

1 AN ACT in relation to vehicles.

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  
5 changing Section 11-605 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 or while traveling through highway construction or  
9 maintenance zones.

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

12 (1) A public or private primary or secondary  
13 school.

14 (2) A primary or secondary school operated by a  
15 religious institution.

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

17 On a school day when school children are present and so  
18 close thereto that a potential hazard exists because of the  
19 close proximity of the motorized traffic, no person shall  
20 drive a motor vehicle at a speed in excess of 20 miles per  
21 hour while passing a school zone or while traveling upon any  
22 public thoroughfare where children pass going to and from  
23 school.

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

27 This Section shall not be applicable unless appropriate  
28 signs are posted upon streets and highways under their  
29 respective jurisdiction and maintained by the Department,  
30 township, county, park district, city, village or  
31 incorporated town wherein the school zone is located. With

1 regard to the special speed limit while passing schools, such  
2 signs shall give proper due warning that a school zone is  
3 being approached and shall indicate the school zone and the  
4 maximum speed limit in effect during school days when school  
5 children are present.

6 (b) No person shall operate a motor vehicle in a  
7 construction or maintenance zone at a speed in excess of the  
8 posted speed limit when workers are present and so close to  
9 the moving traffic that a potential hazard exists because of  
10 the motorized traffic.

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

20 (d) For the purpose of this Section, a construction or  
21 maintenance zone is an area in which the Department, Toll  
22 Highway Authority, or local agency has determined that the  
23 preexisting established speed limit through a highway  
24 construction or maintenance project is greater than is  
25 reasonable or safe with respect to the conditions expected to  
26 exist in the construction or maintenance zone and has posted  
27 a lower speed limit with a highway construction or  
28 maintenance zone special speed limit sign.

29 Highway construction or maintenance zone special speed  
30 limit signs shall be of a design approved by the Department.  
31 The signs shall give proper due warning that a construction  
32 or maintenance zone is being approached and shall indicate  
33 the maximum speed limit in effect. The signs shall also  
34 state the amount of the minimum fine for a violation when

1 workers are present.

2 (e) A first violation of this Section is a petty offense  
3 with a minimum fine of \$150. A second or subsequent  
4 violation of this Section is a petty offense with a minimum  
5 fine of \$300.

6 (f) When a fine for a violation of subsection (a) is  
7 \$150 or greater, the person who violates subsection (a) shall  
8 be charged an additional \$50 to be paid to the unit school  
9 district where the violation occurred for school safety  
10 purposes. If the violation occurred in a dual school  
11 district, \$25 of the surcharge shall be paid to the  
12 elementary school district for school safety purposes and \$25  
13 of the surcharge shall be paid to the high school district  
14 for school safety purposes. Notwithstanding any other  
15 provision of law, the entire \$50 surcharge shall be paid to  
16 the appropriate school district or districts.

17 For purposes of this subsection (f), "school safety  
18 purposes" includes the costs associated with school zone  
19 safety education and the purchase, installation, and  
20 maintenance of caution lights which are mounted on school  
21 speed zone signs.

22 (g) A person who violates subsection (b) shall be  
23 charged an additional \$50 to be paid to the Department of  
24 Transportation and used to pay police officers hired to  
25 patrol construction or maintenance zones. Notwithstanding  
26 any other provision of law, the entire \$50 surcharge shall be  
27 paid to the Department of Transportation.

28 (Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02.)

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law.