



Sen. John G. Mulroe

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09900HB1453sam001

LRB099 03951 RLC 35702 a

1 AMENDMENT TO HOUSE BILL 1453

2 AMENDMENT NO. _____. Amend House Bill 1453 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 3. The Illinois Vehicle Code is amended by
5 changing Sections 11-605 and 11-605.1 as follows:

6 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

7 Sec. 11-605. Special speed limit while passing schools.

8 (a) For the purpose of this Section, "school" means the
9 following entities:

10 (1) A public or private primary or secondary school.

11 (2) A primary or secondary school operated by a
12 religious institution.

13 (3) A public, private, or religious nursery school.

14 On a school day when school children are present and so
15 close thereto that a potential hazard exists because of the
16 close proximity of the motorized traffic, no person shall drive

1 a motor vehicle at a speed in excess of 20 miles per hour while
2 passing a school zone or while traveling on a roadway on public
3 school property or upon any public thoroughfare where children
4 pass going to and from school.

5 For the purpose of this Section a school day shall begin at
6 seven ante meridian and shall conclude at four post meridian.

7 This Section shall not be applicable unless appropriate
8 signs are posted upon streets and highways under their
9 respective jurisdiction and maintained by the Department,
10 township, county, park district, city, village or incorporated
11 town wherein the school zone is located. With regard to the
12 special speed limit while passing schools, such signs shall
13 give proper due warning that a school zone is being approached
14 and shall indicate the school zone and the maximum speed limit
15 in effect during school days when school children are present.

16 (b) (Blank).

17 (c) Nothing in this Chapter shall prohibit the use of
18 electronic speed-detecting devices within 500 feet of signs
19 within a special school speed zone indicating such zone, as
20 defined in this Section, nor shall evidence obtained thereby be
21 inadmissible in any prosecution for speeding provided the use
22 of such device shall apply only to the enforcement of the speed
23 limit in such special school speed zone.

24 (d) (Blank).

25 (e) Except as provided in subsection (e-5), a person who
26 violates ~~A first violation of~~ this Section is guilty of a petty

1 offense. Violations of this Section are punishable with a
2 minimum fine of \$150 for the first violation and a minimum fine
3 of \$300 for the ~~—A second or subsequent violation of this~~
4 ~~Section is a petty offense with a minimum fine of \$300.~~

5 (e-5) A person committing a violation of this Section is
6 guilty of aggravated special speed limit while passing schools
7 when he or she drives a motor vehicle at a speed that is:

8 (1) 26 miles per hour or more but less than 35 miles
9 per hour in excess of the applicable special speed limit
10 established under this Section or a similar provision of a
11 local ordinance and is guilty of a Class B misdemeanor; or

12 (2) 35 miles per hour or more in excess of the
13 applicable special speed limit established under this
14 Section or a similar provision of a local ordinance and is
15 guilty of a Class A misdemeanor.

16 (f) When a fine for a violation of subsection (a) is \$150
17 or greater, the person who violates subsection (a) shall be
18 charged an additional \$50 to be paid to the unit school
19 district where the violation occurred for school safety
20 purposes. If the violation occurred in a dual school district,
21 \$25 of the surcharge shall be paid to the elementary school
22 district for school safety purposes and \$25 of the surcharge
23 shall be paid to the high school district for school safety
24 purposes. Notwithstanding any other provision of law, the
25 entire \$50 surcharge shall be paid to the appropriate school
26 district or districts.

1 For purposes of this subsection (f), "school safety
2 purposes" includes the costs associated with school zone safety
3 education, the Safe Routes to School Program under Section
4 2705-317 of the Department of Transportation Law of the Civil
5 Administrative Code of Illinois, safety programs within the
6 School Safety and Educational Improvement Block Grant Program
7 under Section 2-3.51.5 of the School Code, and the purchase,
8 installation, and maintenance of caution lights which are
9 mounted on school speed zone signs.

10 (g) (Blank).

11 (h) (Blank).

12 (Source: P.A. 96-52, eff. 7-23-09.)

13 (625 ILCS 5/11-605.1)

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

16 (a) A person may not operate a motor vehicle in a
17 construction or maintenance speed zone at a speed in excess of
18 the posted speed limit when workers are present.

19 (a-5) A person may not operate a motor vehicle in a
20 construction or maintenance speed zone at a speed in excess of
21 the posted speed limit when workers are not present.

22 (b) Nothing in this Chapter prohibits the use of electronic
23 speed-detecting devices within 500 feet of signs within a
24 construction or maintenance speed zone indicating the zone, as
25 defined in this Section, nor shall evidence obtained by use of

1 those devices be inadmissible in any prosecution for speeding,
2 provided the use of the device shall apply only to the
3 enforcement of the speed limit in the construction or
4 maintenance speed zone.

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

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

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

1 must state the amount of the minimum fine for a violation.

2 (d) Except as provided under subsection (d-5), a person who
3 violates ~~A first violation of~~ this Section is guilty of a petty
4 offense. Violations of this Section are punishable with a
5 minimum fine of \$250 for the first violation and a minimum fine
6 of \$750 for the ~~. A second or subsequent violation of this~~
7 ~~Section is a petty offense with a minimum fine of \$750.~~

8 (d-5) A person committing a violation of this Section is
9 guilty of aggravated special speed limit while traveling
10 through a highway construction or maintenance speed zone when
11 he or she drives a motor vehicle at a speed that is:

12 (1) 26 miles per hour or more but less than 35 miles
13 per hour in excess of the applicable special speed limit
14 established under this Section or a similar provision of a
15 local ordinance and is guilty of a Class B misdemeanor; or

16 (2) 35 miles per hour or more in excess of the
17 applicable special speed limit established under this
18 Section or a similar provision of a local ordinance and is
19 guilty of a Class A misdemeanor.

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

1 shall be deposited into that county's Transportation Safety
2 Highway Hire-back Fund. In the case of a second or subsequent
3 violation of this Section, if the fine is \$750 or greater, the
4 person who violated this Section shall be charged an additional
5 \$250, which shall be deposited into the Transportation Safety
6 Highway Hire-back Fund in the State treasury, unless (i) the
7 violation occurred on a highway other than an interstate
8 highway and (ii) a county police officer wrote the ticket for
9 the violation, in which case the \$250 shall be deposited into
10 that county's Transportation Safety Highway Hire-back Fund.

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

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

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

1 highways.

2 (g) For a second or subsequent violation of this Section
3 within 2 years of the date of the previous violation, the
4 Secretary of State shall suspend the driver's license of the
5 violator for a period of 90 days. This suspension shall only be
6 imposed if the current violation of this Section and at least
7 one prior violation of this Section occurred during a period
8 when workers were present in the construction or maintenance
9 zone.

10 (Source: P.A. 97-830, eff. 1-1-13; 98-337, eff. 1-1-14.)"; and

11 on page 5, by replacing line 20 with the following:

12 "15-301, paragraph (b) of Section 6-104, Section 11-605,
13 paragraph (d-5) of Section 11-605.1, Section"; and

14 on page 11, by replacing lines 1 through 14 with the following:

15 "ordinance when the defendant has previously been:

16 (1) convicted for a violation of Section 11-601.5 of
17 the Illinois Vehicle Code or a similar provision of a local
18 ordinance or any similar law or ordinance of another state;
19 or

20 (2) assigned supervision for a violation of Section
21 11-601.5 of the Illinois Vehicle Code or a similar
22 provision of a local ordinance or any similar law or
23 ordinance of another state."; and

1 on page 11, by replacing lines 15 through 19 with the
2 following:

3 "(q) The provisions of paragraph (c) shall not apply to a
4 defendant charged with violating subsection (b) of Section
5 11-601 or Section 11-601.5 of the Illinois Vehicle Code when
6 the defendant was operating a vehicle, in an urban district, at
7 a speed that is 26 miles per hour or more in excess of the
8 applicable maximum speed limit established under Chapter 11 of
9 the Illinois Vehicle Code ~~25 miles per hour over the posted~~
10 ~~speed limit.~~".