



Rep. Michael W. Tryon

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09800HB1038ham001

LRB098 03828 MLW 41884 a

1 AMENDMENT TO HOUSE BILL 1038

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1038 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing 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,

1 provided the use of the device shall apply only to the  
2 enforcement of the speed limit in the construction or  
3 maintenance speed zone.

4 (c) As used in this Section, a "construction or maintenance  
5 speed zone" is an area in which the Department, Toll Highway  
6 Authority, or local agency has posted signage advising drivers  
7 that a construction or maintenance speed zone is being  
8 approached, or in which the Department, Authority, or local  
9 agency has posted a lower speed limit with a highway  
10 construction or maintenance speed zone special speed limit sign  
11 after determining that the preexisting established speed limit  
12 through a highway construction or maintenance project is  
13 greater than is reasonable or safe with respect to the  
14 conditions expected to exist in the construction or maintenance  
15 speed zone.

16 If it is determined that the preexisting established speed  
17 limit is safe with respect to the conditions expected to exist  
18 in the construction or maintenance speed zone, additional speed  
19 limit signs which conform to the requirements of this  
20 subsection (c) shall be posted.

21 Highway construction or maintenance speed zone special  
22 speed limit signs shall be of a design approved by the  
23 Department. The signs must give proper due warning that a  
24 construction or maintenance speed zone is being approached and  
25 must indicate the maximum speed limit in effect. The signs also  
26 must state the amount of the minimum fine for a violation.

1           (d) A first violation of this Section, during those periods  
2 when workers are present in the construction or maintenance  
3 zone, is a petty offense with a minimum fine of \$250. A second  
4 or subsequent violation of this Section, during those periods  
5 when workers are present in the construction or maintenance  
6 zone, is a petty offense with a minimum fine of \$750.

7           (d-5) A violation of this Section during those periods when  
8 workers are not present in the construction or maintenance zone  
9 shall be a petty offense with a minimum fine of \$95.

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

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

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

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

18 (g) For a second or subsequent violation of this Section  
19 within 2 years of the date of the previous violation, the  
20 Secretary of State shall suspend the driver's license of the  
21 violator for a period of 90 days. This suspension shall only be  
22 imposed if at least two of the violations of this Section  
23 occurred during those periods when workers were present in the  
24 construction or maintenance zone.

25 (Source: P.A. 97-830, eff. 1-1-13.)".