

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 11-605.1 and 11-908 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. When the construction or maintenance project is  
9 being performed by the Illinois Department of Transportation,  
10 these signs shall be affixed with flashing yellow lights that  
11 are in operation while workers are present in the construction  
12 or maintenance speed zone.

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

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

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

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

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

21           (f) The Transportation Safety Highway Hire-back Fund,  
22 which was created by Public Act 92-619, shall continue to be a  
23 special fund in the State treasury. Subject to appropriation by  
24 the General Assembly and approval by the Secretary, the  
25 Secretary of Transportation shall use all moneys in the  
26 Transportation Safety Highway Hire-back Fund to hire off-duty

1 Department of State Police officers to monitor construction or  
2 maintenance zones.

3 (f-5) Each county shall create a Transportation Safety  
4 Highway Hire-back Fund. The county shall use all moneys in its  
5 Transportation Safety Highway Hire-back Fund to hire off-duty  
6 county police officers to monitor construction or maintenance  
7 zones in that county on highways other than interstate  
8 highways.

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

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

14 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

15 Sec. 11-908. Vehicle approaching or entering a highway  
16 construction or maintenance area or zone.

17 (a) The driver of a vehicle shall yield the right of way to  
18 any authorized vehicle or pedestrian actually engaged in work  
19 upon a highway within any highway construction or maintenance  
20 area indicated by official traffic-control devices. When  
21 Illinois Department of Transportation employees are present,  
22 these official traffic-control devices must include signs  
23 notifying motorists of the presence of workers when lights are  
24 flashing, with flashing yellow lights affixed to these signs  
25 that are in operation while workers are present.

1 (a-1) Upon entering a construction or maintenance zone when  
2 workers are present and flashing yellow lights are in  
3 operation, a person who drives a vehicle shall:

4 (1) proceeding with due caution, make a lane change  
5 into a lane not adjacent to that of the workers present, if  
6 possible with due regard to safety and traffic conditions,  
7 if on a highway having at least 4 lanes with not less than  
8 2 lanes proceeding in the same direction as the approaching  
9 vehicle; or

10 (2) proceeding with due caution, reduce the speed of  
11 the vehicle, maintaining a safe speed for road conditions,  
12 if changing lanes would be impossible or unsafe.

13 (a-2) A person who violates subsection (a-1) of this  
14 Section commits a business offense punishable by a fine of not  
15 less than \$100 and not more than \$10,000. It is a factor in  
16 aggravation if the person committed the offense while in  
17 violation of Section 11-501 of this Code.

18 (a-3) If a violation of subsection (a-1) of this Section  
19 results in damage to the property of another person, in  
20 addition to any other penalty imposed, the person's driving  
21 privileges shall be suspended for a fixed period of not less  
22 than 90 days and not more than one year.

23 (a-4) If a violation of subsection (a-1) of this Section  
24 results in injury to another person, in addition to any other  
25 penalty imposed, the person's driving privileges shall be  
26 suspended for a fixed period of not less than 180 days and not

1 more than 2 years.

2 (a-5) If a violation of subsection (a-1) of this Section  
3 results in the death of another person, in addition to any  
4 other penalty imposed, the person's driving privileges shall be  
5 suspended for 2 years.

6 (a-6) The Secretary of State shall, upon receiving a record  
7 of a judgment entered against a person under subsection (a-1)  
8 of this Section:

9 (1) suspend the person's driving privileges for the  
10 mandatory period; or

11 (2) extend the period of an existing suspension by the  
12 appropriate mandatory period.

13 (b) The driver of a vehicle shall yield the right of way to  
14 any authorized vehicle obviously and actually engaged in work  
15 upon a highway whenever the vehicle engaged in construction or  
16 maintenance work displays flashing lights as provided in  
17 Section 12-215 of this Act.

18 (c) The driver of a vehicle shall stop if signaled to do so  
19 by a flagger or a traffic control signal and remain in such  
20 position until signaled to proceed. If a driver of a vehicle  
21 fails to stop when signaled to do so by a flagger, the flagger  
22 is authorized to report such offense to the State's Attorney or  
23 authorized prosecutor. The penalties imposed for a violation of  
24 this subsection (c) shall be in addition to any penalties  
25 imposed for a violation of subsection (a-1).

26 (Source: P.A. 92-872, eff. 6-1-03; 93-705, eff. 7-9-04.)