



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3956

Introduced 2/26/2009, by Rep. David Reis - Jim Sacia

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-601	from Ch. 95 1/2, par. 11-601
625 ILCS 5/11-602	from Ch. 95 1/2, par. 11-602

Amends the Illinois Vehicle Code. Provides that in the counties outside of Cook, DuPage, Kane, Lake, McHenry, and Will, the maximum speed limit outside an urban district for a second division vehicle designed or used for the carrying of a gross weight of 8,001 pounds or more is 65 miles per hour on any interstate highway (rather than 55). Provides that busses may travel at 55 miles per hour (rather than 60) on all highways, roads, or streets not under the jurisdiction of the Department of Transportation or the Illinois State Toll Highway Authority. Provides that a house car, camper, private living coach, vehicles licensed as recreational vehicles, and any vehicle towing any other vehicle may travel at a speed of 65 miles per hour (rather than 55) in certain circumstances. Effective January 1, 2010.

LRB096 07410 AJT 22564 b

FISCAL NOTE ACT  
MAY APPLY

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 Sections 11-601 and 11-602 as follows:

6 (625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)  
7 Sec. 11-601. General speed restrictions.

8 (a) No vehicle may be driven upon any highway of this State  
9 at a speed which is greater than is reasonable and proper with  
10 regard to traffic conditions and the use of the highway, or  
11 endangers the safety of any person or property. The fact that  
12 the speed of a vehicle does not exceed the applicable maximum  
13 speed limit does not relieve the driver from the duty to  
14 decrease speed when approaching and crossing an intersection,  
15 approaching and going around a curve, when approaching a hill  
16 crest, when traveling upon any narrow or winding roadway, or  
17 when special hazard exists with respect to pedestrians or other  
18 traffic or by reason of weather or highway conditions. Speed  
19 must be decreased as may be necessary to avoid colliding with  
20 any person or vehicle on or entering the highway in compliance  
21 with legal requirements and the duty of all persons to use due  
22 care.

23 (b) No person may drive a vehicle upon any highway of this

1 State at a speed which is greater than the applicable statutory  
2 maximum speed limit established by paragraphs (c), (d), (e),  
3 (f) or (g) of this Section, by Section 11-605 or by a  
4 regulation or ordinance made under this Chapter.

5 (c) Unless some other speed restriction is established  
6 under this Chapter, the maximum speed limit in an urban  
7 district for all vehicles is:

- 8 1. 30 miles per hour; and
- 9 2. 15 miles per hour in an alley.

10 (d) Unless some other speed restriction is established  
11 under this Chapter, the maximum speed limit outside an urban  
12 district for any vehicle of the first division or a second  
13 division vehicle designed or used for the carrying of a gross  
14 weight of 8,000 pounds or less (including the weight of the  
15 vehicle and maximum load) is (1) 65 miles per hour (i) for all  
16 highways under the jurisdiction of the Illinois State Toll  
17 Highway Authority and (ii) for all or part of highways that are  
18 designated by the Department, have at least 4 lanes of traffic,  
19 and have a separation between the roadways moving in opposite  
20 directions and (2) 55 miles per hour for all other highways,  
21 roads, and streets.

22 (e) In the counties of Cook, DuPage, Kane, Lake, McHenry,  
23 and Will, unless ~~Unless~~ some lesser speed restriction is  
24 established under this Chapter, the maximum speed limit outside  
25 an urban district for a second division vehicle designed or  
26 used for the carrying of a gross weight of 8,001 pounds or more

1 (including the weight of the vehicle and maximum load) is 55  
2 miles per hour.

3 (e-1) Outside the counties of Cook, DuPage, Kane, Lake,  
4 McHenry, and Will, unless some lesser speed restriction is  
5 established under this Chapter, the maximum speed limit outside  
6 an urban district for a second division vehicle designed or  
7 used for the carrying of a gross weight of 8,001 pounds or more  
8 (including the weight of the vehicle and maximum load) is (1)  
9 65 miles per hour on any interstate highway as defined by  
10 Section 1-133.1 of this Code, and (2) 55 miles per hour for all  
11 other highways, roads, and streets.

12 (f) Unless some other speed restriction is established  
13 under this Chapter, the maximum speed limit outside an urban  
14 district for a bus is:

15 1. 65 miles per hour upon any highway which has at  
16 least 4 lanes of traffic and of which the roadways for  
17 traffic moving in opposite directions are separated by a  
18 strip of ground which is not surfaced or suitable for  
19 vehicular traffic, except that the maximum speed limit for  
20 a bus on all highways, roads, or streets not under the  
21 jurisdiction of the Department or the Illinois State Toll  
22 Highway Authority is 55 miles per hour; and

23 2. 55 ~~60~~ miles per hour on any other highway, ~~except~~  
24 ~~that the maximum speed limit for a bus on all highways,~~  
25 ~~roads, or streets not under the jurisdiction of the~~  
26 ~~Department or the Illinois State Toll Highway Authority is~~

1       ~~55 miles per hour.~~

2       (g) (Blank). ~~Unless some other speed restriction is~~  
3 ~~established under this Chapter, the maximum speed limit outside~~  
4 ~~an urban district for a house car, camper, private living~~  
5 ~~coach, vehicles licensed as recreational vehicles, and any~~  
6 ~~vehicle towing any other vehicle is 55 miles per hour or the~~  
7 ~~posted speed limit, whichever is less.~~

8       (Source: P.A. 89-444, eff. 1-25-96; 89-551, eff. 1-1-97.)

9       (625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

10       Sec. 11-602. Alteration of limits by Department. Whenever  
11 the Department determines, upon the basis of an engineering and  
12 traffic investigation concerning any highway for which the  
13 Department has maintenance responsibility, that a maximum  
14 speed limit prescribed in Section 11-601 of this Chapter is  
15 greater or less than is reasonable or safe with respect to the  
16 conditions found to exist at any intersection or other place on  
17 such highway or along any part or zone thereof, the Department  
18 shall determine and declare a reasonable and safe absolute  
19 maximum speed limit applicable to such intersection or place,  
20 or along such part or zone. However, such limit shall not  
21 exceed 65 miles per hour, ~~or 55 miles per hour for a second~~  
22 ~~division vehicle designed or used for the carrying of a gross~~  
23 ~~weight of 8,001 pounds or more (including the weight of the~~  
24 ~~vehicle and maximum load),~~ on a highway or street which is  
25 especially designed for through traffic and to, from, or over

1 which owners of or persons having an interest in abutting  
2 property or other persons have no right or easement, or only a  
3 limited right or easement, of access, crossing, light, air, or  
4 view, and shall not exceed 55 miles per hour on any other  
5 highway. Where a highway under the Department's jurisdiction is  
6 contiguous to school property, the Department may, at the  
7 school district's request, set a reduced maximum speed limit  
8 for student safety purposes in the portion of the highway that  
9 faces the school property and in the portions of the highway  
10 that extend one-quarter mile in each direction from the  
11 opposite ends of the school property. A limit determined and  
12 declared as provided in this Section becomes effective, and  
13 suspends the applicability of the limit prescribed in Section  
14 11-601 of this Chapter, when appropriate signs giving notice of  
15 the limit are erected at such intersection or other place, or  
16 along such part or zone of the highway. Electronic  
17 speed-detecting devices shall not be used within 500 feet  
18 beyond any such sign in the direction of travel; if so used in  
19 violation hereof, evidence obtained thereby shall be  
20 inadmissible in any prosecution for speeding. However, nothing  
21 in this Section prohibits the use of such electronic  
22 speed-detecting devices within 500 feet of a sign within a  
23 special school speed zone indicating such zone, conforming to  
24 the requirements of Section 11-605 of this Act, nor shall  
25 evidence obtained thereby be inadmissible in any prosecution  
26 for speeding provided the use of such device shall apply only

1 to the enforcement of the speed limit in such special school  
2 speed zone.

3 (Source: P.A. 93-624, eff. 12-19-03.)

4 Section 99. Effective date. This Act takes effect January  
5 1, 2010.