



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB2390**

Introduced 02/16/05, by Rep. Elaine Nekritz

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/11-1502

from Ch. 95 1/2, par. 11-1502

Amends the Illinois Vehicle Code. Provides that a person riding a bicycle is an intended and permitted user of any highway in Illinois except for a highway on which bicycle use has been specifically prohibited by law and the prohibition is indicated by appropriate signage. Provides that the new language does not create liability for any public entity for the failure to remedy any surface condition of a highway that is hazardous to a person riding a bicycle if that surface condition is not hazardous to a passenger car. Provides that, except as expressly provided by law, the new language does not impose an obligation to further improve existing highways or to maintain them to a higher standard for bicyclists.

LRB094 07041 DRH 41113 b

1 AN ACT in relation to bicycles.

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 11-1502 as follows:

6 (625 ILCS 5/11-1502) (from Ch. 95 1/2, par. 11-1502)

7 Sec. 11-1502. Traffic laws apply to persons riding  
8 bicycles.

9 (a) Every person riding a bicycle upon a highway shall be  
10 granted all of the rights and shall be subject to all of the  
11 duties applicable to the driver of a vehicle by this Code,  
12 except as to special regulations in this Article XV and except  
13 as to those provisions of this Code which by their nature can  
14 have no application.

15 (b)(1) A person riding a bicycle is an intended and  
16 permitted user of any street or highway in Illinois except for  
17 a street or highway on which bicycle use has been specifically  
18 prohibited by a local unit of government and the prohibition is  
19 indicated by appropriate signage.

20 (2) No public entity shall be liable under this subsection  
21 (b) for failure to remedy any surface condition of a highway  
22 that is hazardous to said person riding a bicycle if that  
23 surface condition is not hazardous to a passenger car. The  
24 following surface conditions shall not create liability for a  
25 public entity unless the condition is such that it would be  
26 hazardous to a passenger car: (A) irregular surfaces; (B)  
27 pavement stress cracks; (C) speed bumps and curbs; (D)  
28 expansion joints; (E) accumulations of gravel, dirt, ice, snow,  
29 and water on road and shoulder surfaces; (F) sewer grates,  
30 manholes, and drain covers except for the absence therein; (G)  
31 inadequate artificial lighting of the roadway.

32 (3) Except as expressly provided by law, this subsection

1 (b) shall not impose an obligation to upgrade, widen, or  
2 reengineer existing highways for use by bicyclists, or to  
3 install or upgrade lighting and/or signage or pavement  
4 markings, and does not impose an obligation to maintain streets  
5 and highways to a higher standard for bicyclists.

6 (Source: P.A. 82-132.)