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09300HB4012ham001

LRB093 15255 DRH 47899 a

1 AMENDMENT TO HOUSE BILL 4012

2 AMENDMENT NO. _____. Amend House Bill 4012 on page 4,
3 below line 27, by inserting the following:

4 "Section 90. 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 or
8 while traveling through highway construction or maintenance
9 zones.

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

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

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

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

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

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

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

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

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

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

33 Highway construction or maintenance zone special speed
34 limit signs shall be of a design approved by the Department.

1 The signs shall give proper due warning that a construction or
2 maintenance zone is being approached and shall indicate the
3 maximum speed limit in effect. The signs shall also state the
4 amount of the minimum fine for a violation when workers are
5 present.

6 (d-1) A local agency may delegate to its superintendent of
7 highways the authority to set and post a reduced speed limit
8 for a construction or maintenance zone under subsection (b). If
9 a superintendent of highways sets a reduced speed limit for a
10 construction or maintenance zone in accordance with this
11 subsection (d-1), the local agency must maintain a record that
12 indicates (i) the location of the construction or maintenance
13 zone, (ii) the reduced speed limit set and posted for the
14 construction or maintenance zone, and (iii) the dates during
15 which the reduced speed limit was in effect.

16 (e) A first violation of this Section is a petty offense
17 with a minimum fine of \$150. A second or subsequent violation
18 of this Section is a petty offense with a minimum fine of \$300.

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

30 For purposes of this subsection (f), "school safety
31 purposes" includes the costs associated with school zone safety
32 education and the purchase, installation, and maintenance of
33 caution lights which are mounted on school speed zone signs.

34 (g) When a fine for a violation of subsection (b) is \$150

1 or greater, the person who violates subsection (b) shall be
2 charged an additional \$50. The \$50 surcharge shall be deposited
3 into the Transportation Safety Highway Hire-back Fund.

4 (h) The Transportation Safety Highway Hire-back Fund is
5 created as a special fund in the State treasury. Subject to
6 appropriation by the General Assembly and approval by the
7 Secretary, the Secretary of Transportation shall use all moneys
8 in the Transportation Safety Highway Hire-back Fund to hire
9 off-duty Department of State Police officers to monitor
10 construction or maintenance zones.

11 (Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02; 92-619,
12 eff. 1-1-03; 92-780, eff. 8-6-02; revised 8-22-02.)".