



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB5823

Introduced 08/14/06, by Rep. Tom Cross

#### SYNOPSIS AS INTRODUCED:

615 ILCS 5/23b new  
615 ILCS 5/23c new

Amends the Rivers, Lakes, and Streams Act. Requires the Department of Natural Resources to adopt emergency rules under the Illinois Administrative Procedure Act to require the immediate marking of each dam the Department considers dangerous with signs and buoys warning the public of the hazards posed by the dam. Provides that the rules shall require that warning signs be placed on the dam and that warning signs and buoys be placed in the areas above and below the dam and on the banks immediately adjacent to the dam. Provides that the Department shall examine each dam located on navigable waterways to determine the hazards that exist at each dam and that the Department shall require the establishment of specifications for signs and devices that provide warnings and information for persons using the waterways. Provides that, after conducting the required examination and within 90 days after the effective date of the amendatory Act, the Department shall issue an order, with completion dates, specifying additional warning signs and safety devices to be required at the dam. Provides that the Department shall require each dam to have localized safety plans to maximize the safety of persons visiting the dam. Provides that the Department may designate enforceable exclusion zones around dams. Provides that any low-head dam owned by the State shall be maintained so that any scour hole formed at the dam shall not exceed 2 feet below the riverbed in depth. Effective immediately.

LRB094 21065 LCT 59401 b

FISCAL NOTE ACT  
MAY APPLY

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 Rivers, Lakes, and Streams Act is amended by  
5 adding Sections 23b and 23c as follows:

6 (615 ILCS 5/23b new)

7 Sec. 23b. Dams; signs and buoys.

8 (a) The Department of Natural Resources shall adopt  
9 emergency rules under Section 5-45 of the Illinois  
10 Administrative Procedure Act to require the immediate marking  
11 of each dam the Department considers dangerous with signs and  
12 buoys. The rules shall require that warning signs be placed on  
13 each dam and that warning signs and buoys be placed in the  
14 areas above and below each dam and on the banks immediately  
15 adjacent to each dam.

16 (b) The Department of Natural Resources shall examine each  
17 dam located on navigable waterways to determine hazards that  
18 exist at the dam. The Department shall require the  
19 establishment of specifications for signs and devices that  
20 provide warnings and information for persons using the  
21 waterways.

22 (c) The Department of Natural Resources shall, after  
23 conducting the examination required under subsection (b) and  
24 within 90 days after the effective date of this amendatory Act  
25 of the 94th General Assembly, issue an order, with completion  
26 dates, specifying additional warning signs and safety devices  
27 to be required at each dam. "Safety devices" include, but are  
28 not limited to, (i) emergency telephones located at the dam  
29 site, (ii) water-borne lines of buoys or floaters to limit or  
30 prevent access to dangerous areas, and (iii) surveillance  
31 cameras focusing on the dam area.

32 (d) The Department of Natural Resources shall, after

1 conducting the examination required under subsection (b) and  
2 within 90 days after the effective date of this amendatory Act  
3 of the 94th General Assembly, require each dam to have  
4 localized safety plans to maximize the safety of persons  
5 visiting the dam location.

6 (e) The Department of Natural Resources may designate  
7 enforceable exclusion zones around dams.

8 (615 ILCS 5/23c new)

9 Sec. 23c. Low-head State-owned dams. Any low-head dam owned  
10 by the State shall be maintained so that any scour hole formed  
11 at the dam shall not exceed 2 feet below the riverbed in depth.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.