



Sen. James F. Clayborne, Jr.

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1 AMENDMENT TO SENATE BILL 2647

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2647 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 3-400, 6-306.5, 11-208, 11-208.3, and 11-612  
6 and by adding Sections 1-141.5 and 11-208.10 as follows:

7 (625 ILCS 5/1-141.5 new)

8 Sec. 1-141.5. Manual traffic law enforcement system  
9 violation. A violation described in Section 11-208.10 of this  
10 Code.

11 (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

12 Sec. 3-400. Definitions. Notwithstanding the definitions  
13 set forth in Chapter 1 of this Act, for the purposes of this  
14 Article, the following words shall have the meaning ascribed to  
15 them as follows:

1 "Apportionable Fee" means any periodic recurring fee  
2 required for licensing or registering vehicles, such as, but  
3 not limited to, registration fees, license or weight fees.

4 "Apportionable Vehicle" means any vehicle, except  
5 recreational vehicles, vehicles displaying restricted plates,  
6 city pickup and delivery vehicles, buses used in transportation  
7 of chartered parties, and government owned vehicles that are  
8 used or intended for use in 2 or more member jurisdictions that  
9 allocate or proportionally register vehicles, in a fleet which  
10 is used for the transportation of persons for hire or the  
11 transportation of property and which has a gross vehicle weight  
12 in excess of 26,000 pounds; or has three or more axles  
13 regardless of weight; or is used in combination when the weight  
14 of such combination exceeds 26,000 pounds gross vehicle weight.  
15 Vehicles, or combinations having a gross vehicle weight of  
16 26,000 pounds or less and two-axle vehicles may be  
17 proportionally registered at the option of such owner.

18 "Base Jurisdiction" means, for purposes of fleet  
19 registration, the jurisdiction where the registrant has an  
20 established place of business, where operational records of the  
21 fleet are maintained and where mileage is accrued by the fleet.  
22 In case a registrant operates more than one fleet, and  
23 maintains records for each fleet in different places, the "base  
24 jurisdiction" for a fleet shall be the jurisdiction where an  
25 established place of business is maintained, where records of  
26 the operation of that fleet are maintained and where mileage is

1 accrued by that fleet.

2 "Operational Records" means documents supporting miles  
3 traveled in each jurisdiction and total miles traveled, such as  
4 fuel reports, trip leases, and logs.

5 "Owner" means a person who holds legal title of a motor  
6 vehicle, or in the event a motor vehicle is the subject of an  
7 agreement for the conditional sale or lease thereof with the  
8 right of purchase upon performance of the conditions stated in  
9 the agreement and with an immediate right of possession vested  
10 in the conditional vendee or lessee with right of purchase, or  
11 in the event a mortgagor of such motor vehicle is entitled to  
12 possession, or in the event a lessee of such motor vehicle is  
13 entitled to possession or control, then such conditional vendee  
14 or lessee with right of purchase or mortgagor or lessee is  
15 considered to be the owner for the purpose of this Act.

16 "Registration plate cover" means any tinted, colored,  
17 painted, marked, clear, or illuminated object that is designed  
18 to (i) cover any of the characters of a motor vehicle's  
19 registration plate; or (ii) distort a recorded image of any of  
20 the characters of a motor vehicle's registration plate recorded  
21 by a manual traffic law enforcement system, an automated  
22 enforcement system as defined in Section 11-208.6, 11-208.8, or  
23 11-1201.1 of this Code, or ~~recorded by~~ an automated traffic  
24 control system as defined in Section 15 of the Automated  
25 Traffic Control Systems in Highway Construction or Maintenance  
26 Zones Act.

1 "Rental Owner" means an owner principally engaged, with  
2 respect to one or more rental fleets, in renting to others or  
3 offering for rental the vehicles of such fleets, without  
4 drivers.

5 "Restricted Plates" shall include, but is not limited to,  
6 dealer, manufacturer, transporter, farm, reposessor, and  
7 permanently mounted type plates. Vehicles displaying any of  
8 these type plates from a foreign jurisdiction that is a member  
9 of the International Registration Plan shall be granted  
10 reciprocity but shall be subject to the same limitations as  
11 similar plated Illinois registered vehicles.

12 (Source: P.A. 98-463, eff. 8-16-13; 99-78, eff. 7-20-15.)

13 (625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

14 Sec. 6-306.5. Failure to pay fine or penalty for standing,  
15 parking, compliance, automated speed enforcement system,  
16 manual traffic law enforcement system, or automated traffic law  
17 violations; suspension of driving privileges.

18 (a) Upon receipt of a certified report, as prescribed by  
19 subsection (c) of this Section, from any municipality or county  
20 stating that the owner of a registered vehicle: (1) has failed  
21 to pay any fine or penalty due and owing as a result of 10 or  
22 more violations of a municipality's or county's vehicular  
23 standing, parking, or compliance regulations established by  
24 ordinance pursuant to Section 11-208.3 of this Code, (2) has  
25 failed to pay any fine or penalty due and owing as a result of 5

1 offenses for automated speed enforcement system violations,  
2 manual traffic law enforcement system violations, or automated  
3 traffic violations as defined in Sections 11-208.6, 11-208.8,  
4 11-208.9, 11-208.10, or 11-1201.1, or combination thereof, or  
5 (3) is more than 14 days in default of a payment plan pursuant  
6 to which a suspension had been terminated under subsection (c)  
7 of this Section, the Secretary of State shall suspend the  
8 driving privileges of such person in accordance with the  
9 procedures set forth in this Section. The Secretary shall also  
10 suspend the driving privileges of an owner of a registered  
11 vehicle upon receipt of a certified report, as prescribed by  
12 subsection (f) of this Section, from any municipality or county  
13 stating that such person has failed to satisfy any fines or  
14 penalties imposed by final judgments for 5 or more automated  
15 speed enforcement system, manual traffic law enforcement  
16 system, or automated traffic law violations, or combination  
17 thereof, or 10 or more violations of local standing, parking,  
18 or compliance regulations after exhaustion of judicial review  
19 procedures.

20 (b) Following receipt of the certified report of the  
21 municipality or county as specified in this Section, the  
22 Secretary of State shall notify the person whose name appears  
23 on the certified report that the person's drivers license will  
24 be suspended at the end of a specified period of time unless  
25 the Secretary of State is presented with a notice from the  
26 municipality or county certifying that the fine or penalty due

1 and owing the municipality or county has been paid or that  
2 inclusion of that person's name on the certified report was in  
3 error. The Secretary's notice shall state in substance the  
4 information contained in the municipality's or county's  
5 certified report to the Secretary, and shall be effective as  
6 specified by subsection (c) of Section 6-211 of this Code.

7 (c) The report of the appropriate municipal or county  
8 official notifying the Secretary of State of unpaid fines or  
9 penalties pursuant to this Section shall be certified and shall  
10 contain the following:

11 (1) The name, last known address as recorded with the  
12 Secretary of State, as provided by the lessor of the cited  
13 vehicle at the time of lease, or as recorded in a United  
14 States Post Office approved database if any notice sent  
15 under Section 11-208.3 of this Code is returned as  
16 undeliverable, and drivers license number of the person who  
17 failed to pay the fine or penalty or who has defaulted in a  
18 payment plan and the registration number of any vehicle  
19 known to be registered to such person in this State.

20 (2) The name of the municipality or county making the  
21 report pursuant to this Section.

22 (3) A statement that the municipality or county sent a  
23 notice of impending drivers license suspension as  
24 prescribed by ordinance enacted pursuant to Section  
25 11-208.3 of this Code or a notice of default in a payment  
26 plan, to the person named in the report at the address

1 recorded with the Secretary of State or at the last address  
2 known to the lessor of the cited vehicle at the time of  
3 lease or, if any notice sent under Section 11-208.3 of this  
4 Code is returned as undeliverable, at the last known  
5 address recorded in a United States Post Office approved  
6 database; the date on which such notice was sent; and the  
7 address to which such notice was sent. In a municipality or  
8 county with a population of 1,000,000 or more, the report  
9 shall also include a statement that the alleged violator's  
10 State vehicle registration number and vehicle make, if  
11 specified on the automated speed enforcement system  
12 violation, manual traffic law enforcement system  
13 violation, or automated traffic law violation notice, are  
14 correct as they appear on the citations.

15 (4) A unique identifying reference number for each  
16 request of suspension sent whenever a person has failed to  
17 pay the fine or penalty or has defaulted on a payment plan.

18 (d) Any municipality or county making a certified report to  
19 the Secretary of State pursuant to this Section shall notify  
20 the Secretary of State, in a form prescribed by the Secretary,  
21 whenever a person named in the certified report has paid the  
22 previously reported fine or penalty, whenever a person named in  
23 the certified report has entered into a payment plan pursuant  
24 to which the municipality or county has agreed to terminate the  
25 suspension, or whenever the municipality or county determines  
26 that the original report was in error. A certified copy of such

1 notification shall also be given upon request and at no  
2 additional charge to the person named therein. Upon receipt of  
3 the municipality's or county's notification or presentation of  
4 a certified copy of such notification, the Secretary of State  
5 shall terminate the suspension.

6 (e) Any municipality or county making a certified report to  
7 the Secretary of State pursuant to this Section shall also by  
8 ordinance establish procedures for persons to challenge the  
9 accuracy of the certified report. The ordinance shall also  
10 state the grounds for such a challenge, which may be limited to  
11 (1) the person not having been the owner or lessee of the  
12 vehicle or vehicles receiving 10 or more standing, parking, or  
13 compliance violation notices or a combination of 5 or more  
14 automated speed enforcement system, manual traffic law  
15 enforcement system, or automated traffic law violations on the  
16 date or dates such notices were issued; and (2) the person  
17 having already paid the fine or penalty for the 10 or more  
18 standing, parking, or compliance violations or combination of 5  
19 or more automated speed enforcement system or automated traffic  
20 law violations indicated on the certified report.

21 (f) Any municipality or county, other than a municipality  
22 or county establishing vehicular standing, parking, and  
23 compliance regulations pursuant to Section 11-208.3, automated  
24 speed enforcement system regulations under Section 11-208.8,  
25 manual traffic law enforcement system regulations under  
26 Section 11-208.10, or automated traffic law regulations under



1 Section 11-208.6, 11-208.9, or 11-1201.1, may also cause a  
2 suspension of a person's drivers license pursuant to this  
3 Section. Such municipality or county may invoke this sanction  
4 by making a certified report to the Secretary of State upon a  
5 person's failure to satisfy any fine or penalty imposed by  
6 final judgment for 10 or more violations of local standing,  
7 parking, or compliance regulations or a combination of 5 or  
8 more automated speed enforcement system, manual traffic law  
9 enforcement system, or automated traffic law violations after  
10 exhaustion of judicial review procedures, but only if:

11 (1) the municipality or county complies with the  
12 provisions of this Section in all respects except in regard  
13 to enacting an ordinance pursuant to Section 11-208.3;

14 (2) the municipality or county has sent a notice of  
15 impending drivers license suspension as prescribed by an  
16 ordinance enacted pursuant to subsection (g) of this  
17 Section; and

18 (3) in municipalities or counties with a population of  
19 1,000,000 or more, the municipality or county has verified  
20 that the alleged violator's State vehicle registration  
21 number and vehicle make are correct as they appear on the  
22 citations.

23 (g) Any municipality or county, other than a municipality  
24 or county establishing standing, parking, and compliance  
25 regulations pursuant to Section 11-208.3, automated speed  
26 enforcement system regulations under Section 11-208.8, manual

1 traffic law enforcement system regulations under Section  
2 11-208.10, or automated traffic law regulations under Section  
3 11-208.6, 11-208.9, or 11-1201.1, may provide by ordinance for  
4 the sending of a notice of impending drivers license suspension  
5 to the person who has failed to satisfy any fine or penalty  
6 imposed by final judgment for 10 or more violations of local  
7 standing, parking, or compliance regulations or a combination  
8 of 5 or more automated speed enforcement system, manual traffic  
9 law enforcement, or automated traffic law violations after  
10 exhaustion of judicial review procedures. An ordinance so  
11 providing shall specify that the notice sent to the person  
12 liable for any fine or penalty shall state that failure to pay  
13 the fine or penalty owing within 45 days of the notice's date  
14 will result in the municipality or county notifying the  
15 Secretary of State that the person's drivers license is  
16 eligible for suspension pursuant to this Section. The notice of  
17 impending drivers license suspension shall be sent by first  
18 class United States mail, postage prepaid, to the address  
19 recorded with the Secretary of State or at the last address  
20 known to the lessor of the cited vehicle at the time of lease  
21 or, if any notice sent under Section 11-208.3 of this Code is  
22 returned as undeliverable, to the last known address recorded  
23 in a United States Post Office approved database.

24 (h) An administrative hearing to contest an impending  
25 suspension or a suspension made pursuant to this Section may be  
26 had upon filing a written request with the Secretary of State.

1 The filing fee for this hearing shall be \$20, to be paid at the  
2 time the request is made. A municipality or county which files  
3 a certified report with the Secretary of State pursuant to this  
4 Section shall reimburse the Secretary for all reasonable costs  
5 incurred by the Secretary as a result of the filing of the  
6 report, including but not limited to the costs of providing the  
7 notice required pursuant to subsection (b) and the costs  
8 incurred by the Secretary in any hearing conducted with respect  
9 to the report pursuant to this subsection and any appeal from  
10 such a hearing.

11 (i) The provisions of this Section shall apply on and after  
12 January 1, 1988.

13 (j) For purposes of this Section, the term "compliance  
14 violation" is defined as in Section 11-208.3.

15 (Source: P.A. 97-333, eff. 8-12-11; 97-672, eff. 7-1-12;  
16 98-556, eff. 1-1-14.)

17 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

18 (Text of Section before amendment by P.A. 100-352)

19 Sec. 11-208. Powers of local authorities.

20 (a) The provisions of this Code shall not be deemed to  
21 prevent local authorities with respect to streets and highways  
22 under their jurisdiction and within the reasonable exercise of  
23 the police power from:

24 1. Regulating the standing or parking of vehicles,  
25 except as limited by Sections 11-1306 and 11-1307 of this

1 Act;

2 2. Regulating traffic by means of police officers or  
3 traffic control signals;

4 3. Regulating or prohibiting processions or  
5 assemblages on the highways; and certifying persons to  
6 control traffic for processions or assemblages;

7 4. Designating particular highways as one-way highways  
8 and requiring that all vehicles thereon be moved in one  
9 specific direction;

10 5. Regulating the speed of vehicles in public parks  
11 subject to the limitations set forth in Section 11-604;

12 6. Designating any highway as a through highway, as  
13 authorized in Section 11-302, and requiring that all  
14 vehicles stop before entering or crossing the same or  
15 designating any intersection as a stop intersection or a  
16 yield right-of-way intersection and requiring all vehicles  
17 to stop or yield the right-of-way at one or more entrances  
18 to such intersections;

19 7. Restricting the use of highways as authorized in  
20 Chapter 15;

21 8. Regulating the operation of bicycles, low-speed  
22 electric bicycles, and low-speed gas bicycles, and  
23 requiring the registration and licensing of same,  
24 including the requirement of a registration fee;

25 9. Regulating or prohibiting the turning of vehicles or  
26 specified types of vehicles at intersections;

1           10. Altering the speed limits as authorized in Section  
2 11-604;

3           11. Prohibiting U-turns;

4           12. Prohibiting pedestrian crossings at other than  
5 designated and marked crosswalks or at intersections;

6           13. Prohibiting parking during snow removal operation;

7           14. Imposing fines in accordance with Section  
8 11-1301.3 as penalties for use of any parking place  
9 reserved for persons with disabilities, as defined by  
10 Section 1-159.1, or veterans with disabilities by any  
11 person using a motor vehicle not bearing registration  
12 plates specified in Section 11-1301.1 or a special decal or  
13 device as defined in Section 11-1301.2 as evidence that the  
14 vehicle is operated by or for a person with disabilities or  
15 a veteran with a disability;

16           15. Adopting such other traffic regulations as are  
17 specifically authorized by this Code; or

18           16. Enforcing the provisions of subsection (f) of  
19 Section 3-413 of this Code or a similar local ordinance.

20           (b) No ordinance or regulation enacted under paragraph  
21 ~~subsections~~ 1, 4, 5, 6, 7, 9, 10, 11 or 13 of subsection  
22 ~~paragraph~~ (a) shall be effective until signs giving reasonable  
23 notice of such local traffic regulations are posted.

24           (c) The provisions of this Code shall not prevent any  
25 municipality having a population of 500,000 or more inhabitants  
26 from prohibiting any person from driving or operating any motor

1 vehicle upon the roadways of such municipality with headlamps  
2 on high beam or bright.

3 (d) The provisions of this Code shall not be deemed to  
4 prevent local authorities within the reasonable exercise of  
5 their police power from prohibiting, on private property, the  
6 unauthorized use of parking spaces reserved for persons with  
7 disabilities.

8 (e) No unit of local government, including a home rule  
9 unit, may enact or enforce an ordinance that applies only to  
10 motorcycles if the principal purpose for that ordinance is to  
11 restrict the access of motorcycles to any highway or portion of  
12 a highway for which federal or State funds have been used for  
13 the planning, design, construction, or maintenance of that  
14 highway. No unit of local government, including a home rule  
15 unit, may enact an ordinance requiring motorcycle users to wear  
16 protective headgear. Nothing in this subsection (e) shall  
17 affect the authority of a unit of local government to regulate  
18 motorcycles for traffic control purposes or in accordance with  
19 Section 12-602 of this Code. No unit of local government,  
20 including a home rule unit, may regulate motorcycles in a  
21 manner inconsistent with this Code. This subsection (e) is a  
22 limitation under subsection (i) of Section 6 of Article VII of  
23 the Illinois Constitution on the concurrent exercise by home  
24 rule units of powers and functions exercised by the State.

25 (e-5) The City of Chicago may enact an ordinance providing  
26 for a noise monitoring system upon any portion of the roadway

1 known as Lake Shore Drive. Twelve months after the installation  
2 of the noise monitoring system, and any time after the first  
3 report as the City deems necessary, the City of Chicago shall  
4 prepare a noise monitoring report with the data collected from  
5 the system and shall, upon request, make the report available  
6 to the public. For purposes of this subsection (e-5), "noise  
7 monitoring system" means an automated noise monitor capable of  
8 recording noise levels 24 hours per day and 365 days per year  
9 with computer equipment sufficient to process the data.

10 (f) A municipality or county designated in Section 11-208.6  
11 may enact an ordinance providing for an automated traffic law  
12 enforcement system to enforce violations of this Code or a  
13 similar provision of a local ordinance and imposing liability  
14 on a registered owner or lessee of a vehicle used in such a  
15 violation.

16 (g) A municipality or county, as provided in Section  
17 11-1201.1, may enact an ordinance providing for an automated  
18 traffic law enforcement system to enforce violations of Section  
19 11-1201 of this Code or a similar provision of a local  
20 ordinance and imposing liability on a registered owner of a  
21 vehicle used in such a violation.

22 (h) A municipality designated in Section 11-208.8 may enact  
23 an ordinance providing for an automated speed enforcement  
24 system to enforce violations of Article VI of Chapter 11 of  
25 this Code or a similar provision of a local ordinance.

26 (i) A municipality or county designated in Section 11-208.9

1 may enact an ordinance providing for an automated traffic law  
2 enforcement system to enforce violations of Section 11-1414 of  
3 this Code or a similar provision of a local ordinance and  
4 imposing liability on a registered owner or lessee of a vehicle  
5 used in such a violation.

6 (j) A municipality or county designated in Section  
7 11-208.10 may enact an ordinance providing for a manual traffic  
8 law enforcement system to enforce violations of Article VI of  
9 Chapter 11 of this Code or a similar provision of a local  
10 ordinance.

11 (Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18;  
12 100-257, eff. 8-22-17; revised 10-6-17.)

13 (Text of Section after amendment by P.A. 100-352)

14 Sec. 11-208. Powers of local authorities.

15 (a) The provisions of this Code shall not be deemed to  
16 prevent local authorities with respect to streets and highways  
17 under their jurisdiction and within the reasonable exercise of  
18 the police power from:

19 1. Regulating the standing or parking of vehicles,  
20 except as limited by Sections 11-1306 and 11-1307 of this  
21 Act;

22 2. Regulating traffic by means of police officers or  
23 traffic control signals;

24 3. Regulating or prohibiting processions or  
25 assemblages on the highways; and certifying persons to



1 control traffic for processions or assemblages;

2 4. Designating particular highways as one-way highways  
3 and requiring that all vehicles thereon be moved in one  
4 specific direction;

5 5. Regulating the speed of vehicles in public parks  
6 subject to the limitations set forth in Section 11-604;

7 6. Designating any highway as a through highway, as  
8 authorized in Section 11-302, and requiring that all  
9 vehicles stop before entering or crossing the same or  
10 designating any intersection as a stop intersection or a  
11 yield right-of-way intersection and requiring all vehicles  
12 to stop or yield the right-of-way at one or more entrances  
13 to such intersections;

14 7. Restricting the use of highways as authorized in  
15 Chapter 15;

16 8. Regulating the operation of bicycles, low-speed  
17 electric bicycles, and low-speed gas bicycles, and  
18 requiring the registration and licensing of same,  
19 including the requirement of a registration fee;

20 9. Regulating or prohibiting the turning of vehicles or  
21 specified types of vehicles at intersections;

22 10. Altering the speed limits as authorized in Section  
23 11-604;

24 11. Prohibiting U-turns;

25 12. Prohibiting pedestrian crossings at other than  
26 designated and marked crosswalks or at intersections;

1 13. Prohibiting parking during snow removal operation;

2 14. Imposing fines in accordance with Section  
3 11-1301.3 as penalties for use of any parking place  
4 reserved for persons with disabilities, as defined by  
5 Section 1-159.1, or veterans with disabilities by any  
6 person using a motor vehicle not bearing registration  
7 plates specified in Section 11-1301.1 or a special decal or  
8 device as defined in Section 11-1301.2 as evidence that the  
9 vehicle is operated by or for a person with disabilities or  
10 a veteran with a disability;

11 15. Adopting such other traffic regulations as are  
12 specifically authorized by this Code; or

13 16. Enforcing the provisions of subsection (f) of  
14 Section 3-413 of this Code or a similar local ordinance.

15 (b) No ordinance or regulation enacted under paragraph  
16 ~~subsections~~ 1, 4, 5, 6, 7, 9, 10, 11 or 13 of subsection  
17 ~~paragraph~~ (a) shall be effective until signs giving reasonable  
18 notice of such local traffic regulations are posted.

19 (c) The provisions of this Code shall not prevent any  
20 municipality having a population of 500,000 or more inhabitants  
21 from prohibiting any person from driving or operating any motor  
22 vehicle upon the roadways of such municipality with headlamps  
23 on high beam or bright.

24 (d) The provisions of this Code shall not be deemed to  
25 prevent local authorities within the reasonable exercise of  
26 their police power from prohibiting, on private property, the

1 unauthorized use of parking spaces reserved for persons with  
2 disabilities.

3 (e) No unit of local government, including a home rule  
4 unit, may enact or enforce an ordinance that applies only to  
5 motorcycles if the principal purpose for that ordinance is to  
6 restrict the access of motorcycles to any highway or portion of  
7 a highway for which federal or State funds have been used for  
8 the planning, design, construction, or maintenance of that  
9 highway. No unit of local government, including a home rule  
10 unit, may enact an ordinance requiring motorcycle users to wear  
11 protective headgear. Nothing in this subsection (e) shall  
12 affect the authority of a unit of local government to regulate  
13 motorcycles for traffic control purposes or in accordance with  
14 Section 12-602 of this Code. No unit of local government,  
15 including a home rule unit, may regulate motorcycles in a  
16 manner inconsistent with this Code. This subsection (e) is a  
17 limitation under subsection (i) of Section 6 of Article VII of  
18 the Illinois Constitution on the concurrent exercise by home  
19 rule units of powers and functions exercised by the State.

20 (e-5) The City of Chicago may enact an ordinance providing  
21 for a noise monitoring system upon any portion of the roadway  
22 known as Lake Shore Drive. Twelve months after the installation  
23 of the noise monitoring system, and any time after the first  
24 report as the City deems necessary, the City of Chicago shall  
25 prepare a noise monitoring report with the data collected from  
26 the system and shall, upon request, make the report available

1 to the public. For purposes of this subsection (e-5), "noise  
2 monitoring system" means an automated noise monitor capable of  
3 recording noise levels 24 hours per day and 365 days per year  
4 with computer equipment sufficient to process the data.

5 (e-10) ~~(e-5)~~ A unit of local government, including a home  
6 rule unit, may not enact an ordinance prohibiting the use of  
7 Automated Driving System equipped vehicles on its roadways.  
8 Nothing in this subsection (e-10) ~~(e-5)~~ shall affect the  
9 authority of a unit of local government to regulate Automated  
10 Driving System equipped vehicles for traffic control purposes.  
11 No unit of local government, including a home rule unit, may  
12 regulate Automated Driving System equipped vehicles in a manner  
13 inconsistent with this Code. For purposes of this subsection  
14 (e-10) ~~(e-5)~~, "Automated Driving System equipped vehicle"  
15 means any vehicle equipped with an Automated Driving System of  
16 hardware and software that are collectively capable of  
17 performing the entire dynamic driving task on a sustained  
18 basis, regardless of whether it is limited to a specific  
19 operational domain. This subsection (e-10) ~~(e-5)~~ is a  
20 limitation under subsection (i) of Section 6 of Article VII of  
21 the Illinois Constitution on the concurrent exercise by home  
22 rule units of powers and functions exercised by the State.

23 (f) A municipality or county designated in Section 11-208.6  
24 may enact an ordinance providing for an automated traffic law  
25 enforcement system to enforce violations of this Code or a  
26 similar provision of a local ordinance and imposing liability

1 on a registered owner or lessee of a vehicle used in such a  
2 violation.

3 (g) A municipality or county, as provided in Section  
4 11-1201.1, may enact an ordinance providing for an automated  
5 traffic law enforcement system to enforce violations of Section  
6 11-1201 of this Code or a similar provision of a local  
7 ordinance and imposing liability on a registered owner of a  
8 vehicle used in such a violation.

9 (h) A municipality designated in Section 11-208.8 may enact  
10 an ordinance providing for an automated speed enforcement  
11 system to enforce violations of Article VI of Chapter 11 of  
12 this Code or a similar provision of a local ordinance.

13 (i) A municipality or county designated in Section 11-208.9  
14 may enact an ordinance providing for an automated traffic law  
15 enforcement system to enforce violations of Section 11-1414 of  
16 this Code or a similar provision of a local ordinance and  
17 imposing liability on a registered owner or lessee of a vehicle  
18 used in such a violation.

19 (j) A municipality or county designated in Section  
20 11-208.10 may enact an ordinance providing for a manual traffic  
21 law enforcement system to enforce violations of Article VI of  
22 Chapter 11 of this Code or a similar provision of a local  
23 ordinance.

24 (Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18;  
25 100-257, eff. 8-22-17; 100-352, eff. 6-1-18; revised 10-6-17.)

1 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

2 Sec. 11-208.3. Administrative adjudication of violations  
3 of traffic regulations concerning the standing, parking, or  
4 condition of vehicles, automated traffic law violations, ~~and~~  
5 automated speed enforcement system violations, and manual  
6 traffic law enforcement system violations.

7 (a) Any municipality or county may provide by ordinance for  
8 a system of administrative adjudication of vehicular standing  
9 and parking violations and vehicle compliance violations as  
10 described in this subsection, automated traffic law violations  
11 as defined in Section 11-208.6, 11-208.9, or 11-1201.1, ~~and~~  
12 automated speed enforcement system violations as defined in  
13 Section 11-208.8, and manual traffic law enforcement system  
14 violations as defined in Section 11-208.10. The administrative  
15 system shall have as its purpose the fair and efficient  
16 enforcement of municipal or county regulations through the  
17 administrative adjudication of automated speed enforcement  
18 system or automated traffic law violations and violations of  
19 municipal or county ordinances regulating the standing and  
20 parking of vehicles, the condition and use of vehicle  
21 equipment, and the display of municipal or county wheel tax  
22 licenses within the municipality's or county's borders. The  
23 administrative system shall only have authority to adjudicate  
24 civil offenses carrying fines not in excess of \$500 or  
25 requiring the completion of a traffic education program, or  
26 both, that occur after the effective date of the ordinance

1 adopting such a system under this Section. For purposes of this  
2 Section, "compliance violation" means a violation of a  
3 municipal or county regulation governing the condition or use  
4 of equipment on a vehicle or governing the display of a  
5 municipal or county wheel tax license.

6 (b) Any ordinance establishing a system of administrative  
7 adjudication under this Section shall provide for:

8 (1) A traffic compliance administrator authorized to  
9 adopt, distribute and process parking, compliance, and  
10 automated speed enforcement system, manual traffic law  
11 enforcement system, or automated traffic law violation  
12 notices and other notices required by this Section, collect  
13 money paid as fines and penalties for violation of parking  
14 and compliance ordinances and automated speed enforcement  
15 system violations, manual traffic law enforcement system  
16 violations, or automated traffic law violations, and  
17 operate an administrative adjudication system. The traffic  
18 compliance administrator also may make a certified report  
19 to the Secretary of State under Section 6-306.5.

20 (2) A parking, standing, compliance, automated speed  
21 enforcement system, manual traffic law enforcement system,  
22 or automated traffic law violation notice that shall  
23 specify the date, time, and place of violation of a  
24 parking, standing, compliance, automated speed enforcement  
25 system, manual traffic law enforcement system, or  
26 automated traffic law regulation; the particular

1 regulation violated; any requirement to complete a traffic  
2 education program; the fine and any penalty that may be  
3 assessed for late payment or failure to complete a required  
4 traffic education program, or both, when so provided by  
5 ordinance; the vehicle make and state registration number;  
6 and the identification number of the person issuing the  
7 notice. With regard to automated speed enforcement system  
8 violations, manual traffic law enforcement system  
9 violations, or automated traffic law violations, vehicle  
10 make shall be specified on the automated speed enforcement  
11 system, manual traffic law enforcement system, or  
12 automated traffic law violation notice if the make is  
13 available and readily discernible. With regard to  
14 municipalities or counties with a population of 1 million  
15 or more, it shall be grounds for dismissal of a parking  
16 violation if the state registration number or vehicle make  
17 specified is incorrect. The violation notice shall state  
18 that the completion of any required traffic education  
19 program, the payment of any indicated fine, and the payment  
20 of any applicable penalty for late payment or failure to  
21 complete a required traffic education program, or both,  
22 shall operate as a final disposition of the violation. The  
23 notice also shall contain information as to the  
24 availability of a hearing in which the violation may be  
25 contested on its merits. The violation notice shall specify  
26 the time and manner in which a hearing may be had.



1           (3) Service of the parking, standing, or compliance  
2 violation notice by affixing the original or a facsimile of  
3 the notice to an unlawfully parked vehicle or by handing  
4 the notice to the operator of a vehicle if he or she is  
5 present and service of an automated speed enforcement  
6 system, manual traffic law enforcement system, or  
7 automated traffic law violation notice by mail to the  
8 address of the registered owner or lessee of the cited  
9 vehicle as recorded with the Secretary of State or the  
10 lessor of the motor vehicle within 30 days after the  
11 Secretary of State or the lessor of the motor vehicle  
12 notifies the municipality or county of the identity of the  
13 owner or lessee of the vehicle, but not later than 90 days  
14 after the violation, except that in the case of a lessee of  
15 a motor vehicle, service of an automated traffic law  
16 violation notice may occur no later than 210 days after the  
17 violation. A person authorized by ordinance to issue and  
18 serve parking, standing, and compliance violation notices  
19 shall certify as to the correctness of the facts entered on  
20 the violation notice by signing his or her name to the  
21 notice at the time of service or in the case of a notice  
22 produced by a computerized device, by signing a single  
23 certificate to be kept by the traffic compliance  
24 administrator attesting to the correctness of all notices  
25 produced by the device while it was under his or her  
26 control. In the case of an automated traffic law violation,

1 the ordinance shall require a determination by a technician  
2 employed or contracted by the municipality or county that,  
3 based on inspection of recorded images, the motor vehicle  
4 was being operated in violation of Section 11-208.6,  
5 11-208.9, or 11-1201.1 or a local ordinance. If the  
6 technician determines that the vehicle entered the  
7 intersection as part of a funeral procession or in order to  
8 yield the right-of-way to an emergency vehicle, a citation  
9 shall not be issued. In municipalities with a population of  
10 less than 1,000,000 inhabitants and counties with a  
11 population of less than 3,000,000 inhabitants, the  
12 automated traffic law ordinance shall require that all  
13 determinations by a technician that a motor vehicle was  
14 being operated in violation of Section 11-208.6, 11-208.9,  
15 or 11-1201.1 or a local ordinance must be reviewed and  
16 approved by a law enforcement officer or retired law  
17 enforcement officer of the municipality or county issuing  
18 the violation. In municipalities with a population of  
19 1,000,000 or more inhabitants and counties with a  
20 population of 3,000,000 or more inhabitants, the automated  
21 traffic law ordinance shall require that all  
22 determinations by a technician that a motor vehicle was  
23 being operated in violation of Section 11-208.6, 11-208.9,  
24 or 11-1201.1 or a local ordinance must be reviewed and  
25 approved by a law enforcement officer or retired law  
26 enforcement officer of the municipality or county issuing

1 the violation or by an additional fully-trained reviewing  
2 technician who is not employed by the contractor who  
3 employs the technician who made the initial determination.  
4 In the case of an automated speed enforcement system  
5 violation, the ordinance shall require a determination by a  
6 technician employed by the municipality, based upon an  
7 inspection of recorded images, video or other  
8 documentation, including documentation of the speed limit  
9 and automated speed enforcement signage, and documentation  
10 of the inspection, calibration, and certification of the  
11 speed equipment, that the vehicle was being operated in  
12 violation of Article VI of Chapter 11 of this Code or a  
13 similar local ordinance. If the technician determines that  
14 the vehicle speed was not determined by a calibrated,  
15 certified speed equipment device based upon the speed  
16 equipment documentation, or if the vehicle was an emergency  
17 vehicle, a citation may not be issued. The automated speed  
18 enforcement ordinance shall require that all  
19 determinations by a technician that a violation occurred be  
20 reviewed and approved by a law enforcement officer or  
21 retired law enforcement officer of the municipality  
22 issuing the violation or by an additional fully trained  
23 reviewing technician who is not employed by the contractor  
24 who employs the technician who made the initial  
25 determination. Routine and independent calibration of the  
26 speeds produced by automated speed enforcement systems and

1 equipment shall be conducted annually by a qualified  
2 technician. Speeds produced by an automated speed  
3 enforcement system shall be compared with speeds produced  
4 by lidar or other independent equipment. Radar or lidar  
5 equipment shall undergo an internal validation test no less  
6 frequently than once each week. Qualified technicians  
7 shall test loop based equipment no less frequently than  
8 once a year. Radar equipment shall be checked for accuracy  
9 by a qualified technician when the unit is serviced, when  
10 unusual or suspect readings persist, or when deemed  
11 necessary by a reviewing technician. Radar equipment shall  
12 be checked with the internal frequency generator and the  
13 internal circuit test whenever the radar is turned on.  
14 Technicians must be alert for any unusual or suspect  
15 readings, and if unusual or suspect readings of a radar  
16 unit persist, that unit shall immediately be removed from  
17 service and not returned to service until it has been  
18 checked by a qualified technician and determined to be  
19 functioning properly. Documentation of the annual  
20 calibration results, including the equipment tested, test  
21 date, technician performing the test, and test results,  
22 shall be maintained and available for use in the  
23 determination of an automated speed enforcement system  
24 violation and issuance of a citation. The technician  
25 performing the calibration and testing of the automated  
26 speed enforcement equipment shall be trained and certified

1 in the use of equipment for speed enforcement purposes.  
2 Training on the speed enforcement equipment may be  
3 conducted by law enforcement, civilian, or manufacturer's  
4 personnel and if applicable may be equivalent to the  
5 equipment use and operations training included in the Speed  
6 Measuring Device Operator Program developed by the  
7 National Highway Traffic Safety Administration (NHTSA).  
8 The vendor or technician who performs the work shall keep  
9 accurate records on each piece of equipment the technician  
10 calibrates and tests. As used in this paragraph,  
11 "fully-trained reviewing technician" means a person who  
12 has received at least 40 hours of supervised training in  
13 subjects which shall include image inspection and  
14 interpretation, the elements necessary to prove a  
15 violation, license plate identification, and traffic  
16 safety and management. In all municipalities and counties,  
17 the automated speed enforcement system, manual traffic law  
18 enforcement system, or automated traffic law ordinance  
19 shall require that no additional fee shall be charged to  
20 the alleged violator for exercising his or her right to an  
21 administrative hearing, and persons shall be given at least  
22 25 days following an administrative hearing to pay any  
23 civil penalty imposed by a finding that Section 11-208.6,  
24 11-208.8, 11-208.9, 11-208.10, or 11-1201.1 or a similar  
25 local ordinance has been violated. The original or a  
26 facsimile of the violation notice or, in the case of a

1 notice produced by a computerized device, a printed record  
2 generated by the device showing the facts entered on the  
3 notice, shall be retained by the traffic compliance  
4 administrator, and shall be a record kept in the ordinary  
5 course of business. A parking, standing, compliance,  
6 automated speed enforcement system, manual traffic law  
7 enforcement system, or automated traffic law violation  
8 notice issued, signed and served in accordance with this  
9 Section, a copy of the notice, or the computer generated  
10 record shall be prima facie correct and shall be prima  
11 facie evidence of the correctness of the facts shown on the  
12 notice. The notice, copy, or computer generated record  
13 shall be admissible in any subsequent administrative or  
14 legal proceedings.

15 (4) An opportunity for a hearing for the registered  
16 owner of the vehicle cited in the parking, standing,  
17 compliance, automated speed enforcement system, manual  
18 traffic law enforcement system, or automated traffic law  
19 violation notice in which the owner may contest the merits  
20 of the alleged violation, and during which formal or  
21 technical rules of evidence shall not apply; provided,  
22 however, that under Section 11-1306 of this Code the lessee  
23 of a vehicle cited in the violation notice likewise shall  
24 be provided an opportunity for a hearing of the same kind  
25 afforded the registered owner. The hearings shall be  
26 recorded, and the person conducting the hearing on behalf

1 of the traffic compliance administrator shall be empowered  
2 to administer oaths and to secure by subpoena both the  
3 attendance and testimony of witnesses and the production of  
4 relevant books and papers. Persons appearing at a hearing  
5 under this Section may be represented by counsel at their  
6 expense. The ordinance may also provide for internal  
7 administrative review following the decision of the  
8 hearing officer.

9 (5) Service of additional notices, sent by first class  
10 United States mail, postage prepaid, to the address of the  
11 registered owner of the cited vehicle as recorded with the  
12 Secretary of State or, if any notice to that address is  
13 returned as undeliverable, to the last known address  
14 recorded in a United States Post Office approved database,  
15 or, under Section 11-1306 or subsection (p) of Section  
16 11-208.6 or 11-208.9, ~~or~~ subsection (p) of Section 11-208.8  
17 of this Code, or subsection (p) of Section 208.10 of this  
18 Code, to the lessee of the cited vehicle at the last  
19 address known to the lessor of the cited vehicle at the  
20 time of lease or, if any notice to that address is returned  
21 as undeliverable, to the last known address recorded in a  
22 United States Post Office approved database. The service  
23 shall be deemed complete as of the date of deposit in the  
24 United States mail. The notices shall be in the following  
25 sequence and shall include but not be limited to the  
26 information specified herein:

1           (i) A second notice of parking, standing, or  
2 compliance violation. This notice shall specify the  
3 date and location of the violation cited in the  
4 parking, standing, or compliance violation notice, the  
5 particular regulation violated, the vehicle make and  
6 state registration number, any requirement to complete  
7 a traffic education program, the fine and any penalty  
8 that may be assessed for late payment or failure to  
9 complete a traffic education program, or both, when so  
10 provided by ordinance, the availability of a hearing in  
11 which the violation may be contested on its merits, and  
12 the time and manner in which the hearing may be had.  
13 The notice of violation shall also state that failure  
14 to complete a required traffic education program, to  
15 pay the indicated fine and any applicable penalty, or  
16 to appear at a hearing on the merits in the time and  
17 manner specified, will result in a final determination  
18 of violation liability for the cited violation in the  
19 amount of the fine or penalty indicated, and that, upon  
20 the occurrence of a final determination of violation  
21 liability for the failure, and the exhaustion of, or  
22 failure to exhaust, available administrative or  
23 judicial procedures for review, any incomplete traffic  
24 education program or any unpaid fine or penalty, or  
25 both, will constitute a debt due and owing the  
26 municipality or county.



1 (ii) A notice of final determination of parking,  
2 standing, compliance, automated speed enforcement  
3 system, manual traffic law enforcement system, or  
4 automated traffic law violation liability. This notice  
5 shall be sent following a final determination of  
6 parking, standing, compliance, automated speed  
7 enforcement system, manual traffic law enforcement  
8 system, or automated traffic law violation liability  
9 and the conclusion of judicial review procedures taken  
10 under this Section. The notice shall state that the  
11 incomplete traffic education program or the unpaid  
12 fine or penalty, or both, is a debt due and owing the  
13 municipality or county. The notice shall contain  
14 warnings that failure to complete any required traffic  
15 education program or to pay any fine or penalty due and  
16 owing the municipality or county, or both, within the  
17 time specified may result in the municipality's or  
18 county's filing of a petition in the Circuit Court to  
19 have the incomplete traffic education program or  
20 unpaid fine or penalty, or both, rendered a judgment as  
21 provided by this Section, or may result in suspension  
22 of the person's drivers license for failure to complete  
23 a traffic education program or to pay fines or  
24 penalties, or both, for 10 or more parking violations  
25 under Section 6-306.5, or a combination of 5 or more  
26 automated traffic law violations under Section

1           11-208.6 or 11-208.9, ~~or~~ automated speed enforcement  
2           system violations under Section 11-208.8, and manual  
3           traffic law enforcement system violations under  
4           Section 11-208.10.

5           (6) A notice of impending drivers license suspension.  
6           This notice shall be sent to the person liable for failure  
7           to complete a required traffic education program or to pay  
8           any fine or penalty that remains due and owing, or both, on  
9           10 or more parking violations or combination of 5 or more  
10          unpaid automated speed enforcement system violations,  
11          manual traffic law enforcement system violations, or  
12          automated traffic law violations. The notice shall state  
13          that failure to complete a required traffic education  
14          program or to pay the fine or penalty owing, or both,  
15          within 45 days of the notice's date will result in the  
16          municipality or county notifying the Secretary of State  
17          that the person is eligible for initiation of suspension  
18          proceedings under Section 6-306.5 of this Code. The notice  
19          shall also state that the person may obtain a photostatic  
20          copy of an original ticket imposing a fine or penalty by  
21          sending a self addressed, stamped envelope to the  
22          municipality or county along with a request for the  
23          photostatic copy. The notice of impending drivers license  
24          suspension shall be sent by first class United States mail,  
25          postage prepaid, to the address recorded with the Secretary  
26          of State or, if any notice to that address is returned as

1 undeliverable, to the last known address recorded in a  
2 United States Post Office approved database.

3 (7) Final determinations of violation liability. A  
4 final determination of violation liability shall occur  
5 following failure to complete the required traffic  
6 education program or to pay the fine or penalty, or both,  
7 after a hearing officer's determination of violation  
8 liability and the exhaustion of or failure to exhaust any  
9 administrative review procedures provided by ordinance.  
10 Where a person fails to appear at a hearing to contest the  
11 alleged violation in the time and manner specified in a  
12 prior mailed notice, the hearing officer's determination  
13 of violation liability shall become final: (A) upon denial  
14 of a timely petition to set aside that determination, or  
15 (B) upon expiration of the period for filing the petition  
16 without a filing having been made.

17 (8) A petition to set aside a determination of parking,  
18 standing, compliance, automated speed enforcement system,  
19 manual traffic law enforcement system, or automated  
20 traffic law violation liability that may be filed by a  
21 person owing an unpaid fine or penalty. A petition to set  
22 aside a determination of liability may also be filed by a  
23 person required to complete a traffic education program.  
24 The petition shall be filed with and ruled upon by the  
25 traffic compliance administrator in the manner and within  
26 the time specified by ordinance. The grounds for the

1 petition may be limited to: (A) the person not having been  
2 the owner or lessee of the cited vehicle on the date the  
3 violation notice was issued, (B) the person having already  
4 completed the required traffic education program or paid  
5 the fine or penalty, or both, for the violation in  
6 question, and (C) excusable failure to appear at or request  
7 a new date for a hearing. With regard to municipalities or  
8 counties with a population of 1 million or more, it shall  
9 be grounds for dismissal of a parking violation if the  
10 state registration number, or vehicle make if specified, is  
11 incorrect. After the determination of parking, standing,  
12 compliance, automated speed enforcement system, manual  
13 traffic law enforcement system, or automated traffic law  
14 violation liability has been set aside upon a showing of  
15 just cause, the registered owner shall be provided with a  
16 hearing on the merits for that violation.

17 (9) Procedures for non-residents. Procedures by which  
18 persons who are not residents of the municipality or county  
19 may contest the merits of the alleged violation without  
20 attending a hearing.

21 (10) A schedule of civil fines for violations of  
22 vehicular standing, parking, compliance, automated speed  
23 enforcement system, manual traffic law enforcement system,  
24 or automated traffic law regulations enacted by ordinance  
25 pursuant to this Section, and a schedule of penalties for  
26 late payment of the fines or failure to complete required

1 traffic education programs, provided, however, that the  
2 total amount of the fine and penalty for any one violation  
3 shall not exceed \$250, except as provided in subsection (c)  
4 of Section 11-1301.3 of this Code.

5 (11) Other provisions as are necessary and proper to  
6 carry into effect the powers granted and purposes stated in  
7 this Section.

8 (c) Any municipality or county establishing vehicular  
9 standing, parking, compliance, automated speed enforcement  
10 system, manual traffic law enforcement system, or automated  
11 traffic law regulations under this Section may also provide by  
12 ordinance for a program of vehicle immobilization for the  
13 purpose of facilitating enforcement of those regulations. The  
14 program of vehicle immobilization shall provide for  
15 immobilizing any eligible vehicle upon the public way by  
16 presence of a restraint in a manner to prevent operation of the  
17 vehicle. Any ordinance establishing a program of vehicle  
18 immobilization under this Section shall provide:

19 (1) Criteria for the designation of vehicles eligible  
20 for immobilization. A vehicle shall be eligible for  
21 immobilization when the registered owner of the vehicle has  
22 accumulated the number of incomplete traffic education  
23 programs or unpaid final determinations of parking,  
24 standing, compliance, automated speed enforcement system,  
25 manual traffic law enforcement system, or automated  
26 traffic law violation liability, or both, as determined by

1 ordinance.

2 (2) A notice of impending vehicle immobilization and a  
3 right to a hearing to challenge the validity of the notice  
4 by disproving liability for the incomplete traffic  
5 education programs or unpaid final determinations of  
6 parking, standing, compliance, automated speed enforcement  
7 system, manual traffic law enforcement system, or  
8 automated traffic law violation liability, or both, listed  
9 on the notice.

10 (3) The right to a prompt hearing after a vehicle has  
11 been immobilized or subsequently towed without the  
12 completion of the required traffic education program or  
13 payment of the outstanding fines and penalties on parking,  
14 standing, compliance, automated speed enforcement system,  
15 manual traffic law enforcement system, or automated  
16 traffic law violations, or both, for which final  
17 determinations have been issued. An order issued after the  
18 hearing is a final administrative decision within the  
19 meaning of Section 3-101 of the Code of Civil Procedure.

20 (4) A post immobilization and post-towing notice  
21 advising the registered owner of the vehicle of the right  
22 to a hearing to challenge the validity of the impoundment.

23 (d) Judicial review of final determinations of parking,  
24 standing, compliance, automated speed enforcement system,  
25 manual traffic law enforcement system, or automated traffic law  
26 violations and final administrative decisions issued after

1 hearings regarding vehicle immobilization and impoundment made  
2 under this Section shall be subject to the provisions of the  
3 Administrative Review Law.

4 (e) Any fine, penalty, incomplete traffic education  
5 program, or part of any fine or any penalty remaining unpaid  
6 after the exhaustion of, or the failure to exhaust,  
7 administrative remedies created under this Section and the  
8 conclusion of any judicial review procedures shall be a debt  
9 due and owing the municipality or county and, as such, may be  
10 collected in accordance with applicable law. Completion of any  
11 required traffic education program and payment in full of any  
12 fine or penalty resulting from a standing, parking, compliance,  
13 automated speed enforcement system, manual traffic law  
14 enforcement system, or automated traffic law violation shall  
15 constitute a final disposition of that violation.

16 (f) After the expiration of the period within which  
17 judicial review may be sought for a final determination of  
18 parking, standing, compliance, automated speed enforcement  
19 system, manual traffic law enforcement system, or automated  
20 traffic law violation, the municipality or county may commence  
21 a proceeding in the Circuit Court for purposes of obtaining a  
22 judgment on the final determination of violation. Nothing in  
23 this Section shall prevent a municipality or county from  
24 consolidating multiple final determinations of parking,  
25 standing, compliance, automated speed enforcement system,  
26 manual traffic law enforcement system, or automated traffic law

1 violations against a person in a proceeding. Upon commencement  
2 of the action, the municipality or county shall file a  
3 certified copy or record of the final determination of parking,  
4 standing, compliance, automated speed enforcement system,  
5 manual traffic law enforcement system, or automated traffic law  
6 violation, which shall be accompanied by a certification that  
7 recites facts sufficient to show that the final determination  
8 of violation was issued in accordance with this Section and the  
9 applicable municipal or county ordinance. Service of the  
10 summons and a copy of the petition may be by any method  
11 provided by Section 2-203 of the Code of Civil Procedure or by  
12 certified mail, return receipt requested, provided that the  
13 total amount of fines and penalties for final determinations of  
14 parking, standing, compliance, automated speed enforcement  
15 system, manual traffic law enforcement system, or automated  
16 traffic law violations does not exceed \$2500. If the court is  
17 satisfied that the final determination of parking, standing,  
18 compliance, automated speed enforcement system, manual traffic  
19 law enforcement system, or automated traffic law violation was  
20 entered in accordance with the requirements of this Section and  
21 the applicable municipal or county ordinance, and that the  
22 registered owner or the lessee, as the case may be, had an  
23 opportunity for an administrative hearing and for judicial  
24 review as provided in this Section, the court shall render  
25 judgment in favor of the municipality or county and against the  
26 registered owner or the lessee for the amount indicated in the



1 final determination of parking, standing, compliance,  
2 automated speed enforcement system, manual traffic law  
3 enforcement system, or automated traffic law violation, plus  
4 costs. The judgment shall have the same effect and may be  
5 enforced in the same manner as other judgments for the recovery  
6 of money.

7 (g) The fee for participating in a traffic education  
8 program under this Section shall not exceed \$25.

9 A low-income individual required to complete a traffic  
10 education program under this Section who provides proof of  
11 eligibility for the federal earned income tax credit under  
12 Section 32 of the Internal Revenue Code or the Illinois earned  
13 income tax credit under Section 212 of the Illinois Income Tax  
14 Act shall not be required to pay any fee for participating in a  
15 required traffic education program.

16 (Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672,  
17 eff. 7-1-12; 98-556, eff. 1-1-14; 98-1028, eff. 8-22-14.)

18 (625 ILCS 5/11-208.10 new)

19 Sec. 11-208.10. Manual traffic law enforcement systems.

20 (a) As used in this Section, "manual traffic law  
21 enforcement system" means a digital imaging device capable of  
22 capturing high resolution images and videos of vehicles, in  
23 violation of Article VI of this Chapter or a similar provision  
24 of a local ordinance, that requires a law enforcement officer  
25 to be present to operate the device to obtain the recorded

1 images.

2 (b) A manual traffic law enforcement system shall be  
3 operational and violations shall be recorded at any time a law  
4 enforcement officer is present operating the device.

5 (c) A municipality or county that produces a recorded image  
6 of a motor vehicle's violation of a provision of this Code or a  
7 similar provision of a local ordinance must make the recorded  
8 images of a violation accessible to the alleged violator by  
9 providing the alleged violator with a website address,  
10 accessible through the Internet.

11 (d) Notwithstanding any penalties for any other violations  
12 of this Code, the owner of a motor vehicle used in a traffic  
13 violation recorded by a manual traffic law enforcement system  
14 shall be subject to the following penalties:

15 (1) if the recorded speed is no less than 6 miles per  
16 hour and no more than 10 miles per hour over the legal  
17 speed limit, a civil penalty not exceeding \$50, plus an  
18 additional penalty of not more than \$50 for failure to pay  
19 the original penalty in a timely manner; or

20 (2) if the recorded speed is more than 10 miles per  
21 hour over the legal speed limit, a civil penalty not  
22 exceeding \$100, plus an additional penalty of not more than  
23 \$100 for failure to pay the original penalty in a timely  
24 manner, including, but not limited to, collection fees.

25 A penalty may not be imposed under this Section if the  
26 driver of the motor vehicle received a Uniform Traffic Citation

1 from a police officer for a speeding violation occurring within  
2 one-eighth of a mile and 15 minutes of the violation that was  
3 recorded by the system. A violation for which a civil penalty  
4 is imposed under this Section is not a violation of a traffic  
5 regulation governing the movement of vehicles and may not be  
6 recorded on the driving record of the owner of the vehicle. No  
7 penalty may be imposed under this Section if the recorded speed  
8 of a vehicle is 5 miles per hour or less over the legal speed  
9 limit. The municipality or county may send, in the same manner  
10 that notices are sent under this Section, a speed violation  
11 warning notice where the violation involves a speed of 5 miles  
12 per hour or less above the legal speed limit.

13 (e) The net proceeds that a municipality or county receives  
14 from civil penalties imposed under a manual traffic law  
15 enforcement system, after deducting all non-personnel and  
16 personnel costs associated with the operation and maintenance  
17 of such system, shall be expended or obligated by the  
18 municipality or county for the following purposes:

19 (i) public safety initiatives to ensure safe passage  
20 around schools, and to provide police protection and  
21 surveillance around schools and parks, including but not  
22 limited to: (1) personnel costs; and (2) non-personnel  
23 costs such as construction and maintenance of public safety  
24 infrastructure and equipment;

25 (ii) initiatives to improve pedestrian and traffic  
26 safety;

1           (iii) construction and maintenance of infrastructure  
2           within the municipality or county, including, but not  
3           limited to, roads and bridges;

4           (iv) after school programs; and

5           (v) public safety.

6           (f) For each violation of a provision of this Code or a  
7           local ordinance recorded by a manual traffic law enforcement  
8           system, the municipality or county having jurisdiction shall  
9           issue a written notice of the violation to the registered owner  
10           of the vehicle as the alleged violator. The notice shall be  
11           delivered to the registered owner of the vehicle, by mail,  
12           within 30 days after the Secretary of State notifies the  
13           municipality or county of the identity of the owner of the  
14           vehicle, but in no event later than 90 days after the  
15           violation.

16           (g) The notice required under subsection (e) of this  
17           Section shall include:

18           (1) the name and address of the registered owner of the  
19           vehicle;

20           (2) the registration number of the motor vehicle  
21           involved in the violation;

22           (3) the violation charged;

23           (4) the date, time, and location where the violation  
24           occurred;

25           (5) a copy of the recorded image or images;

26           (6) the amount of the civil penalty imposed and the

1 date by which the civil penalty should be paid;

2 (7) a statement that recorded images are evidence of a  
3 violation of a speed restriction;

4 (8) a warning that failure to pay the civil penalty or  
5 to contest liability in a timely manner is an admission of  
6 liability and may result in a suspension of the driving  
7 privileges of the registered owner of the vehicle;

8 (9) a statement that the person may elect to proceed  
9 by: (A) paying the fine; or (B) challenging the charge by  
10 administrative hearing; and

11 (10) a website address, accessible through the  
12 Internet, where the person may view the recorded images of  
13 the violation.

14 (h) If a person charged with a traffic violation, as a  
15 result of a manual traffic law enforcement system, does not pay  
16 the fine or successfully contest the civil penalty resulting  
17 from that violation, the Secretary of State shall suspend the  
18 driving privileges of the registered owner of the vehicle as  
19 provided in Section 6-306.5 of this Code.

20 (i) Based on inspection of recorded images produced by a  
21 manual traffic law enforcement system, a notice alleging that  
22 the violation occurred shall be evidence of the facts contained  
23 in the notice and admissible in any proceeding alleging a  
24 violation under this Section.

25 (j) Recorded images made by a manual traffic law  
26 enforcement system are confidential and shall be made available

1 only to the alleged violator and governmental and law  
2 enforcement agencies for purposes of adjudicating a violation  
3 of this Section, for statistical purposes, or for other  
4 governmental purposes. Any recorded image evidencing a  
5 violation of this Section, however, may be admissible in any  
6 proceeding resulting from the issuance of the citation.

7 (k) The hearing officer may consider in defense of a  
8 violation:

9 (1) that the motor vehicle or registration plates of  
10 the motor vehicle were stolen before the violation occurred  
11 and not under the control or in the possession of the owner  
12 at the time of the violation;

13 (2) that the driver of the motor vehicle received a  
14 Uniform Traffic Citation from a police officer for a  
15 speeding violation occurring within one-eighth of a mile  
16 and 15 minutes of the violation that was recorded by the  
17 system; and

18 (3) any other evidence or issues provided by municipal  
19 ordinance.

20 (l) To demonstrate that the motor vehicle or the  
21 registration plates were stolen before the violation occurred  
22 and were not under the control or possession of the owner at  
23 the time of the violation, the owner must submit proof that a  
24 report concerning the stolen motor vehicle or registration  
25 plates was filed with a law enforcement agency in a timely  
26 manner.

1       (m) The municipality or county shall post a sign conforming  
2 to the national Manual on Uniform Traffic Control Devices at  
3 the entrance of the city limits of the municipality or at the  
4 county line. The municipality or county may install such  
5 additional signs as necessary to give reasonable notice to  
6 drivers.

7       (n) A municipality or county utilizing a manual traffic law  
8 enforcement system shall publish in a local newspaper and on  
9 the municipal or county website a notice providing 30-day  
10 notice of the use of a manual traffic law enforcement system  
11 prior to the issuance of any citations through the manual  
12 traffic law enforcement system.

13       (o) The compensation paid for a manual traffic law  
14 enforcement system shall be based on the value of the equipment  
15 or the services provided and may not be based on the number of  
16 traffic citations issued or the revenue generated by the  
17 system.

18       (p) No person who is the lessor of a motor vehicle pursuant  
19 to a written lease agreement shall be liable for a manual  
20 traffic law or traffic law enforcement system violation  
21 involving the motor vehicle during the period of the lease if,  
22 upon the request of the appropriate authority received within  
23 120 days after the violation occurred, the lessor provides,  
24 within 60 days after receipt of the request, the name and  
25 address of the lessee. The driver's license number of a lessee  
26 may be subsequently individually requested by the appropriate

1 authority, if needed for enforcement of this Section.

2 Upon the provision of information by the lessor pursuant to  
3 this subsection, the municipality or county may issue the  
4 violation to the lessee of the vehicle in the same manner as it  
5 would issue a violation to a registered owner of a vehicle  
6 pursuant to this Section, and the lessee may be held liable for  
7 the violation.

8 (g) A municipality or county using a manual traffic law  
9 enforcement system must provide notice to drivers by publishing  
10 the locations of all areas where system equipment is installed  
11 or utilized on the website of the municipality or county.

12 (625 ILCS 5/11-612)

13 Sec. 11-612. Certain systems to record vehicle speeds  
14 prohibited. Except as authorized in the Automated Traffic  
15 Control Systems in Highway Construction or Maintenance Zones  
16 Act and Sections ~~Section~~ 11-208.8 and 11-208.10 of this Code,  
17 no photographic, video, or other imaging system may be used in  
18 this State to record vehicle speeds for the purpose of  
19 enforcing any law or ordinance regarding a maximum or minimum  
20 speed limit unless a law enforcement officer is present at the  
21 scene and witnesses the event. No State or local governmental  
22 entity, including a home rule county or municipality, may use  
23 such a system in a way that is prohibited by this Section. The  
24 regulation of the use of such systems is an exclusive power and  
25 function of the State. This Section is a denial and limitation



1 of home rule powers and functions under subsection (h) of  
2 Section 6 of Article VII of the Illinois Constitution.

3 (Source: P.A. 97-672, eff. 7-1-12.)

4 Section 95. No acceleration or delay. Where this Act makes  
5 changes in a statute that is represented in this Act by text  
6 that is not yet or no longer in effect (for example, a Section  
7 represented by multiple versions), the use of that text does  
8 not accelerate or delay the taking effect of (i) the changes  
9 made by this Act or (ii) provisions derived from any other  
10 Public Act.

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