



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1410

by Rep. Bill Mitchell

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-605.1

Amends the Illinois Vehicle Code. Provides that the provisions relating to special speed limits while traveling through a highway construction or maintenance speed zone apply only when workers are present in the construction or maintenance speed zone. Effective January 1, 2012.

LRB097 05454 HEP 45513 b

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 Section 11-605.1 as follows:

6 (625 ILCS 5/11-605.1)

7 Sec. 11-605.1. Special limit while traveling through a  
8 highway construction or maintenance speed zone.

9 (a) A person may not operate a motor vehicle in a  
10 construction or maintenance speed zone at a speed in excess of  
11 the posted speed limit.

12 (b) Nothing in this Chapter prohibits the use of electronic  
13 speed-detecting devices within 500 feet of signs within a  
14 construction or maintenance speed zone indicating the zone, as  
15 defined in this Section, nor shall evidence obtained by use of  
16 those devices be inadmissible in any prosecution for speeding,  
17 provided the use of the device shall apply only to the  
18 enforcement of the speed limit in the construction or  
19 maintenance speed zone.

20 (c) As used in this Section, a "construction or maintenance  
21 speed zone" is an area in which the Department, Toll Highway  
22 Authority, or local agency has determined that the preexisting  
23 established speed limit through a highway construction or

1 maintenance project is greater than is reasonable or safe with  
2 respect to the conditions expected to exist in the construction  
3 or maintenance speed zone and has posted a lower speed limit  
4 with a highway construction or maintenance speed zone special  
5 speed limit sign.

6 Highway construction or maintenance speed zone special  
7 speed limit signs shall be of a design approved by the  
8 Department. The signs must give proper due warning that a  
9 construction or maintenance speed zone is being approached and  
10 must indicate the maximum speed limit in effect. The signs also  
11 must state the amount of the minimum fine for a violation.

12 (d) A first violation of this Section is a petty offense  
13 with a minimum fine of \$250. A second or subsequent violation  
14 of this Section is a petty offense with a minimum fine of \$750.

15 (e) If a fine for a violation of this Section is \$250 or  
16 greater, the person who violated this Section shall be charged  
17 an additional \$125, which shall be deposited into the  
18 Transportation Safety Highway Hire-back Fund in the State  
19 treasury, unless (i) the violation occurred on a highway other  
20 than an interstate highway and (ii) a county police officer  
21 wrote the ticket for the violation, in which case the \$125  
22 shall be deposited into that county's Transportation Safety  
23 Highway Hire-back Fund. In the case of a second or subsequent  
24 violation of this Section, if the fine is \$750 or greater, the  
25 person who violated this Section shall be charged an additional  
26 \$250, which shall be deposited into the Transportation Safety

1 Highway Hire-back Fund in the State treasury, unless (i) the  
2 violation occurred on a highway other than an interstate  
3 highway and (ii) a county police officer wrote the ticket for  
4 the violation, in which case the \$250 shall be deposited into  
5 that county's Transportation Safety Highway Hire-back Fund.

6 (e-5) The Department of State Police and the local county  
7 police department have concurrent jurisdiction over any  
8 violation of this Section that occurs on an interstate highway.

9 (f) The Transportation Safety Highway Hire-back Fund,  
10 which was created by Public Act 92-619, shall continue to be a  
11 special fund in the State treasury. Subject to appropriation by  
12 the General Assembly and approval by the Secretary, the  
13 Secretary of Transportation shall use all moneys in the  
14 Transportation Safety Highway Hire-back Fund to hire off-duty  
15 Department of State Police officers to monitor construction or  
16 maintenance zones.

17 (f-5) Each county shall create a Transportation Safety  
18 Highway Hire-back Fund. The county shall use all moneys in its  
19 Transportation Safety Highway Hire-back Fund to hire off-duty  
20 county police officers to monitor construction or maintenance  
21 zones in that county on highways other than interstate  
22 highways.

23 (g) For a second or subsequent violation of this Section  
24 within 2 years of the date of the previous violation, the  
25 Secretary of State shall suspend the driver's license of the  
26 violator for a period of 90 days.

1           (h) This Section applies only when workers are present in  
2           the construction or maintenance speed zone.

3           (Source: P.A. 93-955, eff. 8-19-04; 94-814, eff. 1-1-07.)

4           Section 99. Effective date. This Act takes effect January  
5           1, 2012.