



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB5435**

Introduced 2/9/2024, by Rep. Jennifer Sanalidro

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-208

from Ch. 95 1/2, par. 11-208

Amends the Illinois Vehicle Code. Provides that a unit of local government, including a home rule unit, may not enact an ordinance providing for a noise monitoring system upon any portion of its roadways (removing language allowing the City of Chicago to enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive). Makes changes to the definition of "noise monitoring system".

LRB103 38552 MXP 68688 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  
5 changing Section 11-208 as follows:

6 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

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

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

12 1. Regulating the standing or parking of vehicles,  
13 except as limited by Sections 11-1306 and 11-1307 of this  
14 Act;

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

17 3. Regulating or prohibiting processions or  
18 assemblages on the highways; and certifying persons to  
19 control traffic for processions or assemblages;

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

23 5. Regulating the speed of vehicles in public parks

1 subject to the limitations set forth in Section 11-604;

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

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

11 8. Regulating the operation of mobile carrying  
12 devices, bicycles, low-speed electric bicycles, and  
13 low-speed gas bicycles, and requiring the registration and  
14 licensing of same, including the requirement of a  
15 registration fee;

16 9. Regulating or prohibiting the turning of vehicles  
17 or specified types of vehicles at intersections;

18 10. Altering the speed limits as authorized in Section  
19 11-604;

20 11. Prohibiting U-turns;

21 12. Prohibiting pedestrian crossings at other than  
22 designated and marked crosswalks or at intersections;

23 13. Prohibiting parking during snow removal operation;

24 14. Imposing fines in accordance with Section  
25 11-1301.3 as penalties for use of any parking place  
26 reserved for persons with disabilities, as defined by

1 Section 1-159.1, or veterans with disabilities by any  
2 person using a motor vehicle not bearing registration  
3 plates specified in Section 11-1301.1 or a special decal  
4 or device as defined in Section 11-1301.2 as evidence that  
5 the vehicle is operated by or for a person with  
6 disabilities or a veteran with a disability;

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

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

11 (b) No ordinance or regulation enacted under paragraph 1,  
12 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be  
13 effective until signs giving reasonable notice of such local  
14 traffic regulations are posted.

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

20 (d) The provisions of this Code shall not be deemed to  
21 prevent local authorities within the reasonable exercise of  
22 their police power from prohibiting, on private property, the  
23 unauthorized use of parking spaces reserved for persons with  
24 disabilities.

25 (e) No unit of local government, including a home rule  
26 unit, may enact or enforce an ordinance that applies only to

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

16 (e-5) A unit of local government, including a home rule  
17 unit, ~~The City of Chicago~~ may not enact an ordinance providing  
18 for a noise monitoring system upon any portion of its  
19 roadways. ~~the roadway known as Lake Shore Drive. Twelve months~~  
20 ~~after the installation of the noise monitoring system, and any~~  
21 ~~time after the first report as the City deems necessary, the~~  
22 ~~City of Chicago shall prepare a noise monitoring report with~~  
23 ~~the data collected from the system and shall, upon request,~~  
24 ~~make the report available to the public.~~ For purposes of this  
25 subsection (e-5), "noise monitoring system" means an automated  
26 noise monitor capable of recording noise levels 24 hours per

1 day and 365 days per year with computer equipment or human  
2 review of the recorded footage sufficient to process the data.

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

21 (f) A municipality or county designated in Section  
22 11-208.6 may enact an ordinance providing for an automated  
23 traffic law enforcement system to enforce violations of this  
24 Code or a similar provision of a local ordinance and imposing  
25 liability on a registered owner or lessee of a vehicle used in  
26 such a violation.

1           (g) A municipality or county, as provided in Section  
2 11-1201.1, may enact an ordinance providing for an automated  
3 traffic law enforcement system to enforce violations of  
4 Section 11-1201 of this Code or a similar provision of a local  
5 ordinance and imposing liability on a registered owner of a  
6 vehicle used in such a violation.

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

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

18           (Source: P.A. 100-209, eff. 1-1-18; 100-257, eff. 8-22-17;  
19 100-352, eff. 6-1-18; 100-863, eff. 8-14-18; 101-123, eff.  
20 7-26-19.)