



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1138

Introduced 02/07/11, by Rep. Karen May

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-605

from Ch. 95 1/2, par. 11-605

Amends the Illinois Vehicle Code. Provides that before new school zone speed limit signs may be erected, the principal of any schools within 2,000 feet of the proposed location of the new signs and the chief of the local law enforcement agency must be notified. Provides that if either a principal or police chief requests that the school zone boundaries be revised, the body having jurisdiction over the roadway shall host a public hearing on the proposed boundaries at the relevant school at a time convenient for school parents to attend. Provides that such hearings shall be conducted no earlier than 10 days and no later than 30 days following the receipt of the request for revised school zone boundaries and that there shall be at least 10 days notice of the hearing. Provides that in lieu of a hearing, the boundaries may be revised in accordance with the request. Effective immediately.

LRB097 05470 HEP 45529 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 Illinois Vehicle Code is amended by changing  
5 Section 11-605 as follows:

6 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

7 Sec. 11-605. Special speed limit while passing schools.

8 (a) For the purpose of this Section, "school" means the  
9 following entities:

10 (1) A public or private primary or secondary school.

11 (2) A primary or secondary school operated by a  
12 religious institution.

13 (3) A public, private, or religious nursery school.

14 On a school day when school children are present and so  
15 close thereto that a potential hazard exists because of the  
16 close proximity of the motorized traffic, no person shall drive  
17 a motor vehicle at a speed in excess of 20 miles per hour while  
18 passing a school zone or while traveling on a roadway on public  
19 school property or upon any public thoroughfare where children  
20 pass going to and from school.

21 For the purpose of this Section a school day shall begin at  
22 seven ante meridian and shall conclude at four post meridian.

23 This Section shall not be applicable unless appropriate

1 signs are posted upon streets and highways under their  
2 respective jurisdiction and maintained by the Department,  
3 township, county, park district, city, village or incorporated  
4 town wherein the school zone is located. With regard to the  
5 special speed limit while passing schools, such signs shall  
6 give proper due warning that a school zone is being approached  
7 and shall indicate the school zone and the maximum speed limit  
8 in effect during school days when school children are present.

9 (a-5) Before erecting any new signs regulating speed  
10 pursuant to this Section or a similar local ordinance, the body  
11 having jurisdiction over a roadway shall notify the principal  
12 of any schools within 2,000 feet of the proposed location of  
13 the new signs and the chief of the local law enforcement  
14 agency. If a principal or police chief, having been notified of  
15 the proposed new signs, provides the jurisdiction with a  
16 request to revise the boundaries of the school zone, the  
17 jurisdiction shall host a public hearing on the proposed  
18 boundaries. The hearing shall be held at the relevant school at  
19 a time convenient for school parents to attend, no earlier than  
20 10 days and no later than 30 days following the receipt of the  
21 request for revised school zone boundaries. Notice of the  
22 hearing shall be posted at the school for a period of at least  
23 10 days. Nothing in this Section shall prohibit the  
24 jurisdiction from revising the boundaries in accordance with  
25 the request in lieu of a public hearing. Nothing in this  
26 Section shall prohibit forms of public notice in addition to

1 those required by this Section.

2 (b) (Blank).

3 (c) Nothing in this Chapter shall prohibit the use of  
4 electronic speed-detecting devices within 500 feet of signs  
5 within a special school speed zone indicating such zone, as  
6 defined in this Section, nor shall evidence obtained thereby be  
7 inadmissible in any prosecution for speeding provided the use  
8 of such device shall apply only to the enforcement of the speed  
9 limit in such special school speed zone.

10 (d) (Blank).

11 (e) A first violation of this Section is a petty offense  
12 with a minimum fine of \$150. A second or subsequent violation  
13 of this Section is a petty offense with a minimum fine of \$300.

14 (f) When a fine for a violation of subsection (a) is \$150  
15 or greater, the person who violates subsection (a) shall be  
16 charged an additional \$50 to be paid to the unit school  
17 district where the violation occurred for school safety  
18 purposes. If the violation occurred in a dual school district,  
19 \$25 of the surcharge shall be paid to the elementary school  
20 district for school safety purposes and \$25 of the surcharge  
21 shall be paid to the high school district for school safety  
22 purposes. Notwithstanding any other provision of law, the  
23 entire \$50 surcharge shall be paid to the appropriate school  
24 district or districts.

25 For purposes of this subsection (f), "school safety  
26 purposes" includes the costs associated with school zone safety

1 education, the Safe Routes to School Program under Section  
2 2705-317 of the Department of Transportation Law of the Civil  
3 Administrative Code of Illinois, safety programs within the  
4 School Safety and Educational Improvement Block Grant Program  
5 under Section 2-3.51.5 of the School Code, and the purchase,  
6 installation, and maintenance of caution lights which are  
7 mounted on school speed zone signs.

8 (g) (Blank).

9 (h) (Blank).

10 (Source: P.A. 96-52, eff. 7-23-09.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.