



Sen. Sara Feigenholtz

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10400SB1507sam001

LRB104 06239 RLC 23920 a

1 AMENDMENT TO SENATE BILL 1507

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1507 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 11-208.8 as follows:

6 (625 ILCS 5/11-208.8)

7 Sec. 11-208.8. Automated speed enforcement systems in  
8 safety zones.

9 (a) As used in this Section:

10 "Automated speed enforcement system" means a photographic  
11 device, radar device, laser device, or other electrical or  
12 mechanical device or devices installed or utilized in a safety  
13 zone and designed to record the speed of a vehicle and obtain a  
14 clear photograph or other recorded image of the vehicle and  
15 the vehicle's registration plate or digital registration plate  
16 while the driver is violating Article VI of Chapter 11 of this

1 Code or a similar provision of a local ordinance.

2 An automated speed enforcement system is a system, located  
3 in a safety zone which is under the jurisdiction of a  
4 municipality, that produces a recorded image of a motor  
5 vehicle's violation of a provision of this Code or a local  
6 ordinance and is designed to obtain a clear recorded image of  
7 the vehicle and the vehicle's license plate. The recorded  
8 image must also display the time, date, and location of the  
9 violation.

10 "Owner" means the person or entity to whom the vehicle is  
11 registered.

12 "Recorded image" means images recorded by an automated  
13 speed enforcement system on:

- 14 (1) 2 or more photographs;  
15 (2) 2 or more microphotographs;  
16 (3) 2 or more electronic images; or  
17 (4) a video recording showing the motor vehicle and,  
18 on at least one image or portion of the recording, clearly  
19 identifying the registration plate or digital registration  
20 plate number of the motor vehicle.

21 "Safety zone" means an area that is within one-eighth of a  
22 mile from the nearest property line of any public or private  
23 elementary or secondary school, or from the nearest property  
24 line of any facility, area, or land owned by a school district  
25 that is used for educational purposes approved by the Illinois  
26 State Board of Education, not including school district

1 headquarters or administrative buildings. A safety zone also  
2 includes an area that is within one-eighth of a mile from the  
3 nearest property line of any facility, area, or land owned by a  
4 park district used for recreational purposes. However, if any  
5 portion of a roadway is within either one-eighth mile radius,  
6 the safety zone also shall include the roadway extended to the  
7 furthest portion of the next furthest intersection. The term  
8 "safety zone" does not include any portion of the roadway  
9 known as Lake Shore Drive or any controlled access highway  
10 with 8 or more lanes of traffic.

11 (a-5) The automated speed enforcement system shall be  
12 operational and violations shall be recorded only at the  
13 following times:

14 (i) if the safety zone is based upon the property line  
15 of any facility, area, or land owned by a school district,  
16 only on school days and no earlier than 6 a.m. and no later  
17 than 8:30 p.m. if the school day is during the period of  
18 Monday through Thursday, or 9 p.m. if the school day is a  
19 Friday; and

20 (ii) if the safety zone is based upon the property  
21 line of any facility, area, or land owned by a park  
22 district, no earlier than one hour prior to the time that  
23 the facility, area, or land is open to the public or other  
24 patrons, and no later than one hour after the facility,  
25 area, or land is closed to the public or other patrons.

26 (b) A municipality that produces a recorded image of a

1 motor vehicle's violation of a provision of this Code or a  
2 local ordinance must make the recorded images of a violation  
3 accessible to the alleged violator by providing the alleged  
4 violator with a website address, accessible through the  
5 Internet.

6 (c) Notwithstanding any penalties for any other violations  
7 of this Code, the owner of a motor vehicle used in a traffic  
8 violation recorded by an automated speed enforcement system  
9 shall be subject to the following penalties:

10 (1) if the recorded speed is no less than 6 miles per  
11 hour and no more than 10 miles per hour over the legal  
12 speed limit, a civil penalty not exceeding \$50, plus an  
13 additional penalty of not more than \$50 for failure to pay  
14 the original penalty in a timely manner; or

15 (2) if the recorded speed is more than 10 miles per  
16 hour over the legal speed limit, a civil penalty not  
17 exceeding \$100, plus an additional penalty of not more  
18 than \$100 for failure to pay the original penalty in a  
19 timely manner.

20 A penalty may not be imposed under this Section if the  
21 driver of the motor vehicle received a Uniform Traffic  
22 Citation from a police officer for a speeding violation  
23 occurring within one-eighth of a mile and 15 minutes of the  
24 violation that was recorded by the system. A violation for  
25 which a civil penalty is imposed under this Section is not a  
26 violation of a traffic regulation governing the movement of

1 vehicles and may not be recorded on the driving record of the  
2 owner of the vehicle. A law enforcement officer is not  
3 required to be present or to witness the violation. No penalty  
4 may be imposed under this Section if the recorded speed of a  
5 vehicle is 5 miles per hour or less over the legal speed limit.  
6 The municipality may send, in the same manner that notices are  
7 sent under this Section, a speed violation warning notice  
8 where the violation involves a speed of 5 miles per hour or  
9 less above the legal speed limit.

10 (d) The net proceeds that a municipality receives from  
11 civil penalties imposed under an automated speed enforcement  
12 system, after deducting all non-personnel and personnel costs  
13 associated with the operation and maintenance of such system,  
14 shall be expended or obligated by the municipality for the  
15 following purposes:

16 (i) public safety initiatives to ensure safe passage  
17 around schools, and to provide police protection and  
18 surveillance around schools and parks, including but not  
19 limited to: (1) personnel costs; and (2) non-personnel  
20 costs such as construction and maintenance of public  
21 safety infrastructure and equipment;

22 (ii) initiatives to improve pedestrian and traffic  
23 safety;

24 (iii) construction and maintenance of infrastructure  
25 within the municipality, including but not limited to  
26 roads and bridges; and

1 (iv) after school programs.

2 (e) For each violation of a provision of this Code or a  
3 local ordinance recorded by an automated speed enforcement  
4 system, the municipality having jurisdiction shall issue a  
5 written notice of the violation to the registered owner of the  
6 vehicle as the alleged violator. The notice shall be delivered  
7 to the registered owner of the vehicle, by mail, within 30 days  
8 after the Secretary of State notifies the municipality of the  
9 identity of the owner of the vehicle, but in no event later  
10 than 90 days after the violation.

11 (f) The notice required under subsection (e) of this  
12 Section shall include:

13 (1) the name and address of the registered owner of  
14 the vehicle;

15 (2) the registration number of the motor vehicle  
16 involved in the violation;

17 (3) the violation charged;

18 (4) the date, time, and location where the violation  
19 occurred;

20 (5) a copy of the recorded image or images;

21 (6) the amount of the civil penalty imposed and the  
22 date by which the civil penalty should be paid;

23 (7) a statement that recorded images are evidence of a  
24 violation of a speed restriction;

25 (8) a warning that failure to pay the civil penalty or  
26 to contest liability in a timely manner is an admission of

1 liability;

2 (9) a statement that the person may elect to proceed  
3 by:

4 (A) paying the fine; or

5 (B) challenging the charge in court, by mail, or  
6 by administrative hearing; and

7 (10) a website address, accessible through the  
8 Internet, where the person may view the recorded images of  
9 the violation.

10 (g) (Blank).

11 (h) Based on inspection of recorded images produced by an  
12 automated speed enforcement system, a notice alleging that the  
13 violation occurred shall be evidence of the facts contained in  
14 the notice and admissible in any proceeding alleging a  
15 violation under this Section.

16 (i) Recorded images made by an automated speed enforcement  
17 system are confidential and shall be made available only to  
18 the alleged violator and governmental and law enforcement  
19 agencies for purposes of adjudicating a violation of this  
20 Section, for statistical purposes, or for other governmental  
21 purposes. Any recorded image evidencing a violation of this  
22 Section, however, may be admissible in any proceeding  
23 resulting from the issuance of the citation.

24 (j) The court or hearing officer may consider in defense  
25 of a violation:

26 (1) that the motor vehicle or registration plates or

1 digital registration plates of the motor vehicle were  
2 stolen before the violation occurred and not under the  
3 control or in the possession of the owner or lessee at the  
4 time of the violation;

5 (1.5) that the motor vehicle was hijacked before the  
6 violation occurred and not under the control of or in the  
7 possession of the owner or lessee at the time of the  
8 violation;

9 (2) that the driver of the motor vehicle received a  
10 Uniform Traffic Citation from a police officer for a  
11 speeding violation occurring within one-eighth of a mile  
12 and 15 minutes of the violation that was recorded by the  
13 system; and

14 (3) any other evidence or issues provided by municipal  
15 ordinance.

16 (k) To demonstrate that the motor vehicle was hijacked or  
17 the motor vehicle or registration plates or digital  
18 registration plates were stolen before the violation occurred  
19 and were not under the control or possession of the owner or  
20 lessee at the time of the violation, the owner or lessee must  
21 submit proof that a report concerning the motor vehicle or  
22 registration plates was filed with a law enforcement agency in  
23 a timely manner.

24 (l) A roadway equipped with an automated speed enforcement  
25 system shall be posted with a sign conforming to the national  
26 Manual on Uniform Traffic Control Devices that is visible to

1 approaching traffic stating that vehicle speeds are being  
2 photo-enforced and indicating the speed limit. The  
3 municipality shall install such additional signage as it  
4 determines is necessary to give reasonable notice to drivers  
5 as to where automated speed enforcement systems are installed.

6 (m) A roadway where a new automated speed enforcement  
7 system is installed shall be posted with signs providing 30  
8 days notice of the use of a new automated speed enforcement  
9 system prior to the issuance of any citations through the  
10 automated speed enforcement system.

11 (n) The compensation paid for an automated speed  
12 enforcement system must be based on the value of the equipment  
13 or the services provided and may not be based on the number of  
14 traffic citations issued or the revenue generated by the  
15 system.

16 (n-1) No member of the General Assembly and no officer or  
17 employee of a municipality or county shall knowingly accept  
18 employment or receive compensation or fees for services from a  
19 vendor that provides automated speed enforcement system  
20 equipment or services to municipalities or counties. No former  
21 member of the General Assembly shall, within a period of 2  
22 years immediately after the termination of service as a member  
23 of the General Assembly, knowingly accept employment or  
24 receive compensation or fees for services from a vendor that  
25 provides automated speed enforcement system equipment or  
26 services to municipalities or counties. No former officer or

1 employee of a municipality or county shall, within a period of  
2 2 years immediately after the termination of municipal or  
3 county employment, knowingly accept employment or receive  
4 compensation or fees for services from a vendor that provides  
5 automated speed enforcement system equipment or services to  
6 municipalities or counties.

7 (o) (Blank).

8 (p) No person who is the lessor of a motor vehicle pursuant  
9 to a written lease agreement shall be liable for an automated  
10 speed or traffic law enforcement system violation involving  
11 such motor vehicle during the period of the lease; provided  
12 that upon the request of the appropriate authority received  
13 within 120 days after the violation occurred, the lessor  
14 provides within 60 days after such receipt the name and  
15 address of the lessee. The drivers license number of a lessee  
16 may be subsequently individually requested by the appropriate  
17 authority if needed for enforcement of this Section.

18 Upon the provision of information by the lessor pursuant  
19 to this subsection, the municipality may issue the violation  
20 to the lessee of the vehicle in the same manner as it would  
21 issue a violation to a registered owner of a vehicle pursuant  
22 to this Section, and the lessee may be held liable for the  
23 violation.

24 (q) A municipality using an automated speed enforcement  
25 system must provide notice to drivers by publishing the  
26 locations of all safety zones where system equipment is

1 installed on the website of the municipality.

2 (r) A municipality operating an automated speed  
3 enforcement system shall conduct a statistical analysis to  
4 assess the safety impact of the system following installation  
5 of the system and every 2 years thereafter. A municipality  
6 operating an automated speed enforcement system before the  
7 effective date of this amendatory Act of the 103rd General  
8 Assembly shall conduct a statistical analysis to assess the  
9 safety impact of the system by no later than one year after the  
10 effective date of this amendatory Act of the 103rd General  
11 Assembly and every 2 years thereafter. Each statistical  
12 analysis shall be based upon the best available crash,  
13 traffic, and other data, and shall cover a period of time  
14 before and after installation of the system sufficient to  
15 provide a statistically valid comparison of safety impact.  
16 Each statistical analysis shall be consistent with  
17 professional judgment and acceptable industry practice. Each  
18 statistical analysis also shall be consistent with the data  
19 required for valid comparisons of before and after conditions  
20 and shall be conducted within a reasonable period following  
21 the installation of the automated traffic law enforcement  
22 system. Each statistical analysis required by this subsection  
23 shall be made available to the public and shall be published on  
24 the website of the municipality.

25 (s) This Section applies only to municipalities with a  
26 population of 1,000,000 or more inhabitants.

1           (t) If a county or municipality selects a new vendor for  
2 its automated speed enforcement system and must, as a  
3 consequence, apply for a permit, approval, or other  
4 authorization from the Department for reinstallation of one or  
5 more malfunctioning components of that system and if, at the  
6 time of the application for the permit, approval, or other  
7 authorization, the new vendor operates an automated speed  
8 enforcement system for any other county or municipality in the  
9 State, then the Department shall approve or deny the county or  
10 municipality's application for the permit, approval, or other  
11 authorization within 90 days after its receipt.

12           (u) The Department may revoke any permit, approval, or  
13 other authorization granted to a county or municipality for  
14 the placement, installation, or operation of an automated  
15 speed enforcement system if any official or employee who  
16 serves that county or municipality is charged with bribery,  
17 official misconduct, or a similar crime related to the  
18 placement, installation, or operation of the automated speed  
19 enforcement system in the county or municipality.

20           The Department shall adopt any rules necessary to  
21 implement and administer this subsection. The rules adopted by  
22 the Department shall describe the revocation process, shall  
23 ensure that notice of the revocation is provided, and shall  
24 provide an opportunity to appeal the revocation. Any county or  
25 municipality that has a permit, approval, or other  
26 authorization revoked under this subsection may not reapply

1 for such a permit, approval, or other authorization for a  
2 period of 1 year after the revocation.

3 (v) The University of Illinois Chicago Urban  
4 Transportation Center shall conduct a study that includes the  
5 following:

6 (1) a comprehensive review of the City of Chicago's  
7 website multi-year crash data on North and South DuSable  
8 Lake Shore Drive;

9 (2) the available research on potential effectiveness  
10 of cameras powered by artificial intelligence in improving  
11 compliance and reducing crashes and road fatalities on  
12 North and South DuSable Lake Shore Drive;

13 (3) an analysis of driving behavior to detect risky  
14 driving patterns and to address the DuSable Lake Shore  
15 Drive crash corridors;

16 (4) an assessment of the effectiveness of  
17 psychological deterrence in reducing habitual speeding;  
18 and

19 (5) an assessment of how fatalities can be reduced  
20 using these cameras powered by artificial intelligence and  
21 other technical options that may be available in place of  
22 cameras powered by artificial intelligence.

23 The Department shall adopt any rules necessary to  
24 implement this subsection (v).

25 (Source: P.A. 102-905, eff. 1-1-23; 103-364, eff. 7-28-23.)".