

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 11-605.1 and 12-610.1 as follows:

6 (625 ILCS 5/11-605.1)

7 Sec. 11-605.1. Special limit while traveling through a  
8 highway construction or maintenance speed zone.

9 (a) A person may not operate a motor vehicle in a  
10 construction or maintenance speed zone at a speed in excess of  
11 the posted speed limit.

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

20 (c) As used in this Section, a "construction or maintenance  
21 speed zone" is an area in which the Department, Toll Highway  
22 Authority, or local agency has posted signage advising drivers  
23 that a construction or maintenance speed zone is being

1 approached, or in which the Department, Authority, or local  
2 agency has posted a lower speed limit with a highway  
3 construction or maintenance speed zone special speed limit sign  
4 after determining ~~determined~~ that the preexisting established  
5 speed limit through a highway construction or maintenance  
6 project is greater than is reasonable or safe with respect to  
7 the conditions expected to exist in the construction or  
8 maintenance speed zone ~~and has posted a lower speed limit with~~  
9 ~~a highway construction or maintenance speed zone special speed~~  
10 ~~limit sign.~~

11 If it is determined that the preexisting established speed  
12 limit is safe with respect to the conditions expected to exist  
13 in the construction or maintenance speed zone, additional speed  
14 limit signs which conform to the requirements of this  
15 subsection (c) shall be posted.

16 Highway construction or maintenance speed zone special  
17 speed limit signs shall be of a design approved by the  
18 Department. The signs must give proper due warning that a  
19 construction or maintenance speed zone is being approached and  
20 must indicate the maximum speed limit in effect. The signs also  
21 must state the amount of the minimum fine for a violation.

22 (d) A first violation of this Section is a petty offense  
23 with a minimum fine of \$250. A second or subsequent violation  
24 of this Section is a petty offense with a minimum fine of \$750.

25 (e) If a fine for a violation of this Section is \$250 or  
26 greater, the person who violated this Section shall be charged

1 an additional \$125, which shall be deposited into the  
2 Transportation Safety Highway Hire-back Fund in the State  
3 treasury, unless (i) the violation occurred on a highway other  
4 than an interstate highway and (ii) a county police officer  
5 wrote the ticket for the violation, in which case the \$125  
6 shall be deposited into that county's Transportation Safety  
7 Highway Hire-back Fund. In the case of a second or subsequent  
8 violation of this Section, if the fine is \$750 or greater, the  
9 person who violated this Section shall be charged an additional  
10 \$250, which shall be deposited into the Transportation Safety  
11 Highway Hire-back Fund in the State treasury, unless (i) the  
12 violation occurred on a highway other than an interstate  
13 highway and (ii) a county police officer wrote the ticket for  
14 the violation, in which case the \$250 shall be deposited into  
15 that county's Transportation Safety Highway Hire-back Fund.

16 (e-5) The Department of State Police and the local county  
17 police department have concurrent jurisdiction over any  
18 violation of this Section that occurs on an interstate highway.

19 (f) The Transportation Safety Highway Hire-back Fund,  
20 which was created by Public Act 92-619, shall continue to be a  
21 special fund in the State treasury. Subject to appropriation by  
22 the General Assembly and approval by the Secretary, the  
23 Secretary of Transportation shall use all moneys in the  
24 Transportation Safety Highway Hire-back Fund to hire off-duty  
25 Department of State Police officers to monitor construction or  
26 maintenance zones.

1           (f-5) Each county shall create a Transportation Safety  
2 Highway Hire-back Fund. The county shall use all moneys in its  
3 Transportation Safety Highway Hire-back Fund to hire off-duty  
4 county police officers to monitor construction or maintenance  
5 zones in that county on highways other than interstate  
6 highways.

7           (g) For a second or subsequent violation of this Section  
8 within 2 years of the date of the previous violation, the  
9 Secretary of State shall suspend the driver's license of the  
10 violator for a period of 90 days.

11       (Source: P.A. 93-955, eff. 8-19-04; 94-814, eff. 1-1-07.)

12           (625 ILCS 5/12-610.1)

13           Sec. 12-610.1. Wireless telephones.

14           (a) As used in this Section, "wireless telephone" means a  
15 device that is capable of transmitting or receiving telephonic  
16 communications without a wire connecting the device to the  
17 telephone network.

18           (b) A person under the age of 19 years who holds an  
19 instruction permit issued under Section 6-105 or 6-107.1, or a  
20 person under the age of 19 years who holds a graduated license  
21 issued under Section 6-107, may not drive a vehicle on a  
22 roadway while using a wireless phone.

23           (c) This Section does not apply to a person under the age  
24 of 19 years using a wireless telephone for emergency purposes,  
25 including, but not limited to, an emergency call to a law

1 enforcement agency, health care provider, fire department, or  
2 other emergency services agency or entity.

3 (d) If a graduated driver's license holder over the age of  
4 18 committed an offense against traffic regulations governing  
5 the movement of vehicles or any violation of Section 6-107 or  
6 Section 12-603.1 of this Code in the 6 months prior to the  
7 graduated driver's license holder's 18th birthday, and was  
8 subsequently convicted of the violation, the provisions of  
9 paragraph (b) shall continue to apply until such time as a  
10 period of 6 consecutive months has elapsed without an  
11 additional violation and subsequent conviction of an offense  
12 against traffic regulations governing the movement of vehicles  
13 or any violation of Section 6-107 or Section 12-603.1 of this  
14 Code.

15 (e) A person, regardless of age, may not use a wireless  
16 telephone at any time while operating a motor vehicle on a  
17 roadway in a school speed zone established under Section  
18 11-605, or on a highway in a construction or maintenance speed  
19 zone established under Section 11-605.1. This subsection (e)  
20 does not apply to (i) a person engaged in a highway  
21 construction or maintenance project for which a construction or  
22 maintenance speed zone has been established under Section  
23 11-605.1, (ii) a person using a wireless telephone for  
24 emergency purposes, including, but not limited to, law  
25 enforcement agency, health care provider, fire department, or  
26 other emergency services agency or entity, (iii) a law

1 enforcement officer or operator of an emergency vehicle when  
2 performing the officer's or operator's official duties, ~~or~~ (iv)  
3 to a person using a wireless telephone in voice-operated mode,  
4 which may include the use of a headset, or (v) to a person  
5 using a wireless telephone by pressing a single button to  
6 initiate or terminate a voice communication. ~~voice-activated~~  
7 ~~mode.~~

8 (Source: P.A. 95-310, eff. 1-1-08; 95-338, eff. 1-1-08; 95-876,  
9 eff. 8-21-08; 96-131, eff. 1-1-10.)