

# SB1608



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1608

Introduced 2/4/2025, by Sen. Rachel Ventura

### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.1030 new

Creates the Cargo Transportation Fee Act. Provides that the corporate authorities of a municipality or a county may impose a fee upon interstate carriers and intrastate carriers that (i) transport by common carrier tangible personal property in the State, (ii) transport that tangible personal property for the purpose of selling that tangible personal property at retail, and (iii) receive tangible personal property directly from an intermodal facility that is located in the municipality or county that enacts the ordinance. Sets forth the amount of the fee. Provides that 95% of the proceeds from the fee shall be deposited into the Cargo Transportation Fee Fund and 5% of the proceeds shall be deposited into the Motor Carrier Safety Inspection Fund. Amends the State Finance Act to create the Cargo Transportation Fee Fund and sets forth the uses for that Fund.

LRB104 09851 HLH 19919 b

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 1. Short title. This Act may be cited as the Cargo  
5 Transportation Fee Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Revenue.

8 "Commercial motor vehicle" has the meaning given to that  
9 term in Section 18b-101 of the Illinois Vehicle Code.

10 "Intermodal facility" means a facility that provides for  
11 the transfer of freight from one mode of transportation to  
12 another. "Intermodal facility" does not include an airport.

13 "Interstate carrier" has the meaning given to that term in  
14 Section 18c-1104 of the Illinois Vehicle Code.

15 "Intrastate carrier" has the meaning given to that term in  
16 Section 18c-1104 of the Illinois Vehicle Code.

17 Section 10. Fee. On and after January 1, 2026, the  
18 corporate authorities of a municipality or, if the intermodal  
19 facility is located in an unincorporated area of a county, a  
20 county may enact, by ordinance, a fee upon each entity that is  
21 an interstate carrier or an intrastate carrier and that (i)  
22 transports by common carrier tangible personal property in the

1 State, (ii) transports that tangible personal property for the  
2 purpose of selling that tangible personal property at retail,  
3 and (iii) receives tangible personal property directly from an  
4 intermodal facility that is located in the municipality or  
5 county that enacts the ordinance. The fee shall be imposed  
6 each time a commercial motor vehicle owned by a qualified  
7 interstate carrier or a qualified intrastate carrier receives  
8 tangible personal property directly from an intermodal  
9 facility that is located in the municipality or county that  
10 enacts an ordinance under this Section. If the intermodal  
11 facility is located in more than one municipality, more than  
12 one county, or in a municipality and an unincorporated area of  
13 a county, then only the municipality or county containing the  
14 majority of the intermodal facility may impose the fee under  
15 this Section on that intermodal facility. The fee is imposed  
16 in the following amounts:

17 (1) \$0.50 for each such commercial motor vehicle with  
18 a gross weight vehicle and load of 12,000 pounds or less;

19 (2) \$1 for each such commercial motor vehicle with a  
20 gross weight vehicle and load of 12,001 to 16,000 pounds;

21 (3) \$1.50 for each such commercial motor vehicle with  
22 a gross weight vehicle and load of 16,001 to 20,000  
23 pounds;

24 (4) \$2 for each such commercial motor vehicle with a  
25 gross weight vehicle and load of 20,001 to 24,000 pounds;

26 (5) \$2.50 for each such commercial motor vehicle with

1 a gross weight vehicle and load of 24,001 to 28,000  
2 pounds;

3 (6) \$3 for each such commercial motor vehicle with a  
4 gross weight vehicle and load of 28,001 to 32,000 pounds;

5 (7) \$3.50 for each such commercial motor vehicle with  
6 a gross weight vehicle and load of 32,001 to 36,000  
7 pounds;

8 (8) \$4 for each such commercial motor vehicle with a  
9 gross weight vehicle and load of 36,001 to 40,000 pounds;

10 (9) \$4.50 for each such commercial motor vehicle with  
11 a gross weight vehicle and load of 40,001 to 45,000  
12 pounds;

13 (10) \$5 for each such commercial motor vehicle with a  
14 gross weight vehicle and load of 45,001 to 54,999 pounds;

15 (11) \$5.50 for each such commercial motor vehicle with  
16 a gross weight vehicle and load of 55,000 to 59,500  
17 pounds;

18 (12) \$6 for each such commercial motor vehicle with a  
19 gross weight vehicle and load of 59,501 to 64,000 pounds;

20 (13) \$6.50 for each such commercial motor vehicle with  
21 a gross weight vehicle and load of 64,001 to 73,280  
22 pounds;

23 (14) \$7 for each such commercial motor vehicle with a  
24 gross weight vehicle and load of 73,281 to 77,000 pounds;

25 (15) \$7.50 for each such commercial motor vehicle with  
26 a gross weight vehicle and load of 77,001 to 80,000

1 pounds; and

2 (16) \$8 for each such commercial motor vehicle with a  
3 gross weight vehicle and load of 80,001 pounds or more.

4 Section 15. Returns.

5 (a) Except as otherwise provided in this Section, on or  
6 before the 15th day of each month, each interstate or  
7 intrastate carrier that is liable for the payment of the fee  
8 under this Act shall make a return to the Department for the  
9 preceding calendar month stating:

10 (1) the name of the interstate or intrastate carrier;

11 (2) the address of the carrier's principal place of  
12 business;

13 (3) the amount of the fee imposed under this Act; and

14 (4) such other reasonable information as the  
15 Department may require.

16 (b) Any person required to make payments under this Act  
17 may make the payments by electronic funds transfer. The  
18 Department shall adopt rules necessary to effectuate a program  
19 of electronic funds transfer.

20 (c) If the person's average monthly liability to the  
21 Department under this Act does not exceed \$100, the Department  
22 may authorize the person's returns to be filed on a quarter  
23 annual basis, with the return for January, February, and March  
24 of a given year being due by April 30 of that year; with the  
25 return for April, May, and June of a given year being due by

1 July 31 of that year; with the return for July, August, and  
2 September of a given year being due by October 31 of that year,  
3 and with the return for October, November, and December of a  
4 given year being due by January 31 of the following year.

5 (d) If the person's average monthly liability to the  
6 Department under this Act does not exceed \$20, the Department  
7 may authorize the person's returns to be filed on an annual  
8 basis, with the return for a given year being due by January 31  
9 of the following year.

10 (e) The interstate or intrastate carrier making the return  
11 provided for in this Section shall, at the time of making that  
12 return, pay to the Department the amount of the fee imposed by  
13 this Act.

14 Section 20. Incorporation of Retailers' Occupation Tax  
15 Act. All of the provisions of Sections 4, 5, 5a, 5b, 5c, 5d,  
16 5e, 5f, 5g, 5i, 5j, 6b, and 6c of the Retailers' Occupation Tax  
17 Act that are not inconsistent with this Act, and Section 3-7 of  
18 the Uniform Penalty and Interest Act shall apply, as far as  
19 practicable, to the subject matter of this Act to the same  
20 extent as if such provisions were included in this Act.  
21 References in those incorporated Sections of the Retailers'  
22 Occupation Tax Act to retailers, to sellers, or to persons  
23 engaged in the business of selling tangible personal property  
24 mean interstate carriers or intrastate carriers for the  
25 purpose of this Act.

1 Section 25. Distribution of proceeds.

2 (a) Of the proceeds from the fee imposed by this Act, 95%  
3 shall be deposited into the Cargo Transportation Fee Fund, a  
4 special fund created in the State treasury. Moneys in the Fund  
5 shall be used by the Department of Transportation for road  
6 projects involving State and local roadways that are used as  
7 trucking routes and that are located within 5 miles of an  
8 intermodal facility that has a fee imposed under this Act.  
9 Moneys deposited into the Cargo Transportation Fee Fund as a  
10 result of a fee imposed under this Act by a particular  
11 municipality or county shall be used for road projects in that  
12 particular municipality or county. In addition, when  
13 distributing moneys from the Cargo Transportation Fee Fund,  
14 the Department of Transportation shall prioritize road  
15 projects based on the amount of damage to the roadway that  
16 needs to be corrected.

17 (b) Of the proceeds from the fee imposed by this Act, 5%  
18 shall be deposited into the Motor Carrier Safety Inspection  
19 Fund to be used by the Illinois State Police for motor carrier  
20 safety enforcement within 20 miles of an intermodal facility  
21 that has a fee imposed under this Act.

22 Section 30. Rules. The Department shall adopt rules to  
23 implement and administer this Act.

1           Section 35. The State Finance Act is amended by adding  
2           Section 5.1030 as follows:

3           (30 ILCS 105/5.1030 new)

4           Sec. 5.1030. The Cargo Transportation Fee Fund.