

# HB4839



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB4839**

by Rep. Renée Kosel

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-604  
P.A. 95-574, Sec. 90 new

from Ch. 95 1/2, par. 11-604

Amends the Illinois Vehicle Code. Provides that when the county board alters the maximum speed limit, the county board may post signs designating the new speed limit. Amends Public Act 95-574 (concerning alteration of speed limits by local authorities) to provide that it takes effect on the effective date of this amendatory Act or June 1, 2008, whichever occurs first. Effective immediately.

LRB095 15222 RLC 45275 b

A BILL FOR

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 changing  
5 Section 11-604 as follows:

6 (625 ILCS 5/11-604) (from Ch. 95 1/2, par. 11-604)

7 (Text of Section after amendment by P.A. 95-574)

8 Sec. 11-604. Alteration of limits by local authorities.

9 (a) Subject to the limitations set forth in this Section,  
10 the county board of a county may establish absolute maximum  
11 speed limits on all county highways, township roads and  
12 district roads as defined in the Illinois Highway Code, except  
13 those under the jurisdiction of the Department or of the  
14 Illinois State Toll Highway Authority, as described in Sections  
15 11-602 and 11-603 of this Chapter; and any park district, city,  
16 village, or incorporated town may establish absolute maximum  
17 speed limits on all streets which are within its corporate  
18 limits and which are not under the jurisdiction of the  
19 Department or of such Authority, and for which the county or a  
20 highway commissioner of such county does not have maintenance  
21 responsibility.

22 (b) Whenever any such park district, city, village, or  
23 incorporated town determines, upon the basis of an engineering

1 or traffic investigation concerning a highway or street on  
2 which it is authorized by this Section to establish speed  
3 limits, that a maximum speed limit prescribed in Section 11-601  
4 of this Chapter is greater or less than is reasonable or safe  
5 with respect to the conditions found to exist at any place or  
6 along any part or zone of such highway or street, the local  
7 authority or park district shall determine and declare by  
8 ordinance a reasonable and safe absolute maximum speed limit at  
9 such place or along such part or zone, which:

10 (1) Decreases the limit within an urban district, but  
11 not to less than 20 miles per hour; or

12 (2) Increases the limit within an urban district, but  
13 not to more than 55 miles per hour; or

14 (3) Decreases the limit outside of an urban district,  
15 but not to less than 35 miles per hour, except as otherwise  
16 provided in subparagraph 4 of this paragraph; or

17 (4) Decreases the limit within a residence district,  
18 but not to less than 25 miles per hour, except as otherwise  
19 provided in subparagraph 1 of this paragraph.

20 The park district, city, village, or incorporated town may  
21 make such limit applicable at all times or only during certain  
22 specified times. Not more than 6 such alterations shall be made  
23 per mile along a highway or street; and the difference in limit  
24 between adjacent altered speed zones shall not be more than 10  
25 miles per hour.

26 A limit so determined and declared by a park district,

1 city, village, or incorporated town becomes effective, and  
2 suspends the application of the limit prescribed in Section  
3 11-601 of this Chapter, when appropriate signs giving notice of  
4 the limit are erected at the proper place or along the proper  
5 part or zone of the highway or street. Electronic  
6 speed-detecting devices shall not be used within 500 feet  
7 beyond any such sign in the direction of travel; if so used in  
8 violation of this Section evidence obtained thereby shall be  
9 inadmissible in any prosecution for speeding. However, nothing  
10 in this Section prohibits the use of such electronic  
11 speed-detecting devices within 500 feet of a sign within a  
12 special school speed zone indicating such zone, conforming to  
13 the requirements of Section 11-605 of this Act, nor shall  
14 evidence obtained thereby be inadmissible in any prosecution  
15 for speeding provided the use of such device shall apply only  
16 to the enforcement of the speed limit in such special school  
17 speed zone.

18 (c) A county engineer or superintendent of highways may  
19 submit to the Department for approval, a county policy for  
20 establishing altered speed zones on township and county  
21 highways based upon engineering and traffic investigations.

22 (d) Whenever the county board of a county determines that a  
23 maximum speed limit is greater or less than is reasonable or  
24 safe with respect to the conditions found to exist at any place  
25 or along any part or zone of the highway or road, the county  
26 board shall determine and declare by ordinance a reasonable and

1 safe absolute maximum speed limit at that place or along that  
2 part or zone. However, the maximum speed limit shall not exceed  
3 55 miles per hour. Upon receipt of an engineering study for the  
4 part or zone of highway in question from the county engineer,  
5 and notwithstanding any other provision of law, the county  
6 board of a county may determine and declare by ordinance a  
7 reduction in the maximum speed limit at any place or along any  
8 part or zone of a county highway whenever the county board, in  
9 its sole discretion, determines that the reduction in the  
10 maximum speed limit is reasonable and safe. The county board  
11 may post signs designating the new speed limit. The limit  
12 becomes effective, and suspends the application of the limit  
13 prescribed in Section 11-601 of this Chapter, when appropriate  
14 signs giving notice of the limit are erected at the proper  
15 place or along the proper part of the zone of the highway.  
16 Electronic speed-detecting devices shall not be used within 500  
17 feet beyond any such sign in the direction of travel; if so  
18 used in violation of this Section, evidence obtained thereby  
19 shall be inadmissible in any prosecution for speeding. However,  
20 nothing in this Section prohibits the use of such electronic  
21 speed-detecting devices within 500 feet of a sign within a  
22 special school speed zone indicating such zone, conforming to  
23 the requirements of Section 11-605 of this Act, nor shall  
24 evidence obtained thereby be inadmissible in any prosecution  
25 for speeding provided the use of such device shall apply only  
26 to the enforcement of the speed limit in such special school

1 speed zone.

2 (Source: P.A. 95-574, eff. 6-1-08.)

3 Section 10. "AN ACT concerning transportation" (Public Act  
4 95-574), approved August 31, 2007, is amended by adding Section  
5 90 as follows:

6 (P.A. 95-574, Sec. 90 new)

7 Sec. 90. Effective date. This Act (Public Act 95-574) takes  
8 effect on the effective date of this amendatory Act of the 95th  
9 General Assembly or June 1, 2008, whichever occurs first.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.