supervision of the State, political subdivision, or
4 municipality collecting those monies, or during fiscal
5 year 2022 for the purposes of a grant not to exceed
6 \$8,394,800 to the Regional Transportation Authority on
7 behalf of PACE for the purpose of ADA/Para-transit
8 expenses, or during fiscal year 2023 for the purposes of a
9 grant not to exceed \$8,394,800 to the Regional
10 Transportation Authority on behalf of PACE for the purpose
11 of ADA/Para-transit expenses, and the costs for patrolling
12 and policing the public highways (by the State, political
13 subdivision, or municipality collecting that money) for
14 enforcement of traffic laws. The separation of grades of
15 such highways with railroads and costs associated with
16 protection of at-grade highway and railroad crossing shall
17 also be permissible.

18 Appropriations for any of such purposes are payable from
19 the Road Fund or the Grade Crossing Protection Fund as
20 provided in Section 8 of the Motor Fuel Tax Law.

21 Except as provided in this paragraph, beginning with
22 fiscal year 1991 and thereafter, no Road Fund monies shall be
23 appropriated to the Illinois State Police for the purposes of
24 this Section in excess of its total fiscal year 1990 Road Fund
25 appropriations for those purposes unless otherwise provided in
26 Section 5g of this Act. For fiscal years 2003, 2004, 2005,

1 2006, and 2007 only, no Road Fund monies shall be appropriated
2 to the Department of State Police for the purposes of this
3 Section in excess of \$97,310,000. For fiscal year 2008 only,
4 no Road Fund monies shall be appropriated to the Department of
5 State Police for the purposes of this Section in excess of
6 \$106,100,000. For fiscal year 2009 only, no Road Fund monies
7 shall be appropriated to the Department of State Police for
8 the purposes of this Section in excess of \$114,700,000.
9 Beginning in fiscal year 2024 ~~2010~~, no road fund moneys shall
10 be appropriated to the Illinois State Police, except money
11 appropriated from the General Assembly each fiscal year to
12 implement and fulfill the requirements of the Motor Carrier
13 Safety Assistance Program, not to exceed the annual allocation
14 plus 25% from the Federal Motor Carrier Safety Administration.
15 It shall not be lawful to circumvent this limitation on
16 appropriations by governmental reorganization or other methods
17 unless otherwise provided in Section 5g of this Act.

18 In fiscal year 1994, no Road Fund monies shall be
19 appropriated to the Secretary of State for the purposes of
20 this Section in excess of the total fiscal year 1991 Road Fund
21 appropriations to the Secretary of State for those purposes,
22 plus \$9,800,000. It shall not be lawful to circumvent this
23 limitation on appropriations by governmental reorganization or
24 other method.

25 Beginning with fiscal year 1995 and thereafter, no Road
26 Fund monies shall be appropriated to the Secretary of State

1 for the purposes of this Section in excess of the total fiscal
2 year 1994 Road Fund appropriations to the Secretary of State
3 for those purposes. It shall not be lawful to circumvent this
4 limitation on appropriations by governmental reorganization or
5 other methods.

6 Beginning with fiscal year 2000, total Road Fund
7 appropriations to the Secretary of State for the purposes of
8 this Section shall not exceed the amounts specified for the
9 following fiscal years:

10	Fiscal Year 2000	\$80,500,000;
11	Fiscal Year 2001	\$80,500,000;
12	Fiscal Year 2002	\$80,500,000;
13	Fiscal Year 2003	\$130,500,000;
14	Fiscal Year 2004	\$130,500,000;
15	Fiscal Year 2005	\$130,500,000;
16	Fiscal Year 2006	\$130,500,000;
17	Fiscal Year 2007	\$130,500,000;
18	Fiscal Year 2008	\$130,500,000;
19	Fiscal Year 2009	\$130,500,000.

20 For fiscal year 2010, no road fund moneys shall be
21 appropriated to the Secretary of State.

22 Beginning in fiscal year 2011, moneys in the Road Fund
23 shall be appropriated to the Secretary of State for the
24 exclusive purpose of paying refunds due to overpayment of fees
25 related to Chapter 3 of the Illinois Vehicle Code unless
26 otherwise provided for by law.

1 It shall not be lawful to circumvent this limitation on
2 appropriations by governmental reorganization or other
3 methods.

4 No new program may be initiated in fiscal year 1991 and
5 thereafter that is not consistent with the limitations imposed
6 by this Section for fiscal year 1984 and thereafter, insofar
7 as appropriation of Road Fund monies is concerned.

8 Nothing in this Section prohibits transfers from the Road
9 Fund to the State Construction Account Fund under Section 5e
10 of this Act; nor to the General Revenue Fund, as authorized by
11 Public Act 93-25.

12 The additional amounts authorized for expenditure in this
13 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
14 shall be repaid to the Road Fund from the General Revenue Fund
15 in the next succeeding fiscal year that the General Revenue
16 Fund has a positive budgetary balance, as determined by
17 generally accepted accounting principles applicable to
18 government.

19 The additional amounts authorized for expenditure by the
20 Secretary of State and the Illinois State Police ~~Department of~~
21 ~~State Police~~ in this Section by Public Act 94-91 shall be
22 repaid to the Road Fund from the General Revenue Fund in the
23 next succeeding fiscal year that the General Revenue Fund has
24 a positive budgetary balance, as determined by generally
25 accepted accounting principles applicable to government.

26 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;

1 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; 102-699, eff.
2 4-19-22; 102-813, eff. 5-13-22.)

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

6 (430 ILCS 30/2) (from Ch. 95 1/2, par. 700-2)

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

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

21 It is not the intent of the General Assembly to regulate
22 the movement of hazardous materials in such quantities that
23 would not pose a substantial danger to the public health and
24 safety, such as fuels, fertilizer and agricultural chemicals

1 while being used in a normal farming operation or in transit to
2 the farm.

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

4 (430 ILCS 30/3) (from Ch. 95 1/2, par. 700-3)

5 Sec. 3. Unless the context otherwise clearly requires, as
6 used in this Act:

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

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

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

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

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

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

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

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

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

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

13 Section 15. The Illinois Vehicle Code is amended by
14 changing Sections 18b-101, 18b-102, 18b-104, and 18b-109 and
15 by adding Section 18b-104.5 as follows:

16 (625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

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

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

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

1 "Air mile" means a nautical mile, which is equivalent to
2 6,076 feet or 1,852 meters. Accordingly, 100 air miles are
3 equivalent to 115.08 statute miles or 185.2 kilometers.

4 "Commercial motor vehicle" means any self propelled or
5 towed vehicle used on public highways in interstate and
6 intrastate commerce to transport passengers or property when
7 the vehicle has a gross vehicle weight, a gross vehicle weight
8 rating, a gross combination weight, or a gross combination
9 weight rating of 10,001 or more pounds; or the vehicle is used
10 or designed to transport more than 15 passengers, including
11 the driver; or the vehicle is designed to carry 15 or fewer
12 passengers and is operated by a contract carrier transporting
13 employees in the course of their employment on a highway of
14 this State; or the vehicle is used or designed to transport
15 between 9 and 15 passengers, including the driver, for direct
16 compensation; or the vehicle is used in the transportation of
17 hazardous materials in a quantity requiring placarding under
18 the Illinois Hazardous Materials Transportation Act. This
19 definition shall not include farm machinery, fertilizer
20 spreaders, and other special agricultural movement equipment
21 described in Section 3-809 nor implements of husbandry as
22 defined in Section 1-130.

23 "Covered farm vehicle", for purposes of this Chapter and
24 rule-making under this Chapter, means a straight truck or
25 articulated vehicle, excluding vehicles transporting hazardous
26 materials of a type or quantity that requires the vehicle to be

1 placarded in accordance with the Illinois Hazardous Materials
2 Transportation Act, registered in this State or another state
3 and equipped with a special license plate or other designation
4 by the state in which the vehicle is registered identifying
5 the vehicle as a covered farm vehicle for law enforcement
6 personnel and:

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

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

12 (A) agricultural commodities;

13 (B) livestock; or

14 (C) machinery or supplies; and

15 (3) if registered in this State, is:

16 (A) registered as a farm truck under subsection
17 (c) of Section 3-815 of this Code; or

18 (B) operated in combination as an articulated
19 vehicle when the truck in the combination is
20 registered for 12,000 lbs. or less as a covered farm
21 vehicle under subsections (a) and (a-5) of Section
22 3-815 of this Code or subsection (a) of Section 3-818
23 of this Code and contains in the cab of the motor
24 vehicle a registration designating the vehicle as a
25 covered farm vehicle under subsections (a) and (a-5)
26 of Section 3-815 of this Code and the trailer in the

1 combination is registered as a farm trailer under
2 subsection (a) of Section 3-819 of this Code and
3 displays a farm registration license plate; or

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

13 (4) is not used in for-hire motor carrier operations;
14 however, for-hire motor carrier operations do not include
15 the operation of a vehicle meeting the definition of a
16 covered farm vehicle by a tenant pursuant to a crop share
17 farm lease agreement to transport the landlord's portion
18 of the crops under that agreement; and

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

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

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

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

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

7 "Department" means the Illinois State Police.

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

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

16 "Livestock" means cattle, sheep, goats, swine, poultry
17 (including egg-producing poultry), fish used for food, and
18 other animals designated by the Secretary of the United States
19 Department of Transportation (at his or her sole discretion)
20 that are part of a foundation herd (including producing dairy
21 cattle) or offspring.

22 "Officer" means Illinois State Police Officer.

23 "Person" means any natural person or individual,
24 governmental body, firm, association, partnership,
25 copartnership, joint venture, company, corporation, joint
26 stock company, trust, estate, or any other legal entity or

1 their legal representative, agent, or assigns.

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

3 (625 ILCS 5/18b-102) (from Ch. 95 1/2, par. 18b-102)

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

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

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

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

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

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

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

9 (625 ILCS 5/18b-104) (from Ch. 95 1/2, par. 18b-104)

10 Sec. 18b-104. Cooperation with State Agencies - Records
11 and Data - Availability. The Department shall cooperate with
12 other State agencies regulating transportation by motor
13 vehicles and may enter into interagency agreements for the
14 purpose of sharing data. ~~The Department shall enter into an~~
15 ~~interagency agreement with the Illinois State Police for the~~
16 ~~purpose of enforcing any provisions of this Chapter and the~~
17 ~~rules and regulations issued under this Chapter.~~

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

19 (625 ILCS 5/18b-104.5 new)

20 Sec. 18b-104.5. Personnel transfers. The personnel
21 responsible for administering this Chapter are transferred
22 from the transferring agency designated by the Governor to the
23 Illinois State Police. The status and rights of the employees
24 and the State or its transferring agency under the Personnel

1 Code, the Illinois Public Labor Relations Act, and applicable
2 collective bargaining agreements or under any pension,
3 retirement, or annuity plan shall not be affected by this
4 amendatory Act of the 103rd General Assembly. Under the
5 direction of the Governor, the Director, in consultation with
6 the transferring agencies and labor organizations representing
7 the affected employees, shall identify each position and
8 employee who is engaged in the performance of functions
9 transferred to the Department, or engaged in the
10 administration of a law the administration of which is
11 transferred to the Department, to be transferred to the
12 Department. An employee engaged primarily in providing
13 administrative and investigative support to the Illinois Motor
14 Carrier Safety Assistance Program may be considered engaged in
15 the performance of functions transferred to the Department.

16 (625 ILCS 5/18b-109) (from Ch. 95 1/2, par. 18b-109)

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

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

24 Section 99. Effective date. This Act takes effect July 1,
25 2023.