

HB1549**98TH GENERAL ASSEMBLY****State of Illinois****2013 and 2014****HB1549**

by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:20 ILCS 2705/2705-200
605 ILCS 5/4-303was 20 ILCS 2705/49.16
from Ch. 121, par. 4-303

Amends the Illinois Vehicle Code. Directs the Department of Transportation to establish a Technical Advisory Group that will determine performance measures for all future transportation infrastructure projects. Provides that the Department of Transportation and the Technical Advisory Group shall develop prioritization and performance standards with input from local Metropolitan Planning Groups. Requires the Department of Transportation to report its findings in fiscal year 2014 and implement the plan beginning in fiscal year 2015. Effective immediately.

LRB098 07443 MLW 37511 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 Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 2705-200 as follows:

7 (20 ILCS 2705/2705-200) (was 20 ILCS 2705/49.16)

8 Sec. 2705-200. Master plan; reporting requirements.

9 (a) The Department has the power to develop and maintain a
10 continuing, comprehensive, and integrated planning process
11 that shall develop and periodically revise a statewide master
12 plan for transportation to guide program development and to
13 foster efficient and economical transportation services in
14 ground, air, water, and all other modes of transportation
15 throughout the State. The Department shall coordinate its
16 transportation planning activities with those of other State
17 agencies and authorities and shall supervise and review any
18 transportation planning performed by other Executive agencies
19 under the direction of the Governor. The Department shall
20 cooperate and participate with federal, regional, interstate,
21 State, and local agencies, in accordance with Sections 5-301
22 and 7-301 of the Illinois Highway Code, and with interested
23 private individuals and organizations in the coordination of

1 plans and policies for development of the state's
2 transportation system.

3 To meet the provisions of this Section, the Department
4 shall publish and deliver to the Governor and General Assembly
5 by December 31, 2012 and every 5 years thereafter, its master
6 plan for highway, waterway, aeronautic, mass transportation,
7 and railroad systems. The plan shall identify priority
8 subsystems or components of each system that are critical to
9 the economic and general welfare of this State regardless of
10 public jurisdictional responsibility or private ownership.

11 The master plan shall include a comprehensive and
12 multimodal freight mobility plan which shall analyze commodity
13 flows, assess the freight transportation network, and identify
14 significant freight system trends, needs, and economic
15 opportunities. It shall recommend improvements in the
16 operation and management of the freight system, projects that
17 will eliminate inefficiencies in the State's freight network,
18 methods of funding needed for freight system improvements, and
19 policies to ensure the safe, reliable, and efficient movement
20 of goods within and through the State and to ensure the State's
21 economic vitality. The freight mobility plan shall incorporate
22 and maintain compatibility with any federally required rail
23 plan affecting this State.

24 The master plan shall provide particular emphasis and
25 detail of at least the 5-year period in the immediate future.

26 Annual and 5-year, or longer, project programs for each

1 State system in this Section shall be published and furnished
2 the General Assembly on the first Wednesday in April of each
3 year.

4 Identified needs included in the project programs shall be
5 listed and mapped in a distinctive fashion to clearly identify
6 the priority status of the projects: (1) projects to be
7 committed for execution; (2) tentative projects that are
8 dependent upon funding or other constraints; and (3) needed
9 projects that are not programmed due to lack of funding or
10 other constraints.

11 All projects shall be related to the priority systems of
12 the master plan, and the priority criteria identified. Cost and
13 estimated completion dates shall be included for work required
14 to complete a useable segment or component beyond the period of
15 the program.

16 The master plan shall include the documentation and
17 information required pursuant to Section 4-303(b) of the
18 Illinois Highway Code.

19 (b) The Department shall publish and deliver to the
20 Governor and General Assembly on the first Wednesday in April
21 of each year a 5-year, or longer, Highway Improvement Program
22 reporting the number of fiscal years each project has been on
23 previous plans submitted by the Department.

24 (c) The Department shall publish and deliver to the
25 Governor and the General Assembly by November 1 of each year a
26 For the Record report that shall include the following:

1 (1) All the projects accomplished in the previous
2 fiscal year listed by each Illinois Department of
3 Transportation District.

4 (2) The award cost and the beginning dates of each
5 listed project.

6 (Source: P.A. 97-32, eff. 6-28-11.)

7 Section 10. The Illinois Highway Code is amended by
8 changing Section 4-303 as follows:

9 (605 ILCS 5/4-303) (from Ch. 121, par. 4-303)

10 Sec. 4-303.

11 (a) Investigations made by the Department to determine the
12 reasonably anticipated future need for federal aid highways and
13 State highways may include, but shall not be limited to, the
14 making of traffic surveys, the study of transportation
15 facilities, research concerning the development of the several
16 areas within this State and contiguous territory as affected by
17 growth and changes in population and economic activity and the
18 collection and review of data relating to all factors affecting
19 the judicious planning of construction, improvement and
20 maintenance of highways. Such investigations may also be
21 conducted in cooperation with counties, municipalities, the
22 United States, sister states, agencies of any such governments
23 or other persons in pursuance of agreements to share the cost
24 thereof. The Department is authorized to enter into such

1 agreements.

2 (b) Guidelines.

3 (1) Purpose. The purpose of this subsection is to
4 ensure that transportation infrastructure projects in the
5 State of Illinois foster long-term state and local economic
6 development and enhance the quality of life for Illinois
7 residents. It is the intent of the General Assembly to
8 provide a statewide, data-rich, outcomes-based,
9 transparent, and accountable approach to prioritizing
10 transportation infrastructure projects so that public
11 funds are used effectively for these transportation
12 projects and allocated based on defined performance
13 criteria. Accordingly, as provided in this subsection, all
14 transportation funds appropriated by the State, including,
15 but not limited to, appropriations from the Road Fund,
16 State Construction Account Fund, Capital Projects Fund,
17 and transportation bond funds shall be allocated based on
18 plans submitted by the Metropolitan Planning Organizations
19 for their areas of jurisdiction and the annual and
20 multi-year highway improvement programs prescribed by the
21 Illinois Highway Code and federal law. This subsection
22 shall not apply to (i) any grant programs administered by
23 the Department of Natural Resources, (ii) any funds
24 administered by the Department of Commerce and Economic
25 Opportunity that support local transportation improvements
26 as part of an economic development project, or (iii) any

1 monies distributed to local government entities pursuant
2 to item (2) of subsection (e) of Section 8 of the Motor
3 Fuel Tax Law.

4 (2) Scope. For purposes of this subsection,
5 transportation infrastructure projects shall include,
6 without limitation, projects for highways maintenance,
7 highway modernization, highway expansion, transit, and
8 high-speed rail.

9 (3) Project Selection Process. The Department shall
10 develop and utilize a process for the selection of
11 transportation infrastructure projects that is based on
12 defined performance measures established under this
13 subsection. The strategic prioritization process to
14 develop these performance measures shall be systematic and
15 data-driven and shall include input from the Metropolitan
16 Planning Organization having jurisdiction over the
17 proposed project.

18 (4) Technical Advisory Group. To develop the
19 performance measures required by this subsection, the
20 Department shall establish and convene a Technical
21 Advisory Group consisting of representatives from the
22 Department, the State's Metropolitan Planning
23 Organizations, and other appropriate partners. The
24 Technical Advisory Group shall establish performance
25 measures for transportation infrastructure projects,
26 formalize the input of Metropolitan Planning Organizations

1 in the evaluation and prioritization of transportation
2 infrastructure projects, and establish a methodology to
3 measure funding decisions for transportation
4 infrastructure projects against the performance measures
5 established under this subsection.

6 (5) Performance Measures. The performance measures
7 established under this subsection shall, at a minimum,
8 include the following criteria: (i) improving access and
9 mobility for users, (ii) preserving and managing the
10 existing transportation system, (iii) supporting
11 multi-modal choices, (iv) maximizing social equity
12 benefits of transportation investments, (v) fostering
13 safety, (vi) coordination of current long-range plans,
14 (vii) improving the environment, (viii) reducing
15 congestion by improving the movement of people, (ix)
16 fostering economic development, (x) improving quality of
17 life, (xi) moving a growing, diverse and active population,
18 and (xii) ensuring transparency and accountability.

19 (6) Initial Report. The initial report of the Technical
20 Advisory Group shall, at a minimum, include
21 recommendations to: (i) specifically define transportation
22 infrastructure projects consistent with this subsection,
23 (ii) establish and clearly identify the performance
24 standards required under this subsection, (iii) establish
25 a protocol for how the established performance measures
26 will be used to evaluate, measure, and prioritize

1 transportation infrastructure projects, and (iv) establish
2 a process to ensure qualitative input on the evaluation and
3 prioritization of projects from, among others,
4 Metropolitan Planning Organizations. The Technical
5 Advisory Group shall provide its initial report to the
6 Secretary of Transportation pursuant to this subsection no
7 later than the end of Fiscal Year 2014. The Secretary of
8 Transportation shall report these recommendations to the
9 General Assembly no later than September 1, 2014.

10 (7) Master Plan. The Department shall implement the
11 Technical Advisory Group's recommendations beginning in
12 Fiscal Year 2015. Beginning in Fiscal Year 2015 and in
13 every year thereafter, the Department shall include as part
14 of its multi-year highway improvement program an analysis
15 and related documentation detailing how performance
16 measures established under this subsection were applied in
17 the development of the program and how these performance
18 measures were applied to prioritization and funding
19 decisions. This documentation shall include a list of the
20 performance criteria used, a description of how each
21 performance criterion is weighted, and a copy of the plan
22 received from the Metropolitan Planning Organization
23 having jurisdiction over the project. This documentation
24 shall be included as a part of the multiyear highway
25 improvement program.

26 (Source: Laws 1959, p. 196.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.