

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 Highway Code is amended by adding
5 Section 6-134 as follows:

6 (605 ILCS 5/6-134 new)

7 Sec. 6-134. Township road district; private roadways.

8 (a) For purposes of this Section, a "neighborhood
9 organization" includes a homeowners' association, property
10 owners' association, or any similar entity.

11 (b) A neighborhood organization that oversees a
12 residential neighborhood that (1) exists within the
13 unincorporated boundaries of any township road district; and
14 (2) has residential roadways considered to be private roadways
15 maintained by the neighborhood organization, may vote to
16 declare the private roadways to be public roadways. This
17 declaration must be in the form of a resolution drafted by the
18 neighborhood organization and voted on by the neighborhood
19 organization's members as described in this Section. If the
20 resolution is approved, the neighborhood organization must
21 submit the approved resolution to the highway commissioner and
22 the county clerk. All authority and control over the roadways
23 shall be transferred to the highway commissioner 21 days after

1 the resolution is filed with the highway commissioner and the
2 county clerk. Rules, specifications, and regulations regarding
3 location, width, grades, surface, and drainage structures
4 applicable to township road district roads that apply on the
5 date of the transfer shall not apply to a roadway transferred
6 under this Section.

7 (c) The governing board of any neighborhood organization
8 seeking to transfer the private roadways under its jurisdiction
9 to the public must:

10 (1) provide members ample notification of the vote, its
11 purpose, and the date and time of the meeting when the vote
12 is to be held, no less than 14 days before; and

13 (2) obtain a majority of affirmative votes of those
14 present at the meeting.

15 (d) This Section shall only apply to areas that meet the
16 following qualifications:

17 (1) the roadways to be turned over must be located
18 within the boundaries of a county whose population is no
19 less than 500,000 people as determined by the most recent
20 U.S. Census;

21 (2) the majority of the neighborhood which the
22 neighborhood organization oversees was platted before
23 1970;

24 (3) the neighborhood organization must be comprised of
25 more than 20 residential units;

26 (4) the roadways cannot be part of a gated community,

1 have a guard post, or have any physical obstructions that
2 prevent ongoing and regular access by the general public;

3 (5) the neighborhood must abut an inland body of water
4 with at least 100 acres of surface area, but no more than
5 250 acres of surface area; and

6 (6) the neighborhood must be located within 6 miles of
7 a tollway.