

HB1038



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1038

by Rep. Michael W. Tryon

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-605.1

Amends the Illinois Vehicle Code. Provides that the provisions relating to special speed limits while traveling through a highway construction or maintenance speed zone apply only when workers are present in the construction or maintenance speed zone. Effective immediately.

LRB098 03828 MLW 33844 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 11-605.1 as follows:

6 (625 ILCS 5/11-605.1)

7 Sec. 11-605.1. Special limit while traveling through a
8 highway construction or maintenance speed zone.

9 (a) A person may not operate a motor vehicle in a
10 construction or maintenance speed zone at a speed in excess of
11 the posted speed limit.

12 (b) Nothing in this Chapter prohibits the use of electronic
13 speed-detecting devices within 500 feet of signs within a
14 construction or maintenance speed zone indicating the zone, as
15 defined in this Section, nor shall evidence obtained by use of
16 those devices be inadmissible in any prosecution for speeding,
17 provided the use of the device shall apply only to the
18 enforcement of the speed limit in the construction or
19 maintenance speed zone.

20 (c) As used in this Section, a "construction or maintenance
21 speed zone" is an area in which the Department, Toll Highway
22 Authority, or local agency has posted signage advising drivers
23 that a construction or maintenance speed zone is being

1 approached, or in which the Department, Authority, or local
2 agency has posted a lower speed limit with a highway
3 construction or maintenance speed zone special speed limit sign
4 after determining that the preexisting established speed limit
5 through a highway construction or maintenance project is
6 greater than is reasonable or safe with respect to the
7 conditions expected to exist in the construction or maintenance
8 speed zone.

9 If it is determined that the preexisting established speed
10 limit is safe with respect to the conditions expected to exist
11 in the construction or maintenance speed zone, additional speed
12 limit signs which conform to the requirements of this
13 subsection (c) shall be posted.

14 Highway construction or maintenance speed zone special
15 speed limit signs shall be of a design approved by the
16 Department. The signs must give proper due warning that a
17 construction or maintenance speed zone is being approached and
18 must indicate the maximum speed limit in effect. The signs also
19 must state the amount of the minimum fine for a violation.

20 (d) A first violation of this Section is a petty offense
21 with a minimum fine of \$250. A second or subsequent violation
22 of this Section is a petty offense with a minimum fine of \$750.

23 (e) If a fine for a violation of this Section is \$250 or
24 greater, the person who violated this Section shall be charged
25 an additional \$125, which shall be deposited into the
26 Transportation Safety Highway Hire-back Fund in the State

1 treasury, unless (i) the violation occurred on a highway other
2 than an interstate highway and (ii) a county police officer
3 wrote the ticket for the violation, in which case the \$125
4 shall be deposited into that county's Transportation Safety
5 Highway Hire-back Fund. In the case of a second or subsequent
6 violation of this Section, if the fine is \$750 or greater, the
7 person who violated this Section shall be charged an additional
8 \$250, which shall be deposited into the Transportation Safety
9 Highway Hire-back Fund in the State treasury, unless (i) the
10 violation occurred on a highway other than an interstate
11 highway and (ii) a county police officer wrote the ticket for
12 the violation, in which case the \$250 shall be deposited into
13 that county's Transportation Safety Highway Hire-back Fund.

14 (e-5) The Department of State Police and the local county
15 police department have concurrent jurisdiction over any
16 violation of this Section that occurs on an interstate highway.

17 (f) The Transportation Safety Highway Hire-back Fund,
18 which was created by Public Act 92-619, shall continue to be a
19 special fund in the State treasury. Subject to appropriation by
20 the General Assembly and approval by the Secretary, the
21 Secretary of Transportation shall use all moneys in the
22 Transportation Safety Highway Hire-back Fund to hire off-duty
23 Department of State Police officers to monitor construction or
24 maintenance zones.

25 (f-5) Each county shall create a Transportation Safety
26 Highway Hire-back Fund. The county shall use all moneys in its

1 Transportation Safety Highway Hire-back Fund to hire off-duty
2 county police officers to monitor construction or maintenance
3 zones in that county on highways other than interstate
4 highways.

5 (g) For a second or subsequent violation of this Section
6 within 2 years of the date of the previous violation, the
7 Secretary of State shall suspend the driver's license of the
8 violator for a period of 90 days.

9 (h) This Section applies only when workers are present in
10 the construction or maintenance speed zone.

11 (Source: P.A. 97-830, eff. 1-1-13.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.