

# HB5805



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5805

by Rep. Joe Sosnowski

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-605.1

Amends the Illinois Vehicle Code. Provides that a court appearance is not required for violating the speed limit in a construction zone.

LRB098 18152 MLW 53281 b

A BILL FOR

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 Section 11-605.1 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 when workers are present.

12 (a-5) A person may not operate a motor vehicle in a  
13 construction or maintenance speed zone at a speed in excess of  
14 the posted speed limit when workers are not present.

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

23 (c) As used in this Section, a "construction or maintenance

1 speed zone" is an area in which the Department, Toll Highway  
2 Authority, or local agency has posted signage advising drivers  
3 that a construction or maintenance speed zone is being  
4 approached, or in which the Department, Authority, or local  
5 agency has posted a lower speed limit with a highway  
6 construction or maintenance speed zone special speed limit sign  
7 after determining that the preexisting established speed limit  
8 through a highway construction or maintenance project is  
9 greater than is reasonable or safe with respect to the  
10 conditions expected to exist in the construction or maintenance  
11 speed zone.

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

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

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

26 (e) If a fine for a violation of this Section is \$250 or

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

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

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

1 maintenance zones.

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

8 (g) For a second or subsequent violation of this Section  
9 within 2 years of the date of the previous violation, the  
10 Secretary of State shall suspend the driver's license of the  
11 violator for a period of 90 days. This suspension shall only be  
12 imposed if the current violation of this Section and at least  
13 one prior violation of this Section occurred during a period  
14 when workers were present in the construction or maintenance  
15 zone.

16 (h) A violation of this Section does not require a court  
17 appearance.

18 (Source: P.A. 97-830, eff. 1-1-13; 98-337, eff. 1-1-14.)