

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 Highway Code is amended by adding
5 Section 6-801.5 as follows:

6 (605 ILCS 5/6-801.5 new)

7 Sec. 6-801.5. Township road district; private roadway
8 acquisition.

9 (a) An owner of real property that (1) is located within
10 the unincorporated boundaries of a township road district; and
11 (2) has a residential roadway considered to be a private
12 roadway, may transfer title to the roadway and any necessary
13 easements to the township road district. Subject to approval by
14 the township board of trustees, the highway commissioner shall
15 formalize the transfer by entering into a binding written
16 agreement with the owner or owners of the private roadway on
17 behalf of the township road district. The agreement may include
18 a provision for allocation of initial costs and fees for the
19 construction or repair of the roadway at the time of transfer
20 between the property owner or owners and the township road
21 district. After approval of the agreement, the township board
22 of trustees shall notify all municipalities adjacent to the
23 roadway of the transfer and the written agreement shall be

1 filed with the township clerk and the Department's Central
2 Bureau of Local Roads and Streets.

3 (b) Upon the effective date of transfer and after any
4 initial costs and fees allocated under the written agreement,
5 the roadway shall be maintained, repaired, and serviced by the
6 township road district.

7 (c) Rules, specifications, and regulations regarding
8 location, width, grades, surface, and drainage structures
9 applicable to township road district roads that apply on the
10 date of the transfer shall not apply to a roadway transferred
11 under this Section.

12 (d) This Section shall only apply to areas that meet the
13 following qualifications:

14 (1) the roadway to be transferred shall be located
15 within the boundaries of a county whose population is no
16 less than 500,000 as determined by the most recent U.S.
17 Census;

18 (2) the roadway is fully within the boundaries of the
19 township road district; and

20 (3) the roadway may not be part of a gated community,
21 be subject to a guard post, have any physical obstructions,
22 or have any signs that prevent ongoing and regular access
23 by the general public.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.