



Rep. Sam Yingling

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09900HB1052ham001

LRB099 04881 RJF 34279 a

1 AMENDMENT TO HOUSE BILL 1052

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1052 by replacing  
3 everything after the enacting clause with the following:

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

1 declaration must be in the form of a resolution drafted by the  
2 neighborhood organization and voted on by the neighborhood  
3 organization's members as described in this Section. If the  
4 resolution is approved, the neighborhood organization must  
5 submit the approved resolution to the highway commissioner and  
6 the county clerk. All authority and control over the roadways  
7 shall be transferred to the Department of Transportation 21  
8 days after the resolution is filed with the highway  
9 commissioner and the county clerk. Rules, specifications, and  
10 regulations regarding location, width, grades, surface, and  
11 drainage structures applicable to township road district roads  
12 that apply on the date of the transfer shall not apply to a  
13 roadway transferred under this Section.

14 (c) The governing board of any neighborhood organization  
15 seeking to transfer the private roadways under its jurisdiction  
16 to the public must:

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

20 (2) obtain a majority of affirmative votes of those  
21 present at the meeting.

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

24 (1) the roadways to be turned over must be located  
25 within the boundaries of a county whose population is no  
26 less than 500,000 people as determined by the most recent

1 U.S. Census;

2 (2) the majority of the neighborhood which the  
3 neighborhood organization oversees was platted before  
4 1970;

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

7 (4) the roadways cannot be part of a gated community,  
8 have a guard post, or have any physical obstructions that  
9 prevent ongoing and regular access by the general public;

10 (5) the neighborhood must abut an inland body of water  
11 with at least 100 acres of surface area, but no more than  
12 250 acres of surface area; and

13 (6) the neighborhood must be located within 6 miles of  
14 a tollway."