



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4056**

Introduced 1/14/2004, by Dave Winters

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/11-605

from Ch. 95 1/2, par. 11-605

Amends the Illinois Vehicle Code. Provides that a local agency may delegate to its superintendent of highways the authority to set reduced speed limits within construction or maintenance zones. Provides that if a superintendent of highways sets a reduced speed limit for a construction or maintenance zone under the new provision, the local agency must maintain a record of the location of the construction or maintenance zone, the reduced speed limit set and posted for the zone, and the dates during which the reduced speed limit was in effect.

LRB093 15261 DRH 40859 b

1 AN ACT concerning vehicles.

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 changing  
5 Section 11-605 as follows:

6 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

7 Sec. 11-605. Special speed limit while passing schools or  
8 while traveling through highway construction or maintenance  
9 zones.

10 (a) For the purpose of this Section, "school" means the  
11 following entities:

12 (1) A public or private primary or secondary school.

13 (2) A primary or secondary school operated by a  
14 religious institution.

15 (3) A public, private, or religious nursery school.

16 On a school day when school children are present and so  
17 close thereto that a potential hazard exists because of the  
18 close proximity of the motorized traffic, no person shall drive  
19 a motor vehicle at a speed in excess of 20 miles per hour while  
20 passing a school zone or while traveling on a roadway on public  
21 school property or upon any public thoroughfare where children  
22 pass going to and from school.

23 For the purpose of this Section a school day shall begin at  
24 seven ante meridian and shall conclude at four post meridian.

25 This Section shall not be applicable unless appropriate  
26 signs are posted upon streets and highways under their  
27 respective jurisdiction and maintained by the Department,  
28 township, county, park district, city, village or incorporated  
29 town wherein the school zone is located. With regard to the  
30 special speed limit while passing schools, such signs shall  
31 give proper due warning that a school zone is being approached  
32 and shall indicate the school zone and the maximum speed limit

1 in effect during school days when school children are present.

2 (b) No person shall operate a motor vehicle in a  
3 construction or maintenance zone at a speed in excess of the  
4 posted speed limit when workers are present and so close to the  
5 moving traffic that a potential hazard exists because of the  
6 motorized traffic.

7 (c) Nothing in this Chapter shall prohibit the use of  
8 electronic speed-detecting devices within 500 feet of signs  
9 within a special school speed zone or a construction or  
10 maintenance zone indicating such zone, as defined in this  
11 Section, nor shall evidence obtained thereby be inadmissible in  
12 any prosecution for speeding provided the use of such device  
13 shall apply only to the enforcement of the speed limit in such  
14 special school speed zone or a construction or maintenance  
15 zone.

16 (d) For the purpose of this Section, a construction or  
17 maintenance zone is an area in which the Department, Toll  
18 Highway Authority, or local agency has determined that the  
19 preexisting established speed limit through a highway  
20 construction or maintenance project is greater than is  
21 reasonable or safe with respect to the conditions expected to  
22 exist in the construction or maintenance zone and has posted a  
23 lower speed limit with a highway construction or maintenance  
24 zone special speed limit sign.

25 Highway construction or maintenance zone special speed  
26 limit signs shall be of a design approved by the Department.  
27 The signs shall give proper due warning that a construction or  
28 maintenance zone is being approached and shall indicate the  
29 maximum speed limit in effect. The signs shall also state the  
30 amount of the minimum fine for a violation when workers are  
31 present.

32 (d-1) A local agency may delegate to its superintendent of  
33 highways the authority to set and post a reduced speed limit  
34 for a construction or maintenance zone under subsection (b). If  
35 a superintendent of highways sets a reduced speed limit for a  
36 construction or maintenance zone in accordance with this

1 subsection (d-1), the local agency must maintain a record that  
2 indicates (i) the location of the construction or maintenance  
3 zone, (ii) the reduced speed limit set and posted for the  
4 construction or maintenance zone, and (iii) the dates during  
5 which the reduced speed limit was in effect.

6 (e) A first violation of this Section is a petty offense  
7 with a minimum fine of \$150. A second or subsequent violation  
8 of this Section is a petty offense with a minimum fine of \$300.

9 (f) When a fine for a violation of subsection (a) is \$150  
10 or greater, the person who violates subsection (a) shall be  
11 charged an additional \$50 to be paid to the unit school  
12 district where the violation occurred for school safety  
13 purposes. If the violation occurred in a dual school district,  
14 \$25 of the surcharge shall be paid to the elementary school  
15 district for school safety purposes and \$25 of the surcharge  
16 shall be paid to the high school district for school safety  
17 purposes. Notwithstanding any other provision of law, the  
18 entire \$50 surcharge shall be paid to the appropriate school  
19 district or districts.

20 For purposes of this subsection (f), "school safety  
21 purposes" includes the costs associated with school zone safety  
22 education and the purchase, installation, and maintenance of  
23 caution lights which are mounted on school speed zone signs.

24 (g) When a fine for a violation of subsection (b) is \$150  
25 or greater, the person who violates subsection (b) shall be  
26 charged an additional \$50. The \$50 surcharge shall be deposited  
27 into the Transportation Safety Highway Hire-back Fund.

28 (h) The Transportation Safety Highway Hire-back Fund is  
29 created as a special fund in the State treasury. Subject to  
30 appropriation by the General Assembly and approval by the  
31 Secretary, the Secretary of Transportation shall use all moneys  
32 in the Transportation Safety Highway Hire-back Fund to hire  
33 off-duty Department of State Police officers to monitor  
34 construction or maintenance zones.

35 (Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02; 92-619,  
36 eff. 1-1-03; 92-780, eff. 8-6-02; revised 8-22-02.)