



Rep. Brad Stephens

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10300HB5408ham002

LRB103 35376 RTM 72142 a

1 AMENDMENT TO HOUSE BILL 5408

2 AMENDMENT NO. _____. Amend House Bill 5408 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be referred to as the
5 O'Hare Driver Safety Act.

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

7 "Authority" means the Illinois Toll Highway Authority.

8 "Automated traffic safety system" means a device with one
9 or more motor vehicle sensors to produce a recorded image of a
10 motor vehicle that is stopped or standing on the side of a
11 highway or roadway in violation of Section 11-1303 of the
12 Illinois Vehicle Code.

13 "Recorded images" has the same meaning given to that term
14 under Section 11-208.6 of the Illinois Vehicle Code.

15 Section 10. No stopping or standing within one-half mile

1 of O'Hare International Airport. Except where permitted, a
2 person operating a motor vehicle shall not stop or stand the
3 person's vehicle on a shoulder of a highway along traffic
4 routes within a one-half mile radius of: (1) the eastern
5 entrance to O'Hare International Airport; and (2) the
6 intersection of Interstate 90 and Interstate 294.

7 No person who is the lessor of a motor vehicle under a
8 written lease agreement shall be liable for an automated
9 traffic safety system violation involving such motor vehicle
10 during the period of the lease, unless, upon the request of the
11 appropriate authority received within 120 days after the
12 violation occurred, the lessor provides within 60 days after
13 such receipt the name and address of the lessee.

14 Upon the provision of information by the lessor under this
15 Section, the Authority may issue the violation to the lessee
16 of the vehicle in the same manner as it would issue a violation
17 to a registered owner of a vehicle, and the lessee may be held
18 liable for the violation.

19 This Section shall not apply to vehicles that are stopped
20 or standing in a restricted area if:

- 21 (1) a person is yielding to an emergency vehicle;
- 22 (2) the vehicle malfunctions;
- 23 (3) a person was directed to stop the person's vehicle
24 by a law enforcement officer;
- 25 (4) the vehicle was stolen prior to violation and not
26 controlled by the registered owner of the vehicle; or

1 (5) the driver of the vehicle received a Uniform
2 Traffic Citation from a police officer at the time of the
3 violation for the same offense.

4 Section 15. Installation of automated traffic safety
5 systems; enforcement. The Authority shall install and maintain
6 automated traffic safety systems along traffic routes within a
7 one-half mile radius of: (1) the eastern entrance to O'Hare
8 International Airport; and (2) the intersection of Interstate
9 90 and Interstate 294.

10 A traffic route that is equipped with an automated traffic
11 safety system must be posted with signs visible to approaching
12 traffic indicating that the route is being monitored by an
13 automated traffic safety system and informing drivers that
14 stopping or standing is prohibited.

15 Section 20. Recorded image. An automated traffic safety
16 system that produces a recorded image of a motor vehicle's
17 violation of this Act shall be designed to obtain a clear
18 recorded image of the vehicle and the vehicle's license plate.
19 The recorded image must also display the time, date, and
20 location of the violation.

21 Recorded images made by an automated traffic safety system
22 are confidential and shall be made available only (i) to the
23 alleged violator and governmental and law enforcement agencies
24 for purposes of adjudicating a violation of this Act, for

1 statistical purposes, or for other governmental purposes; or
2 (ii) in response to a lawful subpoena. However, a recorded
3 image evidencing a violation of this Act may be admissible in a
4 proceeding resulting from the issuance of a citation.

5 Section 25. Fines; notice. A person who violates this Act
6 shall be subject to a \$100 fine for each offense. Proceeds from
7 fines shall be deposited into the State Police Law Enforcement
8 Administration Fund.

9 For each violation of a provision of this Act recorded by
10 an automatic traffic safety system, the Authority shall issue
11 a written notice of the violation to the registered owner of
12 the vehicle as the alleged violator. The notice shall be
13 delivered to the registered owner of the vehicle, by mail,
14 within 30 days after the Secretary of State notifies the
15 Authority of the identity of the owner of the vehicle, but in
16 no event later than 90 days after the violation.

17 The notice shall include:

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

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

22 (3) the violation charged;

23 (4) the location where the violation occurred;

24 (5) the date and time of the violation;

25 (6) a copy of the recorded images;

1 (7) the amount of the civil penalty imposed and the
2 requirements of any traffic education program imposed and
3 the date by which the civil penalty should be paid and the
4 traffic education program should be completed;

5 (8) a statement that recorded images are evidence of a
6 violation of stopping or standing in a restricted area;

7 (9) a warning that failure to pay the civil penalty,
8 to complete a required traffic education program, or to
9 contest liability in a timely manner is an admission of
10 liability;

11 (10) a statement that the person may elect to proceed
12 by:

13 (A) paying the fine, completing a required traffic
14 education program, or both; or

15 (B) challenging the charge in court, by mail, or
16 by administrative hearing; and

17 (11) a website address, accessible through the
18 Internet, where the person may view the recorded images of
19 the violation.

20 Section 30. Rules. The Authority shall adopt rules
21 necessary to implement and administer this Act."