

AN ACT concerning transportation.

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

Section 5. The Illinois Highway Code is amended by changing Sections 5-101.9, 6-107, and 7-101 as follows:

(605 ILCS 5/5-101.9) (from Ch. 121, par. 5-101.9)

Sec. 5-101.9. To exercise any other power and perform any other duty prescribed in this Code.

A county shall not construct, reconstruct, improve, widen, relocate, repair, alter, or maintain a highway, road, street, alley, bridge, culvert, drainage structure, sidewalk, bicycle path, parking lot, driveway, or any other transportation-related facility that is outside of the county's boundaries unless such construction, reconstruction, improvement, widening, relocation, repair, alteration, or maintenance is part of the county highway system, is jointly performed with another county through the sharing of road equipment pursuant to an intergovernmental agreement, or is provided as necessary relief services following the occurrence of a disaster as defined by the Illinois Emergency Management Agency Act.

As used in this Section, "maintain" or "maintenance" does not include mowing, gravel reclamation, snow removal or the

application of salt, sand, or any other substance applied for the purpose of improving the safety of vehicular or pedestrian traffic in response to the presence or prediction of ice or snow.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/6-107) (from Ch. 121, par. 6-107)

Sec. 6-107. Road districts have corporate capacity to exercise the powers granted thereto, or necessarily implied and no others. They have power: (1) to sue and be sued, (2) to acquire by purchase, gift or legacy, and to hold property, both real and personal, for the use of its inhabitants, and again to sell and convey the same, (3) to make all such contracts as may be necessary in the exercise of the powers of the district.

A road district shall not construct, reconstruct, improve, widen, relocate, repair, alter, or maintain a highway, road, street, alley, bridge, culvert, drainage structure, sidewalk, bicycle path, parking lot, driveway, or any other transportation-related facility that is outside of its county's boundaries unless such construction, reconstruction, improvement, widening, relocation, repair, alteration, or maintenance is part of the township and district road system, in an adjacent road district, is jointly performed with another road district through the sharing of road equipment pursuant to an intergovernmental agreement, or provided as

necessary relief services following the occurrence of a disaster as defined by the Illinois Emergency Management Agency Act.

As used in this Section, "maintain" or "maintenance" does not include mowing, gravel reclamation, snow removal or the application of salt, sand, or any other substance applied for the purpose of improving the safety of vehicular or pedestrian traffic in response to the presence or prediction of ice or snow.

(Source: P.A. 96-996, eff. 1-1-11.)

(605 ILCS 5/7-101) (from Ch. 121, par. 7-101)

Sec. 7-101. Streets and alleys, including bridges and other structures, which are or will become part of the municipal street system may be laid out, established, constructed, reconstructed, altered, widened, relocated, improved, maintained, repaired and vacated by the respective municipalities in the manner provided in the Illinois Municipal Code, as heretofore or hereafter amended; provided that the Department and counties may locate and extend State and county highways into or through a municipality in the manner provided in this Code. In addition to the powers granted to municipalities by the Illinois Municipal Code, municipalities have powers granted and duties imposed by this Code.

A municipality shall not construct, reconstruct, improve,

widen, relocate, repair, alter, or maintain a highway, road, street, alley, bridge, culvert, drainage structure, sidewalk, bicycle path, parking lot, driveway, or any other transportation-related facility that is outside of its county's boundaries unless such construction, reconstruction, improvement, widening, relocation, repair, alteration, or maintenance is part of the municipal street system, in an adjacent municipality, or provided as necessary relief services following the occurrence of a disaster as defined by the Illinois Emergency Management Agency Act.

As used in this Section, "maintain" or "maintenance" does not include mowing, gravel reclamation, snow removal or the application of salt, sand, or any other substance applied for the purpose of improving the safety of vehicular or pedestrian traffic in response to the presence or prediction of ice or snow.

(Source: Laws 1961, p. 1415.)