

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 Highway Code is amended by adding  
5 Section 6-134 as follows:

6 (605 ILCS 5/6-134 new)

7 Sec. 6-134. Township road district; private roadways.

8 (a) For purposes of this Section, a "neighborhood  
9 organization" includes a homeowners' association, property  
10 owners' association, or any similar entity.

11 (b) A neighborhood organization that oversees a  
12 residential neighborhood that (1) exists within the  
13 unincorporated boundaries of any township road district; and  
14 (2) has residential roadways considered to be private roadways  
15 maintained by the neighborhood organization, may vote to  
16 declare the private roadways to be public roadways. This  
17 declaration must be in the form of a resolution drafted by the  
18 neighborhood organization and voted on by the neighborhood  
19 organization's members as described in this Section. If the  
20 resolution is approved, the neighborhood organization must  
21 submit the approved resolution to the highway commissioner and  
22 the county clerk. All authority and control over the roadways  
23 shall be transferred to the highway commissioner 21 days after

1 the resolution is filed with the highway commissioner and the  
2 county clerk. Rules, specifications, and regulations regarding  
3 location, width, grades, surface, and drainage structures  
4 applicable to township road district roads that apply on the  
5 date of the transfer shall not apply to a roadway transferred  
6 under this Section.

7 (c) The governing board of any neighborhood organization  
8 seeking to transfer the private roadways under its jurisdiction  
9 to the public must:

10 (1) provide members ample notification of the vote, its  
11 purpose, and the date and time of the meeting when the vote  
12 is to be held, no less than 14 days before; and

13 (2) obtain a majority of affirmative votes of those  
14 present at the meeting.

15 (d) This Section shall only apply to areas that meet the  
16 following qualifications:

17 (1) the roadways to be turned over must be located  
18 within the boundaries of a county whose population is no  
19 less than 500,000 people as determined by the most recent  
20 U.S. Census;

21 (2) the majority of the neighborhood which the  
22 neighborhood organization oversees was platted before  
23 1970;

24 (3) the neighborhood organization must be comprised of  
25 more than 20 residential units;

26 (4) the roadways cannot be part of a gated community,

1       have a guard post, or have any physical obstructions that  
2       prevent ongoing and regular access by the general public;

3           (5) the neighborhood must abut an inland body of water  
4       with at least 100 acres of surface area, but no more than  
5       250 acres of surface area; and

6           (6) the neighborhood must be located within 6 miles of  
7       a tollway.