

1 AN ACT concerning vehicles.

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 and adding Section 11-612 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 determined that the preexisting  
23 established speed limit through a highway construction or  
24 maintenance project is greater than is reasonable or safe with  
25 respect to the conditions expected to exist in the construction  
26 or maintenance speed zone and has posted a lower speed limit  
27 with a highway construction or maintenance speed zone special  
28 speed limit sign.

29 Highway construction or maintenance speed zone special  
30 speed limit signs shall be of a design approved by the  
31 Department. The signs must give proper due warning that a  
32 construction or maintenance speed zone is being approached and

1 must indicate the maximum speed limit in effect. The signs also  
2 must state the amount of the minimum fine for a violation.

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

6 (e) If a fine for a violation of this Section is \$250 or  
7 greater, the person who violated this Section shall be charged  
8 an additional \$125, which shall be deposited into the  
9 Transportation Safety Highway Hire-back Fund in the State  
10 treasury, unless (i) the violation occurred on a highway other  
11 than an interstate highway and (ii) a county police officer  
12 wrote the ticket for the violation, in which case the \$125  
13 shall be deposited into that county's Transportation Safety  
14 Highway Hire-back Fund. In the case of a second or subsequent  
15 violation of this Section, if the fine is \$750 or greater, the  
16 person who violated this Section shall be charged an additional  
17 \$250, which shall be deposited into the Transportation Safety  
18 Highway Hire-back Fund in the State treasury, unless (i) the  
19 violation occurred on a highway other than an interstate  
20 highway and (ii) a county police officer wrote the ticket for  
21 the violation, in which case the \$250 shall be deposited into  
22 that county's Transportation Safety Highway Hire-back Fund.

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

26 (f) The Transportation Safety Highway Hire-back Fund,  
27 which was created by Public Act 92-619, shall continue to be a  
28 special fund in the State treasury. Subject to appropriation by  
29 the General Assembly and approval by the Secretary, the  
30 Secretary of Transportation shall use all moneys in the  
31 Transportation Safety Highway Hire-back Fund to hire off-duty  
32 Department of State Police officers to monitor construction or  
33 maintenance zones.

34 (f-5) Each county shall create a Transportation Safety  
35 Highway Hire-back Fund. The county shall use all moneys in its  
36 Transportation Safety Highway Hire-back Fund to hire off-duty

1 county police officers to monitor construction or maintenance  
2 zones in that county on highways other than interstate  
3 highways.

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

8 (Source: P.A. 93-955, eff. 8-19-04.)

9 (625 ILCS 5/11-612 new)

10 Sec. 11-612. Certain systems to record vehicle speeds  
11 prohibited. Except as authorized in the Automated Traffic  
12 Control Systems in Highway Construction or Maintenance Zones  
13 Act, no photographic, video, or other imaging system may be  
14 used in this State to record vehicle speeds for the purpose of  
15 enforcing any law or ordinance regarding a maximum or minimum  
16 speed limit unless a law enforcement officer is present at the  
17 scene and witnesses the event. No State or local governmental  
18 entity, including a home rule county or municipality, may use  
19 such a system in a way that is prohibited by this Section. The  
20 regulation of the use of such systems is an exclusive power and  
21 function of the State. This Section is a denial and limitation  
22 of home rule powers and functions under subsection (h) of  
23 Section 6 of Article VII of the Illinois Constitution.

24 Section 10. The Automated Traffic Control Systems in  
25 Highway Construction or Maintenance Zones Act is amended by  
26 changing Sections 10 and 30 as follows:

27 (625 ILCS 7/10)

28 Sec. 10. Establishment of automated control systems. The  
29 Department of State Police may establish an automated traffic  
30 control system in any construction or maintenance zone  
31 established by the Department of Transportation or the Illinois  
32 State Toll Highway Authority. An automated traffic control  
33 system may operate only during those periods when workers are

1 present in the construction or maintenance zone. In any  
2 prosecution based upon evidence obtained through an automated  
3 traffic control system established under this Act, the State  
4 must prove that one or more workers were present in the  
5 construction or maintenance zone when the violation occurred.

6 (Source: P.A. 93-947, eff. 8-19-04.)

7 (625 ILCS 7/30)

8 Sec. 30. Requirements for issuance of a citation.

9 (a) The vehicle, vehicle operator, vehicle registration  
10 plate, speed, date, time, and location must be clearly visible  
11 on the photograph or other recorded image of the alleged  
12 violation.

13 (b) A Uniform Traffic Citation must be mailed or otherwise  
14 delivered to the registered owner of the vehicle. If mailed,  
15 the citation must be sent via certified mail within 14 ~~6~~  
16 business days of the alleged violation, return receipt  
17 requested.

18 (c) The Uniform Traffic Citation must include:

19 (1) the name and address of the vehicle owner;

20 (2) the registration number of the vehicle;

21 (3) the offense charged;

22 (4) the time, date, and location of the violation;

23 (5) the first available court date; and

24 (6) notice that the basis of the citation is the  
25 photograph or recorded image from the automated traffic  
26 control system.

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

32 (Source: P.A. 93-947, eff. 8-19-04.)