

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by adding
5 Section 5.570 as follows:

6 (30 ILCS 105/5.570 new)

7 Sec. 5.570. The Transportation Safety Highway Hire-back
8 Fund.

9 Section 10. The Illinois Vehicle Code is amended by
10 changing Section 11-605 as follows:

11 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

12 Sec. 11-605. Special speed limit while passing schools or
13 while traveling through highway construction or maintenance
14 zones.

15 (a) For the purpose of this Section, "school" means the
16 following entities:

17 (1) A public or private primary or secondary
18 school.

19 (2) A primary or secondary school operated by a
20 religious institution.

21 (3) A public, private, or religious nursery school.

22 On a school day when school children are present and so
23 close thereto that a potential hazard exists because of the
24 close proximity of the motorized traffic, no person shall
25 drive a motor vehicle at a speed in excess of 20 miles per
26 hour while passing a school zone or while traveling upon any
27 public thoroughfare where children pass going to and from
28 school.

29 For the purpose of this Section a school day shall begin

1 at seven ante meridian and shall conclude at four post
2 meridian.

3 This Section shall not be applicable unless appropriate
4 signs are posted upon streets and highways under their
5 respective jurisdiction and maintained by the Department,
6 township, county, park district, city, village or
7 incorporated town wherein the school zone is located. With
8 regard to the special speed limit while passing schools, such
9 signs shall give proper due warning that a school zone is
10 being approached and shall indicate the school zone and the
11 maximum speed limit in effect during school days when school
12 children are present.

13 (b) No person shall operate a motor vehicle in a
14 construction or maintenance zone at a speed in excess of the
15 posted speed limit when workers are present and so close to
16 the moving traffic that a potential hazard exists because of
17 the motorized traffic.

18 (c) Nothing in this Chapter shall prohibit the use of
19 electronic speed-detecting devices within 500 feet of signs
20 within a special school speed zone or a construction or
21 maintenance zone indicating such zone, as defined in this
22 Section, nor shall evidence obtained thereby be inadmissible
23 in any prosecution for speeding provided the use of such
24 device shall apply only to the enforcement of the speed limit
25 in such special school speed zone or a construction or
26 maintenance zone.

27 (d) For the purpose of this Section, a construction or
28 maintenance zone is an area in which the Department, Toll
29 Highway Authority, or local agency has determined that the
30 preexisting established speed limit through a highway
31 construction or maintenance project is greater than is
32 reasonable or safe with respect to the conditions expected to
33 exist in the construction or maintenance zone and has posted
34 a lower speed limit with a highway construction or

1 maintenance zone special speed limit sign.

2 Highway construction or maintenance zone special speed
3 limit signs shall be of a design approved by the Department.
4 The signs shall give proper due warning that a construction
5 or maintenance zone is being approached and shall indicate
6 the maximum speed limit in effect. The signs shall also
7 state the amount of the minimum fine for a violation when
8 workers are present.

9 (e) A first violation of this Section is a petty offense
10 with a minimum fine of \$150. A second or subsequent
11 violation of this Section is a petty offense with a minimum
12 fine of \$300.

13 (f) When a fine for a violation of subsection (a) is
14 \$150 or greater, the person who violates subsection (a) shall
15 be charged an additional \$50 to be paid to the unit school
16 district where the violation occurred for school safety
17 purposes. If the violation occurred in a dual school
18 district, \$25 of the surcharge shall be paid to the
19 elementary school district for school safety purposes and \$25
20 of the surcharge shall be paid to the high school district
21 for school safety purposes. Notwithstanding any other
22 provision of law, the entire \$50 surcharge shall be paid to
23 the appropriate school district or districts.

24 For purposes of this subsection (f), "school safety
25 purposes" includes the costs associated with school zone
26 safety education and the purchase, installation, and
27 maintenance of caution lights which are mounted on school
28 speed zone signs.

29 (g) When a fine for a violation of subsection (b) is
30 \$150 or greater, the person who violates subsection (b) shall
31 be charged an additional \$50. The \$50 surcharge shall be
32 deposited into the Transportation Safety Highway Hire-back
33 Fund.

34 (h) The Transportation Safety Highway Hire-back Fund is

1 created as a special fund in the State treasury. Subject to
2 appropriation by the General Assembly and approval by the
3 Secretary, the Secretary of Transportation shall use all
4 moneys in the Transportation Safety Highway Hire-back Fund to
5 hire off-duty Department of State Police officers to monitor
6 construction or maintenance zones.

7 (Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02.)