



Rep. La Shawn K. Ford

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10400HB0038ham001

LRB104 03435 RLC 23275 a

1 AMENDMENT TO HOUSE BILL 38

2 AMENDMENT NO. _____. Amend House Bill 38 by replacing
3 line 5 on page 1 through line 10 on page 7 with the following:
4 "changing Section 11-208 as follows:

5 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

6 Sec. 11-208. Powers of local authorities.

7 (a) The provisions of this Code shall not be deemed to
8 prevent local authorities with respect to streets and highways
9 under their jurisdiction and within the reasonable exercise of
10 the police power from:

11 1. Regulating the standing or parking of vehicles,
12 except as limited by Sections 11-1306 and 11-1307 of this
13 Act;

14 2. Regulating traffic by means of police officers or
15 traffic control signals;

16 3. Regulating or prohibiting processions or
17 assemblages on the highways; and certifying persons to

1 control traffic for processions or assemblages;

2 4. Designating particular highways as one-way highways
3 and requiring that all vehicles thereon be moved in one
4 specific direction;

5 5. Regulating the speed of vehicles in public parks
6 subject to the limitations set forth in Section 11-604;

7 6. Designating any highway as a through highway, as
8 authorized in Section 11-302, and requiring that all
9 vehicles stop before entering or crossing the same or
10 designating any intersection as a stop intersection or a
11 yield right-of-way intersection and requiring all vehicles
12 to stop or yield the right-of-way at one or more entrances
13 to such intersections;

14 7. Restricting the use of highways as authorized in
15 Chapter 15;

16 8. Regulating the operation of mobile carrying
17 devices, bicycles, low-speed electric bicycles, and
18 low-speed gas bicycles, and requiring the registration and
19 licensing of same, including the requirement of a
20 registration fee;

21 9. Regulating or prohibiting the turning of vehicles
22 or specified types of vehicles at intersections;

23 10. Altering the speed limits as authorized in Section
24 11-604;

25 11. Prohibiting U-turns;

26 12. Prohibiting pedestrian crossings at other than

1 designated and marked crosswalks or at intersections;

2 13. Prohibiting parking during snow removal operation;

3 14. Imposing fines in accordance with Section
4 11-1301.3 as penalties for use of any parking place
5 reserved for persons with disabilities, as defined by
6 Section 1-159.1, or veterans with disabilities by any
7 person using a motor vehicle not bearing registration
8 plates specified in Section 11-1301.1 or a special decal
9 or device as defined in Section 11-1301.2 as evidence that
10 the vehicle is operated by or for a person with
11 disabilities or a veteran with a disability;

12 15. Adopting such other traffic regulations as are
13 specifically authorized by this Code; ~~or~~

14 16. Enforcing the provisions of subsection (f) of
15 Section 3-413 of this Code or a similar local ordinance;
16 or

17 17. Imposing fines for operating or using a motor
18 vehicle in the commission of, or attempting to commit, an
19 offense in violation of paragraph (4) or (5) of subsection
20 (a) of Section 25-1 of the Criminal Code of 2012.

21 (b) No ordinance or regulation enacted under paragraph 1,
22 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be
23 effective until signs giving reasonable notice of such local
24 traffic regulations are posted.

25 (c) The provisions of this Code shall not prevent any
26 municipality having a population of 500,000 or more

1 inhabitants from prohibiting any person from driving or
2 operating any motor vehicle upon the roadways of such
3 municipality with headlamps on high beam or bright.

4 (d) The provisions of this Code shall not be deemed to
5 prevent local authorities within the reasonable exercise of
6 their police power from prohibiting, on private property, the
7 unauthorized use of parking spaces reserved for persons with
8 disabilities.

9 (e) No unit of local government, including a home rule
10 unit, may enact or enforce an ordinance that applies only to
11 motorcycles if the principal purpose for that ordinance is to
12 restrict the access of motorcycles to any highway or portion
13 of a highway for which federal or State funds have been used
14 for the planning, design, construction, or maintenance of that
15 highway. No unit of local government, including a home rule
16 unit, may enact an ordinance requiring motorcycle users to
17 wear protective headgear. Nothing in this subsection (e) shall
18 affect the authority of a unit of local government to regulate
19 motorcycles for traffic control purposes or in accordance with
20 Section 12-602 of this Code. No unit of local government,
21 including a home rule unit, may regulate motorcycles in a
22 manner inconsistent with this Code. This subsection (e) is a
23 limitation under subsection (i) of Section 6 of Article VII of
24 the Illinois Constitution on the concurrent exercise by home
25 rule units of powers and functions exercised by the State.

26 (e-5) The City of Chicago may enact an ordinance providing

1 for a noise monitoring system upon any portion of the roadway
2 known as Lake Shore Drive. Twelve months after the
3 installation of the noise monitoring system, and any time
4 after the first report as the City deems necessary, the City of
5 Chicago shall prepare a noise monitoring report with the data
6 collected from the system and shall, upon request, make the
7 report available to the public. For purposes of this
8 subsection (e-5), "noise monitoring system" means an automated
9 noise monitor capable of recording noise levels 24 hours per
10 day and 365 days per year with computer equipment sufficient
11 to process the data.

12 (e-10) A unit of local government, including a home rule
13 unit, may not enact an ordinance prohibiting the use of
14 Automated Driving System equipped vehicles on its roadways.
15 Nothing in this subsection (e-10) shall affect the authority
16 of a unit of local government to regulate Automated Driving
17 System equipped vehicles for traffic control purposes. No unit
18 of local government, including a home rule unit, may regulate
19 Automated Driving System equipped vehicles in a manner
20 inconsistent with this Code. For purposes of this subsection
21 (e-10), "Automated Driving System equipped vehicle" means any
22 vehicle equipped with an Automated Driving System of hardware
23 and software that are collectively capable of performing the
24 entire dynamic driving task on a sustained basis, regardless
25 of whether it is limited to a specific operational domain.
26 This subsection (e-10) is a limitation under subsection (i) of

1 Section 6 of Article VII of the Illinois Constitution on the
2 concurrent exercise by home rule units of powers and functions
3 exercised by the State.

4 (f) A municipality or county designated in Section
5 11-208.6 may enact an ordinance providing for an automated
6 traffic law enforcement system to enforce violations of this
7 Code or a similar provision of a local ordinance and imposing
8 liability on a registered owner or lessee of a vehicle used in
9 such a violation.

10 (g) A municipality or county, as provided in Section
11 11-1201.1, may enact an ordinance providing for an automated
12 traffic law enforcement system to enforce violations of
13 Section 11-1201 of this Code or a similar provision of a local
14 ordinance and imposing liability on a registered owner of a
15 vehicle used in such a violation.

16 (h) A municipality designated in Section 11-208.8 may
17 enact an ordinance providing for an automated speed
18 enforcement system to enforce violations of Article VI of
19 Chapter 11 of this Code or a similar provision of a local
20 ordinance.

21 (i) A municipality or county designated in Section
22 11-208.9 may enact an ordinance providing for an automated
23 traffic law enforcement system to enforce violations of
24 Section 11-1414 of this Code or a similar provision of a local
25 ordinance and imposing liability on a registered owner or
26 lessee of a vehicle used in such a violation.

1 (Source: P.A. 100-209, eff. 1-1-18; 100-257, eff. 8-22-17;
2 100-352, eff. 6-1-18; 100-863, eff. 8-14-18; 101-123, eff.
3 7-26-19.)".