



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2618

Introduced 10/24/2023, by Sen. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Construction Zone Safe Detour Act. Establishes that a company that provides GPS travel services in the State is required to ensure that at least one person is available to receive official requests 24 hours per day, 7 days per week from emergency services, Illinois State Police, or the Department of Transportation for the purpose of implementing proper detours in the event of construction or emergency. Requires a GPS service provider to upload the detour and routing information provided by emergency services, Illinois State Police, or the Department of Transportation into its navigation system to properly route users of the GPS service provider's systems. Provides that a GPS service provider that fails to implement proper detour routing on an ongoing and emergency basis may be liable for treble damages. Allows an affirmative defense for GPS service providers if emergency services, including the Department of Transportation and Illinois State Police, fail to notify the GPS service provider with routing information. Prohibits the Department from conducting construction on a secondary route or parallel primary highway at the same time, except in an emergency. Requires the Department to reimburse local governments for damages caused to roads within the local government's jurisdiction that arise from any detour around or near a construction zone authorized by the Department. Provides that the Department shall adopt emergency rules for the administration of the Act. Defines terms.

LRB103 34817 MXP 64672 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 1. Short title. This Act may be cited as the  
5 Construction Zone Safe Detour Act.

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

7 "GPS service provider" means an entity that provides its  
8 users with positioning, navigation, and timing services.

9 "Primary highway" has the meaning given to that term under  
10 the Highway Advertising Control Act of 1971.

11 "Secondary route" means a highway which serves traffic  
12 between urban and rural districts and provides traffic  
13 connections between primary highways or roads.

14 Section 10. GPS service providers; damages. A company that  
15 provides global positioning system (GPS) travel services in  
16 this State is required to ensure that at least one person is  
17 available to receive official requests 24 hours per day, 7  
18 days per week from emergency services, Illinois State Police,  
19 or the Department of Transportation for the purpose of  
20 implementing proper detours in the event of construction or  
21 emergency. The GPS service provider shall upload the detour  
22 and routing information provided by emergency services,

1 Illinois State Police, or the Department of Transportation  
2 into its navigation system to properly route users of the GPS  
3 service provider's systems.

4 A GPS service provider that fails to implement proper  
5 detour routing, on both an ongoing and emergency basis, may be  
6 liable for treble damages under Section 2-1115.05 of the Code  
7 of Civil Procedure.

8 It shall be an affirmative defense for GPS service  
9 providers if emergency services, including the Department of  
10 Transportation and Illinois State Police, fail to notify the  
11 GPS service provider with routing information.

12 Section 15. Construction on primary and secondary routes.  
13 The Department of Transportation shall not conduct  
14 construction on a secondary route or parallel primary highway  
15 at the same time, except in an emergency.

16 Section 20. Reimbursement to local governments. The  
17 Department shall reimburse local governments for damages  
18 caused to roads within the local government's jurisdiction  
19 that arise from any detour around or near a construction zone  
20 authorized by the Department.

21 Section 25. Emergency rulemaking. The Department shall  
22 adopt emergency rules to administer this Section in accordance  
23 with Section 5-45 of the Illinois Administrative Procedure

1 Act. For the purposes of the Illinois Administrative Procedure  
2 Act, the General Assembly finds that the adoption of rules to  
3 implement this Section is deemed an emergency and necessary to  
4 the interest, safety, and welfare of the public.