

1 AN ACT to amend the Illinois Vehicle Code by changing
2 Section 11-1201.1.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Illinois Vehicle Code is amended by
6 changing Section 11-1201.1 as follows:

7 (625 ILCS 5/11-1201.1)

8 Sec. 11-1201.1. Automated Railroad Crossing Enforcement
9 System.

10 (a) For the purposes of this Section, an automated
11 railroad grade crossing enforcement system is a system
12 operated by a law enforcement agency that records a driver's
13 response to automatic, electrical or mechanical signal
14 devices and crossing gates. The system shall be designed to
15 obtain a clear photograph or other recorded image of the
16 vehicle, vehicle operator and the vehicle registration plate
17 of a vehicle in violation of Section 11-1201. The photograph
18 or other recorded image shall also display the time, date and
19 location of the violation.

20 (b) Commencing on January 1, 1996, the Illinois Commerce
21 Commission and the Commuter Rail Board of the Regional
22 Transportation Authority shall, in cooperation with local law
23 enforcement agencies, establish a two year pilot program
24 within a county with a population of between 750,000 and
25 1,000,000 using an automated railroad grade crossing
26 enforcement system. The Commission shall determine the 3
27 railroad grade crossings within that county that pose the
28 greatest threat to human life based upon the number of
29 accidents and fatalities at the crossings during the past 5
30 years and with approval of the local law enforcement agency
31 equip the crossings with an automated railroad grade crossing

1 enforcement system.

2 (b-1) Commencing on the effective date of this
3 amendatory Act of the 92nd General Assembly, the Illinois
4 Commerce Commission and the Commuter Rail Board may, in
5 cooperation with the local law enforcement agency, establish
6 in a county with a population of between 750,000 and
7 1,000,000 a 2 year pilot program using an automated railroad
8 grade crossing enforcement system. This pilot program may be
9 established at a railroad grade crossing designated by local
10 authorities. No State moneys may be expended on the automated
11 railroad grade crossing enforcement system established under
12 this pilot program.

13 (c) For each violation of Section 11-1201 recorded by an
14 automatic railroad grade crossing system, the local law
15 enforcement agency having jurisdiction shall issue a written
16 Uniform Traffic Citation of the violation to the registered
17 owner of the vehicle. The Uniform Traffic Citation shall be
18 delivered to the registered owner, by mail, within 30 days of
19 the violation. The Uniform Traffic Citation shall include
20 the name and address of vehicle owner, the vehicle
21 registration number, the offense charged, the time, date, and
22 location of the violation, the first available court date and
23 that the basis of the citation is the photograph or other
24 recorded image from the automated railroad grade crossing
25 enforcement system.

26 (d) The Uniform Traffic Citation issued to the violator
27 shall be accompanied by a written document which explains the
28 violator's rights and obligations and how the violator can
29 elect to proceed by either paying the fine or challenging the
30 issuance of the Uniform Traffic Citation.

31 (e) Any photograph or other recorded image evidencing a
32 violation of Section 11-1201 shall be admissible in any
33 proceeding resulting from the issuance of the Uniform Traffic
34 Citation. Photographs or recorded images made by an

1 automatic railroad grade crossing enforcement system shall be
2 confidential, and shall be made available only to the
3 defendant, governmental and law enforcement agencies for the
4 purposes of adjudicating a violation of Section 11-1201 of
5 the Illinois Vehicle Code.

6 (f) Rail crossings equipped with an automatic railroad
7 grade crossing enforcement system shall be posted with a sign
8 visible to approaching traffic stating that the railroad
9 grade crossing is being monitored, that citations will be
10 issued, and the amount of the fine for violation.

11 (g) Except as provided in subsection (b-1), the cost of
12 the installation and maintenance of each automatic railroad
13 grade crossing enforcement system shall be paid from the
14 Grade Crossing Protection Fund if the rail line is not owned
15 by Commuter Rail Board of the Regional Transportation
16 Authority. Except as provided in subsection (b-1), if the
17 rail line is owned by the Commuter Rail Board of the Regional
18 Transportation Authority, the costs of the installation and
19 maintenance shall be paid from the Regional Transportation
20 Authority's portion of the Public Transportation Fund.

21 (h) The Illinois Commerce Commission shall issue a
22 report to the General Assembly at the conclusion of the two
23 year pilot program established under subsection (b) on the
24 effectiveness of the automatic railroad grade crossing
25 enforcement system.

26 (Source: P.A. 89-454, eff. 5-17-96; 90-14, eff. 7-1-97.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.