

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 Vehicle Code is amended by changing
5 Sections 11-305 and 11-908 as follows:

6 (625 ILCS 5/11-305) (from Ch. 95 1/2, par. 11-305)

7 Sec. 11-305. Obedience to and required traffic-control
8 devices. (a) The driver of any vehicle shall obey the
9 instructions of any official traffic-control device applicable
10 thereto placed or held in accordance with the provisions of
11 this Act, unless otherwise directed by a police officer,
12 subject to the exceptions granted the driver of an authorized
13 emergency vehicle in this Act.

14 (b) It is unlawful for any person to leave the roadway and
15 travel across private property to avoid an official traffic
16 control device.

17 (c) No provision of this Act for which official
18 traffic-control devices are required shall be enforced against
19 an alleged violator if at the time and place of the alleged
20 violation an official device is not in proper position and
21 sufficiently legible to be seen by an ordinarily observant
22 person. Whenever a particular section does not state that
23 official traffic-control devices are required, such section

1 shall be effective even though no devices are erected or in
2 place.

3 (d) Whenever any official traffic-control device is placed
4 or held in position approximately conforming to the
5 requirements of this Act and purports to conform to the lawful
6 requirements pertaining to such device, such device shall be
7 presumed to have been so placed or held by the official act or
8 direction of lawful authority, and comply with the requirements
9 of this Act, unless the contrary shall be established by
10 competent evidence.

11 (e) The driver of a vehicle approaching a traffic control
12 signal on which no signal light facing such vehicle is
13 illuminated shall stop before entering the intersection in
14 accordance with rules applicable in making a stop at a stop
15 sign.

16 (f) Any violation of subsection (a) that occurs within a
17 designated highway construction zone or maintenance zone shall
18 result in a fine of no less than \$100 and no more than \$1,000.

19 (Source: P.A. 84-873.)

20 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

21 Sec. 11-908. Vehicle approaching or entering a highway
22 construction or maintenance area or zone.

23 (a) The driver of a vehicle shall yield the right-of-way to
24 any authorized vehicle or pedestrian actually engaged in work
25 upon a highway within any highway construction or maintenance

1 area indicated by official traffic-control devices.

2 (a-1) Upon entering a construction or maintenance zone when
3 workers are present, a person who drives a vehicle shall:

4 (1) proceeding with due caution, make a lane change
5 into a lane not adjacent to that of the workers present, if
6 possible with due regard to safety and traffic conditions,
7 if on a highway having at least 4 lanes with not less than
8 2 lanes proceeding in the same direction as the approaching
9 vehicle; or

10 (2) proceeding with due caution, reduce the speed of
11 the vehicle, maintaining a safe speed for road conditions,
12 if changing lanes would be impossible or unsafe.

13 (a-2) A person who violates subsection (a-1) of this
14 Section commits a business offense punishable by a fine of not
15 less than \$100 and not more than \$25,000 ~~\$10,000~~. It is a
16 factor in aggravation if the person committed the offense while
17 in violation of Section 11-501 of this Code.

18 (a-3) If a violation of subsection (a-1) of this Section
19 results in damage to the property of another person, in
20 addition to any other penalty imposed, the person's driving
21 privileges shall be suspended for a fixed period of not less
22 than 90 days and not more than one year.

23 (a-4) If a violation of subsection (a-1) of this Section
24 results in injury to another person, in addition to any other
25 penalty imposed, the person's driving privileges shall be
26 suspended for a fixed period of not less than 180 days and not

1 more than 2 years.

2 (a-5) If a violation of subsection (a-1) of this Section
3 results in the death of another person, in addition to any
4 other penalty imposed, the person's driving privileges shall be
5 suspended for 2 years.

6 (a-6) The Secretary of State shall, upon receiving a record
7 of a judgment entered against a person under subsection (a-1)
8 of this Section:

9 (1) suspend the person's driving privileges for the
10 mandatory period; or

11 (2) extend the period of an existing suspension by the
12 appropriate mandatory period.

13 (b) The driver of a vehicle shall yield the right-of-way to
14 any authorized vehicle obviously and actually engaged in work
15 upon a highway whenever the vehicle engaged in construction or
16 maintenance work displays flashing lights as provided in
17 Section 12-215 of this Act.

18 (c) The driver of a vehicle shall stop if signaled to do so
19 by a flagger or a traffic control signal and remain in such
20 position until signaled to proceed. If a driver of a vehicle
21 fails to stop when signaled to do so by a flagger, the flagger
22 is authorized to report such offense to the State's Attorney or
23 authorized prosecutor. The penalties imposed for a violation of
24 this subsection (c) shall be in addition to any penalties
25 imposed for a violation of subsection (a-1).

26 (Source: P.A. 100-201, eff. 8-18-17.)