



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0980

Introduced 2/10/2009, by Rep. Jil Tracy

SYNOPSIS AS INTRODUCED:

| | |
|-------------------|------------------------------|
| 625 ILCS 5/11-601 | from Ch. 95 1/2, par. 11-601 |
| 625 ILCS 5/11-602 | from Ch. 95 1/2, par. 11-602 |

Amends the Illinois Vehicle Code. Defines "populated area" as all territory inside the boundaries and all territory that is 5 miles outside the boundaries, in any direction, of a city, village, or incorporated town with a population of 50,000 or more, and defines "non-populated area" means all territory not included in a populated area. Provides that, in a non-populated area, unless some other speed restriction has been established under the Code, the maximum speed limit outside an urban district for any vehicle weighing over 8,000 pounds is 65 miles per hour (instead of 55 mph). Provides that the maximum speed limit for busses outside an urban area is 55 mph in a populated area and 65 mph in a non-populated area (instead of various speed restrictions from 55-65 mph based on whether the highway was under the jurisdiction of the Illinois Toll Authority). Provides that language providing that the Department of Transportation may not alter the speed limits on an access-controlled highway to exceed 55 miles per hour for vehicles of the second division weighing 8,001 pounds or more applies only in a populated area. Effective January 1, 2010.

LRB096 07419 AJT 17506 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 11-601 and 11-602 as follows:

6 (625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)
7 Sec. 11-601. General speed restrictions.

8 (a) No vehicle may be driven upon any highway of this State
9 at a speed which is greater than is reasonable and proper with
10 regard to traffic conditions and the use of the highway, or
11 endangers the safety of any person or property. The fact that
12 the speed of a vehicle does not exceed the applicable maximum
13 speed limit does not relieve the driver from the duty to
14 decrease speed when approaching and crossing an intersection,
15 approaching and going around a curve, when approaching a hill
16 crest, when traveling upon any narrow or winding roadway, or
17 when special hazard exists with respect to pedestrians or other
18 traffic or by reason of weather or highway conditions. Speed
19 must be decreased as may be necessary to avoid colliding with
20 any person or vehicle on or entering the highway in compliance
21 with legal requirements and the duty of all persons to use due
22 care.

23 (b) No person may drive a vehicle upon any highway of this

1 State at a speed which is greater than the applicable statutory
2 maximum speed limit established by paragraphs (c), (d), (e),
3 (f) or (g) of this Section, by Section 11-605 or by a
4 regulation or ordinance made under this Chapter.

5 (c) Unless some other speed restriction is established
6 under this Chapter, the maximum speed limit in an urban
7 district for all vehicles is:

- 8 1. 30 miles per hour; and
- 9 2. 15 miles per hour in an alley.

10 (d) Unless some other speed restriction is established
11 under this Chapter, the maximum speed limit outside an urban
12 district for any vehicle of the first division or a second
13 division vehicle designed or used for the carrying of a gross
14 weight of 8,000 pounds or less (including the weight of the
15 vehicle and maximum load) is (1) 65 miles per hour (i) for all
16 highways under the jurisdiction of the Illinois State Toll
17 Highway Authority and (ii) for all or part of highways that are
18 designated by the Department, have at least 4 lanes of traffic,
19 and have a separation between the roadways moving in opposite
20 directions and (2) 55 miles per hour for all other highways,
21 roads, and streets.

22 (e) In a populated area, unless ~~Unless~~ some lesser speed
23 restriction is established under this Chapter, the maximum
24 speed limit outside an urban district for a second division
25 vehicle designed or used for the carrying of a gross weight of
26 8,001 pounds or more (including the weight of the vehicle and

1 maximum load) is 55 miles per hour.

2 (e-5) In a non-populated area, unless some lesser speed
3 restriction is established under this Chapter, the maximum
4 speed limit outside an urban district for a second division
5 vehicle designed or used for the carrying of a gross weight of
6 8,001 pounds or more (including the weight of the vehicle and
7 maximum load) is 65 miles per hour.

8 (f) Unless some other speed restriction is established
9 under this Chapter, the maximum speed limit outside an urban
10 district for a bus is:

11 1. 65 miles per hour in a non-populated area upon any
12 highway which has at least 4 lanes of traffic and of which
13 the roadways for traffic moving in opposite directions are
14 separated by a strip of ground which is not surfaced or
15 suitable for vehicular traffic, and ~~except that~~ the maximum
16 speed limit for a bus on all other highways, roads, or
17 streets ~~not under the jurisdiction of the Department or the~~
18 ~~Illinois State Toll Highway Authority~~ is 55 miles per hour.
19 ~~;~~ and

20 2. (Blank). ~~60 miles per hour on any other highway,~~
21 ~~except that the maximum speed limit for a bus on all~~
22 ~~highways, roads, or streets not under the jurisdiction of~~
23 ~~the Department or the Illinois State Toll Highway Authority~~
24 ~~is 55 miles per hour.~~

25 (g) Unless some other speed restriction is established
26 under this Chapter, the maximum speed limit outside an urban

1 district for a house car, camper, private living coach,
2 vehicles licensed as recreational vehicles, and any vehicle
3 towing any other vehicle is 55 miles per hour or the posted
4 speed limit, whichever is less.

5 (h) As used in this Section:

6 "Populated area" means all territory inside the boundaries
7 and all territory that is 5 miles outside the boundaries, in
8 any direction, of a city, village, or incorporated town with a
9 population of 50,000 or more.

10 "Non-populated area" means all territory not included in a
11 populated area, as defined by this Section.

12 (Source: P.A. 89-444, eff. 1-25-96; 89-551, eff. 1-1-97.)

13 (625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

14 Sec. 11-602. Alteration of limits by Department.

15 (a) Whenever the Department determines, upon the basis of
16 an engineering and traffic investigation concerning any
17 highway for which the Department has maintenance
18 responsibility, that a maximum speed limit prescribed in
19 Section 11-601 of this Chapter is greater or less than is
20 reasonable or safe with respect to the conditions found to
21 exist at any intersection or other place on such highway or
22 along any part or zone thereof, the Department shall determine
23 and declare a reasonable and safe absolute maximum speed limit
24 applicable to such intersection or place, or along such part or
25 zone. However, such limit shall not:

1 (1) in a populated area, as defined by subsection (h)
2 of Section 11-601 of this Code, exceed 65 miles per hour,
3 or 55 miles per hour for a second division vehicle designed
4 or used for the carrying of a gross weight of 8,001 pounds
5 or more (including the weight of the vehicle and maximum
6 load), on a highway or street which is especially designed
7 for through traffic and to, from, or over which owners of
8 or persons having an interest in abutting property or other
9 persons have no right or easement, or only a limited right
10 or easement, of access, crossing, light, air, or view, and
11 shall not exceed 55 miles per hour on any other highway;
12 or-

13 (2) in a non-populated area, as defined by subsection
14 (h) of Section 11-601 of this Code, exceed 65 miles per
15 hour on a highway or street which is especially designed
16 for through traffic and to, from, or over which owners of
17 or persons having an interest in abutting property or other
18 persons have no right or easement, or only a limited right
19 or easement, of access, crossing, light, air, or view, and
20 shall not exceed 55 miles per hour on any other highway.

21 (b) Where a highway under the Department's jurisdiction is
22 contiguous to school property, the Department may, at the
23 school district's request, set a reduced maximum speed limit
24 for student safety purposes in the portion of the highway that
25 faces the school property and in the portions of the highway
26 that extend one-quarter mile in each direction from the

1 opposite ends of the school property. A limit determined and
2 declared as provided in this Section becomes effective, and
3 suspends the applicability of the limit prescribed in Section
4 11-601 of this Chapter, when appropriate signs giving notice of
5 the limit are erected at such intersection or other place, or
6 along such part or zone of the highway. Electronic
7 speed-detecting devices shall not be used within 500 feet
8 beyond any such sign in the direction of travel; if so used in
9 violation hereof, evidence obtained thereby shall be
10 inadmissible in any prosecution for speeding. However, nothing
11 in this Section prohibits the use of such electronic
12 speed-detecting devices within 500 feet of a sign within a
13 special school speed zone indicating such zone, conforming to
14 the requirements of Section 11-605 of this Act, nor shall
15 evidence obtained thereby be inadmissible in any prosecution
16 for speeding provided the use of such device shall apply only
17 to the enforcement of the speed limit in such special school
18 speed zone.

19 (Source: P.A. 93-624, eff. 12-19-03.)

20 Section 99. Effective date. This Act takes effect January
21 1, 2010.