

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****HB4352**

Introduced 1/14/2026, by Rep. Dan Ugaste

**SYNOPSIS AS INTRODUCED:**

30 ILCS 805/8.49 new	
625 ILCS 5/1-105.2	
625 ILCS 5/3-400	from Ch. 95 1/2, par. 3-400
625 ILCS 5/6-209.1	
625 ILCS 5/11-208	from Ch. 95 1/2, par. 11-208
625 ILCS 5/11-208.3	from Ch. 95 1/2, par. 11-208.3
625 ILCS 5/11-208.8	
625 ILCS 5/11-208.6 rep.	
625 ILCS 80/5	

Amends the Illinois Vehicle Code. Repeals a Section providing authority to use automated traffic law enforcement systems at intersections in which cameras are used to photograph or video record a motor vehicle's failure to stop and yield as required by traffic control signals. Imposes limits on the power of local governments to use automated speed enforcement systems to provide recorded images of a motor vehicle for the purpose of recording its speed. Denies home rule powers. Makes conforming and other changes. Amends the State Mandates Act. Requires implementation of the amendatory Act without reimbursement from the State. Makes a conforming change in the O'Hare Driver Safety Act.

LRB104 13943 LNS 26864 b

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 State Mandates Act is amended by adding  
5           Section 8.49 as follows:

6           (30 ILCS 805/8.49 new)

7           Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and  
8           8 of this Act, no reimbursement by the State is required for  
9           the implementation of any mandate created by this amendatory  
10           Act of the 104th General Assembly.

11           Section 10. The Illinois Vehicle Code is amended by  
12           changing Sections 1-105.2, 3-400, 6-209.1, 11-208, 11-208.3,  
13           and 11-208.8 as follows:

14           (625 ILCS 5/1-105.2)

15           Sec. 1-105.2. Automated traffic law violation. A violation  
16           described in Section ~~11-208.6, 11-208.9,~~ or 11-1201.1 of this  
17           Code.

18           (Source: P.A. 98-556, eff. 1-1-14.)

19           (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

20           Sec. 3-400. Definitions. Notwithstanding the definitions

1 set forth in Chapter 1 of this Act, for the purposes of this  
2 Article, the following words shall have the meaning ascribed  
3 to them as follows:

4 "Apportionable Fee" means any periodic recurring fee  
5 required for licensing or registering vehicles, such as, but  
6 not limited to, registration fees, license or weight fees.

7 "Apportionable Vehicle" means any vehicle, except  
8 recreational vehicles, vehicles displaying restricted plates,  
9 city pickup and delivery vehicles, buses used in  
10 transportation of chartered parties, and government owned  
11 vehicles that are used or intended for use in 2 or more member  
12 jurisdictions that allocate or proportionally register  
13 vehicles, in a fleet which is used for the transportation of  
14 persons for hire or the transportation of property and which  
15 has a gross vehicle weight in excess of 26,000 pounds; or has  
16 three or more axles regardless of weight; or is used in  
17 combination when the weight of such combination exceeds 26,000  
18 pounds gross vehicle weight. Vehicles, or combinations having  
19 a gross vehicle weight of 26,000 pounds or less and two-axle  
20 vehicles may be proportionally registered at the option of  
21 such owner.

22 "Base Jurisdiction" means, for purposes of fleet  
23 registration, the jurisdiction where the registrant has an  
24 established place of business, where operational records of  
25 the fleet are maintained and where mileage is accrued by the  
26 fleet. In case a registrant operates more than one fleet, and

1 maintains records for each fleet in different places, the  
2 "base jurisdiction" for a fleet shall be the jurisdiction  
3 where an established place of business is maintained, where  
4 records of the operation of that fleet are maintained and  
5 where mileage is accrued by that fleet.

6 "Operational Records" means documents supporting miles  
7 traveled in each jurisdiction and total miles traveled, such  
8 as fuel reports, trip leases, and logs.

9 "Owner" means a person who holds legal title of a motor  
10 vehicle, or in the event a motor vehicle is the subject of an  
11 agreement for the conditional sale or lease thereof with the  
12 right of purchase upon performance of the conditions stated in  
13 the agreement and with an immediate right of possession vested  
14 in the conditional vendee or lessee with right of purchase, or  
15 in the event a mortgagor of such motor vehicle is entitled to  
16 possession, or in the event a lessee of such motor vehicle is  
17 entitled to possession or control, then such conditional  
18 vendee or lessee with right of purchase or mortgagor or lessee  
19 is considered to be the owner for the purpose of this Act.

20 "Registration plate or digital registration plate cover"  
21 means any tinted, colored, painted, marked, clear, or  
22 illuminated object that is designed to (i) cover any of the  
23 characters of a motor vehicle's registration plate or digital  
24 registration plate; or (ii) distort a recorded image of any of  
25 the characters of a motor vehicle's registration plate or  
26 digital registration plate recorded by an automated

1 enforcement system as defined in Section ~~11-208.6,~~ 11-208.8~~,~~  
2 or 11-1201.1 of this Code or recorded by an automated traffic  
3 control system as defined in Section 15 of the Automated  
4 Traffic Control Systems in Highway Construction or Maintenance  
5 Zones Act.

6 "Rental Owner" means an owner principally engaged, with  
7 respect to one or more rental fleets, in renting to others or  
8 offering for rental the vehicles of such fleets, without  
9 drivers.

10 "Restricted Plates" shall include, but is not limited to,  
11 dealer, manufacturer, transporter, farm, repossession, and  
12 permanently mounted type plates. Vehicles displaying any of  
13 these type plates from a foreign jurisdiction that is a member  
14 of the International Registration Plan shall be granted  
15 reciprocity but shall be subject to the same limitations as  
16 similar plated Illinois registered vehicles.

17 (Source: P.A. 101-395, eff. 8-16-19.)

18 (625 ILCS 5/6-209.1)

19 Sec. 6-209.1. Restoration of driving privileges;  
20 revocation; suspension; cancellation.

21 (a) The Secretary shall rescind the suspension or  
22 cancellation of a person's driver's license that has been  
23 suspended or canceled before July 1, 2020 (the effective date  
24 of Public Act 101-623) due to:

25 (1) the person being convicted of theft of motor fuel

1       under Section 16-25 or 16K-15 of the Criminal Code of 1961  
2       or the Criminal Code of 2012;

3           (2) the person, since the issuance of the driver's  
4       license, being adjudged to be afflicted with or suffering  
5       from any mental disability or disease;

6           (3) a violation of Section 6-16 of the Liquor Control  
7       Act of 1934 or a similar provision of a local ordinance;

8           (4) the person being convicted of a violation of  
9       Section 6-20 of the Liquor Control Act of 1934 or a similar  
10       provision of a local ordinance, if the person presents a  
11       certified copy of a court order that includes a finding  
12       that the person was not an occupant of a motor vehicle at  
13       the time of the violation;

14           (5) the person receiving a disposition of court  
15       supervision for a violation of subsection (a), (d), or (e)  
16       of Section 6-20 of the Liquor Control Act of 1934 or a  
17       similar provision of a local ordinance, if the person  
18       presents a certified copy of a court order that includes a  
19       finding that the person was not an occupant of a motor  
20       vehicle at the time of the violation;

21           (6) the person failing to pay any fine or penalty due  
22       or owing as a result of 10 or more violations of a  
23       municipality's or county's vehicular standing, parking, or  
24       compliance regulations established by ordinance under  
25       Section 11-208.3 of this Code;

26           (7) the person failing to satisfy any fine or penalty

1       resulting from a final order issued by the Illinois State  
2       Toll Highway Authority relating directly or indirectly to  
3       5 or more toll violations, toll evasions, or both;

4               (8) the person being convicted of a violation of  
5       Section 4-102 of this Code, if the person presents a  
6       certified copy of a court order that includes a finding  
7       that the person did not exercise actual physical control  
8       of the vehicle at the time of the violation; or

9               (9) the person being convicted of criminal trespass to  
10      vehicles under Section 21-2 of the Criminal Code of 2012,  
11      if the person presents a certified copy of a court order  
12      that includes a finding that the person did not exercise  
13      actual physical control of the vehicle at the time of the  
14      violation.

15               (b) As soon as practicable and no later than July 1, 2021,  
16      the Secretary shall rescind the suspension, cancellation, or  
17      prohibition of renewal of a person's driver's license that has  
18      been suspended, canceled, or whose renewal has been prohibited  
19      before July 1, 2021 (the effective date of Public Act 101-652)  
20      ~~this amendatory Act of the 101st General Assembly~~ due to the  
21      person having failed to pay any fine or penalty for traffic  
22      violations, automated traffic law enforcement system  
23      violations as defined in Sections ~~11-208.6, and 11-208.8,~~  
24      11-208.9, and 11-1201.1, or abandoned vehicle fees.

25               (Source: P.A. 101-623, eff. 7-1-20; 101-652, eff. 7-1-21;  
26      102-558, eff. 8-20-21; revised 8-19-24.)

1 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

2 Sec. 11-208. Powers of local authorities.

3 (a) The provisions of this Code shall not be deemed to  
4 prevent local authorities with respect to streets and highways  
5 under their jurisdiction and within the reasonable exercise of  
6 the police power from:

7 1. Regulating the standing or parking of vehicles,  
8 except as limited by Sections 11-1306 and 11-1307 of this  
9 Act;

10 2. Regulating traffic by means of police officers or  
11 traffic control signals;

12 3. Regulating or prohibiting processions or  
13 assemblages on the highways; and certifying persons to  
14 control traffic for processions or assemblages;

15 4. Designating particular highways as one-way highways  
16 and requiring that all vehicles thereon be moved in one  
17 specific direction;

18 5. Regulating the speed of vehicles in public parks  
19 subject to the limitations set forth in Section 11-604;

20 6. Designating any highway as a through highway, as  
21 authorized in Section 11-302, and requiring that all  
22 vehicles stop before entering or crossing the same or  
23 designating any intersection as a stop intersection or a  
24 yield right-of-way intersection and requiring all vehicles  
25 to stop or yield the right-of-way at one or more entrances

1 to such intersections;

2 7. Restricting the use of highways as authorized in  
3 Chapter 15;

4 8. Regulating the operation of mobile carrying  
5 devices, bicycles, low-speed electric bicycles, and  
6 low-speed gas bicycles, and requiring the registration and  
7 licensing of same, including the requirement of a  
8 registration fee;

9 9. Regulating or prohibiting the turning of vehicles  
10 or specified types of vehicles at intersections;

11 10. Altering the speed limits as authorized in Section  
12 11-604;

13 11. Prohibiting U-turns;

14 12. Prohibiting pedestrian crossings at other than  
15 designated and marked crosswalks or at intersections;

16 13. Prohibiting parking during snow removal operation;

17 14. Imposing fines in accordance with Section  
18 11-1301.3 as penalties for use of any parking place  
19 reserved for persons with disabilities, as defined by  
20 Section 1-159.1, or veterans with disabilities by any  
21 person using a motor vehicle not bearing registration  
22 plates specified in Section 11-1301.1 or a special decal  
23 or device as defined in Section 11-1301.2 as evidence that  
24 the vehicle is operated by or for a person with  
25 disabilities or a veteran with a disability;

26 15. Adopting such other traffic regulations as are

1           specifically authorized by this Code; or

2           16. Enforcing the provisions of subsection (f) of  
3           Section 3-413 of this Code or a similar local ordinance.

4           (b) No ordinance or regulation enacted under paragraph 1,  
5           4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be  
6           effective until signs giving reasonable notice of such local  
7           traffic regulations are posted.

8           (c) The provisions of this Code shall not prevent any  
9           municipality having a population of 500,000 or more  
10           inhabitants from prohibiting any person from driving or  
11           operating any motor vehicle upon the roadways of such  
12           municipality with headlamps on high beam or bright.

13           (d) The provisions of this Code shall not be deemed to  
14           prevent local authorities within the reasonable exercise of  
15           their police power from prohibiting, on private property, the  
16           unauthorized use of parking spaces reserved for persons with  
17           disabilities.

18           (e) No unit of local government, including a home rule  
19           unit, may enact or enforce an ordinance that applies only to  
20           motorcycles if the principal purpose for that ordinance is to  
21           restrict the access of motorcycles to any highway or portion  
22           of a highway for which federal or State funds have been used  
23           for the planning, design, construction, or maintenance of that  
24           highway. No unit of local government, including a home rule  
25           unit, may enact an ordinance requiring motorcycle users to  
26           wear protective headgear. Nothing in this subsection (e) shall

1 affect the authority of a unit of local government to regulate  
2 motorcycles for traffic control purposes or in accordance with  
3 Section 12-602 of this Code. No unit of local government,  
4 including a home rule unit, may regulate motorcycles in a  
5 manner inconsistent with this Code. This subsection (e) is a  
6 limitation under subsection (i) of Section 6 of Article VII of  
7 the Illinois Constitution on the concurrent exercise by home  
8 rule units of powers and functions exercised by the State.

9 (e-5) The City of Chicago may enact an ordinance providing  
10 for a noise monitoring system upon any portion of the roadway  
11 known as Lake Shore Drive. Twelve months after the  
12 installation of the noise monitoring system, and any time  
13 after the first report as the City deems necessary, the City of  
14 Chicago shall prepare a noise monitoring report with the data  
15 collected from the system and shall, upon request, make the  
16 report available to the public. For purposes of this  
17 subsection (e-5), "noise monitoring system" means an automated  
18 noise monitor capable of recording noise levels 24 hours per  
19 day and 365 days per year with computer equipment sufficient  
20 to process the data.

21 (e-10) A unit of local government, including a home rule  
22 unit, may not enact an ordinance prohibiting the use of  
23 Automated Driving System equipped vehicles on its roadways.  
24 Nothing in this subsection (e-10) shall affect the authority  
25 of a unit of local government to regulate Automated Driving  
26 System equipped vehicles for traffic control purposes. No unit

1 of local government, including a home rule unit, may regulate  
2 Automated Driving System equipped vehicles in a manner  
3 inconsistent with this Code. For purposes of this subsection  
4 (e-10), "Automated Driving System equipped vehicle" means any  
5 vehicle equipped with an Automated Driving System of hardware  
6 and software that are collectively capable of performing the  
7 entire dynamic driving task on a sustained basis, regardless  
8 of whether it is limited to a specific operational domain.  
9 This subsection (e-10) is a limitation under subsection (i) of  
10 Section 6 of Article VII of the Illinois Constitution on the  
11 concurrent exercise by home rule units of powers and functions  
12 exercised by the State.

13 (f) No unit of local government, including a home rule  
14 unit, A municipality or county designated in Section 11-208.6  
15 may enact or enforce an ordinance providing for an automated  
16 traffic law enforcement system to enforce violations of  
17 Section 11-306 of this Code or a similar provision of a local  
18 ordinance and imposing liability on a registered owner or  
19 lessee of a vehicle used in such a violation. For purposes of  
20 this subsection (f), "automated traffic law enforcement  
21 system" means a device with one or more motor vehicle sensors  
22 working in conjunction with a red light signal to produce  
23 recorded images of motor vehicles entering into an  
24 intersection against a red signal indication in violation of  
25 Section 11-306 of this Code or a similar provision of a local  
26 ordinance. This subsection (f) is a denial and limitation of

1        home rule powers and functions under subsection (g) of Section  
2        6 of Article VII of the Illinois Constitution.

3                (g) A municipality or county, as provided in Section  
4        11-1201.1, may enact an ordinance providing for an automated  
5        traffic law enforcement system to enforce violations of  
6        Section 11-1201 of this Code or a similar provision of a local  
7        ordinance and imposing liability on a registered owner of a  
8        vehicle used in such a violation.

9                (h) A municipality designated in Section 11-208.8 may  
10      enact an ordinance providing for an automated speed  
11      enforcement system to enforce violations of Article VI of  
12      Chapter 11 of this Code or a similar provision of a local  
13      ordinance.

14                (i) A municipality or county designated in Section  
15      11-208.9 may enact an ordinance providing for an automated  
16      traffic law enforcement system to enforce violations of  
17      Section 11-1414 of this Code or a similar provision of a local  
18      ordinance and imposing liability on a registered owner or  
19      lessee of a vehicle used in such a violation.

20      (Source: P.A. 100-209, eff. 1-1-18; 100-257, eff. 8-22-17;  
21      100-352, eff. 6-1-18; 100-863, eff. 8-14-18; 101-123, eff.  
22      7-26-19.)

23                (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

24      Sec. 11-208.3. Administrative adjudication of violations  
25      of traffic regulations concerning the standing, parking, or

1 condition of vehicles, automated traffic law violations, and  
2 automated speed enforcement system violations.

3 (a) Any municipality or county may provide by ordinance  
4 for a system of administrative adjudication of vehicular  
5 standing and parking violations and vehicle compliance  
6 violations as described in this subsection, automated traffic  
7 law violations as defined in Section ~~11-208.6, 11-208.9,~~ or  
8 ~~11-1201.1,~~ and automated speed enforcement system violations  
9 as defined in Section 11-208.8. The administrative system  
10 shall have as its purpose the fair and efficient enforcement  
11 of municipal or county regulations through the administrative  
12 adjudication of automated speed enforcement system or  
13 automated traffic law violations and violations of municipal  
14 or county ordinances regulating the standing and parking of  
15 vehicles, the condition and use of vehicle equipment, and the  
16 display of municipal or county wheel tax licenses within the  
17 municipality's or county's borders. The administrative system  
18 shall only have authority to adjudicate civil offenses  
19 carrying fines not in excess of \$500 or requiring the  
20 completion of a traffic education program, or both, that occur  
21 after the effective date of the ordinance adopting such a  
22 system under this Section. For purposes of this Section,  
23 "compliance violation" means a violation of a municipal or  
24 county regulation governing the condition or use of equipment  
25 on a vehicle or governing the display of a municipal or county  
26 wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute, and process parking, compliance, and automated speed enforcement system or automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated speed enforcement system or automated traffic law violations, and operate an administrative adjudication system.

(2) A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice that shall specify or include the date, time, and place of violation of a parking, standing, compliance, automated speed enforcement system, or automated traffic law regulation; the particular regulation violated; any requirement to complete a traffic education program; the fine and any penalty that may be assessed for late payment or failure to complete a required traffic education program, or both, when so provided by ordinance; the vehicle make or a photograph of the vehicle; the state registration number of the vehicle; and the identification number of the person issuing the notice. With regard to automated speed enforcement system or automated traffic law violations, vehicle make shall be specified on the

1 automated speed enforcement system or automated traffic  
2 law violation notice if the notice does not include a  
3 photograph of the vehicle and the make is available and  
4 readily discernible. With regard to municipalities or  
5 counties with a population of 1 million or more, it shall  
6 be grounds for dismissal of a parking violation if the  
7 state registration number or vehicle make specified is  
8 incorrect. The violation notice shall state that the  
9 completion of any required traffic education program, the  
10 payment of any indicated fine, and the payment of any  
11 applicable penalty for late payment or failure to complete  
12 a required traffic education program, or both, shall  
13 operate as a final disposition of the violation. The  
14 notice also shall contain information as to the  
15 availability of a hearing in which the violation may be  
16 contested on its merits. The violation notice shall  
17 specify the time and manner in which a hearing may be had.

18 (3) Service of a parking, standing, or compliance  
19 violation notice by: (i) affixing the original or a  
20 facsimile of the notice to an unlawfully parked or  
21 standing vehicle; (ii) handing the notice to the operator  
22 of a vehicle if he or she is present; or (iii) mailing the  
23 notice to the address of the registered owner or lessee of  
24 the cited vehicle as recorded with the Secretary of State  
25 or the lessor of the motor vehicle within 30 days after the  
26 Secretary of State or the lessor of the motor vehicle

1 notifies the municipality or county of the identity of the  
2 owner or lessee of the vehicle, but not later than 90 days  
3 after the date of the violation, except that in the case of  
4 a lessee of a motor vehicle, service of a parking,  
5 standing, or compliance violation notice may occur no  
6 later than 210 days after the violation; and service of an  
7 automated speed enforcement system or automated traffic  
8 law violation notice by mail to the address of the  
9 registered owner or lessee of the cited vehicle as  
10 recorded with the Secretary of State or the lessor of the  
11 motor vehicle within 30 days after the Secretary of State  
12 or the lessor of the motor vehicle notifies the  
13 municipality or county of the identity of the owner or  
14 lessee of the vehicle, but not later than 90 days after the  
15 violation, except that in the case of a lessee of a motor  
16 vehicle, service of an automated traffic law violation  
17 notice may occur no later than 210 days after the  
18 violation. A person authorized by ordinance to issue and  
19 serve parking, standing, and compliance violation notices  
20 shall certify as to the correctness of the facts entered  
21 on the violation notice by signing his or her name to the  
22 notice at the time of service or, in the case of a notice  
23 produced by a computerized device, by signing a single  
24 certificate to be kept by the traffic compliance  
25 administrator attesting to the correctness of all notices  
26 produced by the device while it was under his or her

1 control. In the case of an automated traffic law  
2 violation, the ordinance shall require a determination by  
3 a technician employed or contracted by the municipality or  
4 county that, based on inspection of recorded images, the  
5 motor vehicle was being operated in violation of Section  
6 ~~11-208.6, 11-208.9,~~ or 11-1201.1 or a local ordinance. ~~If~~  
7 ~~the technician determines that the vehicle entered the~~  
8 ~~intersection as part of a funeral procession or in order~~  
9 ~~to yield the right of way to an emergency vehicle, a~~  
10 ~~citation shall not be issued.~~ In municipalities with a  
11 population of less than 1,000,000 inhabitants and counties  
12 with a population of less than 3,000,000 inhabitants, the  
13 automated traffic law ordinance shall require that all  
14 determinations by a technician that a motor vehicle was  
15 being operated in violation of Section ~~11-208.6, 11-208.9,~~  
16 or 11-1201.1 or a local ordinance must be reviewed and  
17 approved by a law enforcement officer or retired law  
18 enforcement officer of the municipality or county issuing  
19 the violation. In municipalities with a population of  
20 1,000,000 or more inhabitants and counties with a  
21 population of 3,000,000 or more inhabitants, the automated  
22 traffic law ordinance shall require that all  
23 determinations by a technician that a motor vehicle was  
24 being operated in violation of Section ~~11-208.6, 11-208.9,~~  
25 or 11-1201.1 or a local ordinance must be reviewed and  
26 approved by a law enforcement officer or retired law

1 enforcement officer of the municipality or county issuing  
2 the violation or by an additional fully trained reviewing  
3 technician who is not employed by the contractor who  
4 employs the technician who made the initial determination.  
5 In the case of an automated speed enforcement system  
6 violation, the ordinance shall require a determination by  
7 a technician employed by the municipality, based upon an  
8 inspection of recorded images, video or other  
9 documentation, including documentation of the speed limit  
10 and automated speed enforcement signage, and documentation  
11 of the inspection, calibration, and certification of the  
12 speed equipment, that the vehicle was being operated in  
13 violation of Article VI of Chapter 11 of this Code or a  
14 similar local ordinance. If the technician determines that  
15 the vehicle speed was not determined by a calibrated,  
16 certified speed equipment device based upon the speed  
17 equipment documentation, or if the vehicle was an  
18 emergency vehicle, a citation may not be issued. The  
19 automated speed enforcement ordinance shall require that  
20 all determinations by a technician that a violation  
21 occurred be reviewed and approved by a law enforcement  
22 officer or retired law enforcement officer of the  
23 municipality issuing the violation or by an additional  
24 fully trained reviewing technician who is not employed by  
25 the contractor who employs the technician who made the  
26 initial determination. Routine and independent calibration

1       of the speeds produced by automated speed enforcement  
2       systems and equipment shall be conducted annually by a  
3       qualified technician. Speeds produced by an automated  
4       speed enforcement system shall be compared with speeds  
5       produced by lidar or other independent equipment. Radar or  
6       lidar equipment shall undergo an internal validation test  
7       no less frequently than once each week. Qualified  
8       technicians shall test loop-based equipment no less  
9       frequently than once a year. Radar equipment shall be  
10       checked for accuracy by a qualified technician when the  
11       unit is serviced, when unusual or suspect readings  
12       persist, or when deemed necessary by a reviewing  
13       technician. Radar equipment shall be checked with the  
14       internal frequency generator and the internal circuit test  
15       whenever the radar is turned on. Technicians must be alert  
16       for any unusual or suspect readings, and if unusual or  
17       suspect readings of a radar unit persist, that unit shall  
18       immediately be removed from service and not returned to  
19       service until it has been checked by a qualified  
20       technician and determined to be functioning properly.  
21       Documentation of the annual calibration results, including  
22       the equipment tested, test date, technician performing the  
23       test, and test results, shall be maintained and available  
24       for use in the determination of an automated speed  
25       enforcement system violation and issuance of a citation.  
26       The technician performing the calibration and testing of

1       the automated speed enforcement equipment shall be trained  
2       and certified in the use of equipment for speed  
3       enforcement purposes. Training on the speed enforcement  
4       equipment may be conducted by law enforcement, civilian,  
5       or manufacturer's personnel and if applicable may be  
6       equivalent to the equipment use and operations training  
7       included in the Speed Measuring Device Operator Program  
8       developed by the National Highway Traffic Safety  
9       Administration (NHTSA). The vendor or technician who  
10      performs the work shall keep accurate records on each  
11      piece of equipment the technician calibrates and tests. As  
12      used in this paragraph, "fully trained reviewing  
13      technician" means a person who has received at least 40  
14      hours of supervised training in subjects which shall  
15      include image inspection and interpretation, the elements  
16      necessary to prove a violation, license plate  
17      identification, and traffic safety and management. In all  
18      municipalities and counties, the automated speed  
19      enforcement system or automated traffic law ordinance  
20      shall require that no additional fee shall be charged to  
21      the alleged violator for exercising his or her right to an  
22      administrative hearing, and persons shall be given at  
23      least 25 days following an administrative hearing to pay  
24      any civil penalty imposed by a finding that Section  
25      ~~11-208.6,~~ 11-208.8, 11-208.9, or 11-1201.1 or a similar  
26      local ordinance has been violated. The original or a

1 facsimile of the violation notice or, in the case of a  
2 notice produced by a computerized device, a printed record  
3 generated by the device showing the facts entered on the  
4 notice, shall be retained by the traffic compliance  
5 administrator, and shall be a record kept in the ordinary  
6 course of business. A parking, standing, compliance,  
7 automated speed enforcement system, or automated traffic  
8 law violation notice issued, signed, and served in  
9 accordance with this Section, a copy of the notice, or the  
10 computer-generated record shall be *prima facie* correct and  
11 shall be *prima facie* evidence of the correctness of the  
12 facts shown on the notice. The notice, copy, or  
13 computer-generated record shall be admissible in any  
14 subsequent administrative or legal proceedings.

15 (4) An opportunity for a hearing for the registered  
16 owner of the vehicle cited in the parking, standing,  
17 compliance, automated speed enforcement system, or  
18 automated traffic law violation notice in which the owner  
19 may contest the merits of the alleged violation, and  
20 during which formal or technical rules of evidence shall  
21 not apply; provided, however, that under Section 11-1306  
22 of this Code the lessee of a vehicle cited in the violation  
23 notice likewise shall be provided an opportunity for a  
24 hearing of the same kind afforded the registered owner.  
25 The hearings shall be recorded, and the person conducting  
26 the hearing on behalf of the traffic compliance

1 administrator shall be empowered to administer oaths and  
2 to secure by subpoena both the attendance and testimony of  
3 witnesses and the production of relevant books and papers.  
4 Persons appearing at a hearing under this Section may be  
5 represented by counsel at their expense. The ordinance may  
6 also provide for internal administrative review following  
7 the decision of the hearing officer.

8 (5) Service of additional notices, sent by first class  
9 United States mail, postage prepaid, to the address of the  
10 registered owner of the cited vehicle as recorded with the  
11 Secretary of State or, if any notice to that address is  
12 returned as undeliverable, to the last known address  
13 recorded in a United States Post Office approved database,  
14 or, under Section 11-1306 or subsection (p) of Section  
15 ~~11-208.6 or 11-208.9~~, or subsection (p) of Section  
16 11-208.8 of this Code, to the lessee of the cited vehicle  
17 at the last address known to the lessor of the cited  
18 vehicle at the time of lease or, if any notice to that  
19 address is returned as undeliverable, to the last known  
20 address recorded in a United States Post Office approved  
21 database. The service shall be deemed complete as of the  
22 date of deposit in the United States mail. The notices  
23 shall be in the following sequence and shall include, but  
24 not be limited to, the information specified herein:

25 (i) A second notice of parking, standing, or  
26 compliance violation if the first notice of the

1 violation was issued by affixing the original or a  
2 facsimile of the notice to the unlawfully parked  
3 vehicle or by handing the notice to the operator. This  
4 notice shall specify or include the date and location  
5 of the violation cited in the parking, standing, or  
6 compliance violation notice, the particular regulation  
7 violated, the vehicle make or a photograph of the vehicle,  
8 the state registration number of the vehicle,  
9 any requirement to complete a traffic education  
10 program, the fine and any penalty that may be assessed  
11 for late payment or failure to complete a traffic  
12 education program, or both, when so provided by  
13 ordinance, the availability of a hearing in which the  
14 violation may be contested on its merits, and the time  
15 and manner in which the hearing may be had. The notice  
16 of violation shall also state that failure to complete  
17 a required traffic education program, to pay the  
18 indicated fine and any applicable penalty, or to  
19 appear at a hearing on the merits in the time and  
20 manner specified, will result in a final determination  
21 of violation liability for the cited violation in the  
22 amount of the fine or penalty indicated, and that,  
23 upon the occurrence of a final determination of  
24 violation liability for the failure, and the  
25 exhaustion of, or failure to exhaust, available  
26 administrative or judicial procedures for review, any

1                   incomplete traffic education program or any unpaid  
2                   fine or penalty, or both, will constitute a debt due  
3                   and owing the municipality or county.

4                   (ii) A notice of final determination of parking,  
5                   standing, compliance, automated speed enforcement  
6                   system, or automated traffic law violation liability.  
7                   This notice shall be sent following a final  
8                   determination of parking, standing, compliance,  
9                   automated speed enforcement system, or automated  
10                  traffic law violation liability and the conclusion of  
11                  judicial review procedures taken under this Section.  
12                  The notice shall state that the incomplete traffic  
13                  education program or the unpaid fine or penalty, or  
14                  both, is a debt due and owing the municipality or  
15                  county. The notice shall contain warnings that failure  
16                  to complete any required traffic education program or  
17                  to pay any fine or penalty due and owing the  
18                  municipality or county, or both, within the time  
19                  specified may result in the municipality's or county's  
20                  filing of a petition in the Circuit Court to have the  
21                  incomplete traffic education program or unpaid fine or  
22                  penalty, or both, rendered a judgment as provided by  
23                  this Section, or, where applicable, may result in  
24                  suspension of the person's driver's license for  
25                  failure to complete a traffic education program.

26                  (6) A notice of impending driver's license suspension.

1       This notice shall be sent to the person liable for failure  
2       to complete a required traffic education program. The  
3       notice shall state that failure to complete a required  
4       traffic education program within 45 days of the notice's  
5       date will result in the municipality or county notifying  
6       the Secretary of State that the person is eligible for  
7       initiation of suspension proceedings under Section 6-306.5  
8       of this Code. The notice shall also state that the person  
9       may obtain a photostatic copy of an original ticket  
10      imposing a fine or penalty by sending a self-addressed,  
11      stamped envelope to the municipality or county along with  
12      a request for the photostatic copy. The notice of  
13      impending driver's license suspension shall be sent by  
14      first class United States mail, postage prepaid, to the  
15      address recorded with the Secretary of State or, if any  
16      notice to that address is returned as undeliverable, to  
17      the last known address recorded in a United States Post  
18      Office approved database.

19                   (7) Final determinations of violation liability. A  
20                   final determination of violation liability shall occur  
21                   following failure to complete the required traffic  
22                   education program or to pay the fine or penalty, or both,  
23                   after a hearing officer's determination of violation  
24                   liability and the exhaustion of or failure to exhaust any  
25                   administrative review procedures provided by ordinance.  
26                   Where a person fails to appear at a hearing to contest the

1       alleged violation in the time and manner specified in a  
2       prior mailed notice, the hearing officer's determination  
3       of violation liability shall become final: (A) upon denial  
4       of a timely petition to set aside that determination, or  
5       (B) upon expiration of the period for filing the petition  
6       without a filing having been made.

7               (8) A petition to set aside a determination of  
8       parking, standing, compliance, automated speed enforcement  
9       system, or automated traffic law violation liability that  
10       may be filed by a person owing an unpaid fine or penalty. A  
11       petition to set aside a determination of liability may  
12       also be filed by a person required to complete a traffic  
13       education program. The petition shall be filed with and  
14       ruled upon by the traffic compliance administrator in the  
15       manner and within the time specified by ordinance. The  
16       grounds for the petition may be limited to: (A) the person  
17       not having been the owner or lessee of the cited vehicle on  
18       the date the violation notice was issued, (B) the person  
19       having already completed the required traffic education  
20       program or paid the fine or penalty, or both, for the  
21       violation in question, and (C) excusable failure to appear  
22       at or request a new date for a hearing. With regard to  
23       municipalities or counties with a population of 1 million  
24       or more, it shall be grounds for dismissal of a parking  
25       violation if the state registration number or vehicle  
26       make, only if specified in the violation notice, is

1       incorrect. After the determination of parking, standing,  
2       compliance, automated speed enforcement system, or  
3       automated traffic law violation liability has been set  
4       aside upon a showing of just cause, the registered owner  
5       shall be provided with a hearing on the merits for that  
6       violation.

7               (9) Procedures for non-residents. Procedures by which  
8       persons who are not residents of the municipality or  
9       county may contest the merits of the alleged violation  
10      without attending a hearing.

11               (10) A schedule of civil fines for violations of  
12       vehicular standing, parking, compliance, automated speed  
13       enforcement system, or automated traffic law regulations  
14       enacted by ordinance pursuant to this Section, and a  
15       schedule of penalties for late payment of the fines or  
16       failure to complete required traffic education programs,  
17       provided, however, that the total amount of the fine and  
18       penalty for any one violation shall not exceed \$250,  
19       except as provided in subsection (c) of Section 11-1301.3  
20       of this Code.

21               (11) Other provisions as are necessary and proper to  
22       carry into effect the powers granted and purposes stated  
23       in this Section.

24               (b-5) An automated speed enforcement system or automated  
25       traffic law ordinance adopted under this Section by a  
26       municipality or county shall require that the determination to

1 issue a citation be vested solely with the municipality or  
2 county and that such authority may not be delegated to any  
3 vendor retained by the municipality or county. Any contract or  
4 agreement violating such a provision in the ordinance is null  
5 and void.

6 (c) Any municipality or county establishing vehicular  
7 standing, parking, compliance, automated speed enforcement  
8 system, or automated traffic law regulations under this  
9 Section may also provide by ordinance for a program of vehicle  
10 immobilization for the purpose of facilitating enforcement of  
11 those regulations. The program of vehicle immobilization shall  
12 provide for immobilizing any eligible vehicle upon the public  
13 way by presence of a restraint in a manner to prevent operation  
14 of the vehicle. Any ordinance establishing a program of  
15 vehicle immobilization under this Section shall provide:

16 (1) Criteria for the designation of vehicles eligible  
17 for immobilization. A vehicle shall be eligible for  
18 immobilization when the registered owner of the vehicle  
19 has accumulated the number of incomplete traffic education  
20 programs or unpaid final determinations of parking,  
21 standing, compliance, automated speed enforcement system,  
22 or automated traffic law violation liability, or both, as  
23 determined by ordinance.

24 (2) A notice of impending vehicle immobilization and a  
25 right to a hearing to challenge the validity of the notice  
26 by disproving liability for the incomplete traffic

1       education programs or unpaid final determinations of  
2 parking, standing, compliance, automated speed enforcement  
3 system, or automated traffic law violation liability, or  
4 both, listed on the notice.

5               (3) The right to a prompt hearing after a vehicle has  
6 been immobilized or subsequently towed without the  
7 completion of the required traffic education program or  
8 payment of the outstanding fines and penalties on parking,  
9 standing, compliance, automated speed enforcement system,  
10 or automated traffic law violations, or both, for which  
11 final determinations have been issued. An order issued  
12 after the hearing is a final administrative decision  
13 within the meaning of Section 3-101 of the Code of Civil  
14 Procedure.

15               (4) A post immobilization and post-towing notice  
16 advising the registered owner of the vehicle of the right  
17 to a hearing to challenge the validity of the impoundment.

18               (d) Judicial review of final determinations of parking,  
19 standing, compliance, automated speed enforcement system, or  
20 automated traffic law violations and final administrative  
21 decisions issued after hearings regarding vehicle  
22 immobilization and impoundment made under this Section shall  
23 be subject to the provisions of the Administrative Review Law.

24               (e) Any fine, penalty, incomplete traffic education  
25 program, or part of any fine or any penalty remaining unpaid  
26 after the exhaustion of, or the failure to exhaust,

1 administrative remedies created under this Section and the  
2 conclusion of any judicial review procedures shall be a debt  
3 due and owing the municipality or county and, as such, may be  
4 collected in accordance with applicable law. Completion of any  
5 required traffic education program and payment in full of any  
6 fine or penalty resulting from a standing, parking,  
7 compliance, automated speed enforcement system, or automated  
8 traffic law violation shall constitute a final disposition of  
9 that violation.

10 (f) After the expiration of the period within which  
11 judicial review may be sought for a final determination of  
12 parking, standing, compliance, automated speed enforcement  
13 system, or automated traffic law violation, the municipality  
14 or county may commence a proceeding in the Circuit Court for  
15 purposes of obtaining a judgment on the final determination of  
16 violation. Nothing in this Section shall prevent a  
17 municipality or county from consolidating multiple final  
18 determinations of parking, standing, compliance, automated  
19 speed enforcement system, or automated traffic law violations  
20 against a person in a proceeding. Upon commencement of the  
21 action, the municipality or county shall file a certified copy  
22 or record of the final determination of parking, standing,  
23 compliance, automated speed enforcement system, or automated  
24 traffic law violation, which shall be accompanied by a  
25 certification that recites facts sufficient to show that the  
26 final determination of violation was issued in accordance with

1 this Section and the applicable municipal or county ordinance.  
2 Service of the summons and a copy of the petition may be by any  
3 method provided by Section 2-203 of the Code of Civil  
4 Procedure or by certified mail, return receipt requested,  
5 provided that the total amount of fines and penalties for  
6 final determinations of parking, standing, compliance,  
7 automated speed enforcement system, or automated traffic law  
8 violations does not exceed \$2500. If the court is satisfied  
9 that the final determination of parking, standing, compliance,  
10 automated speed enforcement system, or automated traffic law  
11 violation was entered in accordance with the requirements of  
12 this Section and the applicable municipal or county ordinance,  
13 and that the registered owner or the lessee, as the case may  
14 be, had an opportunity for an administrative hearing and for  
15 judicial review as provided in this Section, the court shall  
16 render judgment in favor of the municipality or county and  
17 against the registered owner or the lessee for the amount  
18 indicated in the final determination of parking, standing,  
19 compliance, automated speed enforcement system, or automated  
20 traffic law violation, plus costs. The judgment shall have the  
21 same effect and may be enforced in the same manner as other  
22 judgments for the recovery of money.

23 (g) The fee for participating in a traffic education  
24 program under this Section shall not exceed \$25.

25 A low-income individual required to complete a traffic  
26 education program under this Section who provides proof of

1       eligibility for the federal earned income tax credit under  
2       Section 32 of the Internal Revenue Code or the Illinois earned  
3       income tax credit under Section 212 of the Illinois Income Tax  
4       Act shall not be required to pay any fee for participating in a  
5       required traffic education program.

6               (h) Notwithstanding any other provision of law to the  
7       contrary, a person shall not be liable for violations, fees,  
8       fines, or penalties under this Section during the period in  
9       which the motor vehicle was stolen or hijacked, as indicated  
10      in a report to the appropriate law enforcement agency filed in  
11      a timely manner.

12      (Source: P.A. 102-558, eff. 8-20-21; 102-905, eff. 1-1-23;  
13      103-364, eff. 7-28-23.)

14               (625 ILCS 5/11-208.8)

15       Sec. 11-208.8. Automated speed enforcement systems in  
16       safety zones.

17               (a) As used in this Section:

18       "Automated speed enforcement system" means a photographic  
19       device, radar device, laser device, or other electrical or  
20       mechanical device or devices installed or utilized in a safety  
21       zone and designed to record the speed of a vehicle and obtain a  
22       clear photograph or other recorded image of the vehicle and  
23       the vehicle's registration plate or digital registration plate  
24       while the driver is violating Article VI of Chapter 11 of this  
25       Code or a similar provision of a local ordinance.

1       An automated speed enforcement system is a system, located  
2       in a safety zone which is under the jurisdiction of a  
3       municipality, that produces a recorded image of a motor  
4       vehicle's violation of a provision of this Code or a local  
5       ordinance and is designed to obtain a clear recorded image of  
6       the vehicle and the vehicle's license plate. The recorded  
7       image must also display the time, date, and location of the  
8       violation.

9       "Owner" means the person or entity to whom the vehicle is  
10      registered.

11      "Recorded image" means images recorded by an automated  
12      speed enforcement system on:

- 13           (1) 2 or more photographs;
- 14           (2) 2 or more microphotographs;
- 15           (3) 2 or more electronic images; or
- 16           (4) a video recording showing the motor vehicle and,  
17        on at least one image or portion of the recording, clearly  
18        identifying the registration plate or digital registration  
19        plate number of the motor vehicle.

20      "Safety zone" means an area that is within one-eighth of a  
21      mile from the nearest property line of any public or private  
22      elementary or secondary school, or from the nearest property  
23      line of any facility, area, or land owned by a school district  
24      that is used for educational purposes approved by the Illinois  
25      State Board of Education, not including school district  
26      headquarters or administrative buildings. A safety zone also

1 includes an area that is within one-eighth of a mile from the  
2 nearest property line of any facility, area, or land owned by a  
3 park district used for recreational purposes. However, if any  
4 portion of a roadway is within either one-eighth mile radius,  
5 the safety zone also shall include the roadway extended to the  
6 furthest portion of the next furthest intersection. The term  
7 "safety zone" does not include any portion of the roadway  
8 known as Lake Shore Drive or any controlled access highway  
9 with 8 or more lanes of traffic.

10 (a-5) The automated speed enforcement system shall be  
11 operational and violations shall be recorded only at the  
12 following times:

13 (i) if the safety zone is based upon the property line  
14 of any facility, area, or land owned by a school district,  
15 only on school days and no earlier than 6 a.m. and no later  
16 than 8:30 p.m. if the school day is during the period of  
17 Monday through Thursday, or 9 p.m. if the school day is a  
18 Friday; and

19 (ii) if the safety zone is based upon the property  
20 line of any facility, area, or land owned by a park  
21 district, no earlier than one hour prior to the time that  
22 the facility, area, or land is open to the public or other  
23 patrons, and no later than one hour after the facility,  
24 area, or land is closed to the public or other patrons.

25 (b) A municipality that produces a recorded image of a  
26 motor vehicle's violation of a provision of this Code or a

1 local ordinance must make the recorded images of a violation  
2 accessible to the alleged violator by providing the alleged  
3 violator with a website address, accessible through the  
4 Internet.

5 (c) Notwithstanding any penalties for any other violations  
6 of this Code, the owner of a motor vehicle used in a traffic  
7 violation recorded by an automated speed enforcement system  
8 shall be subject to the following penalties:

9 (1) if the recorded speed is no less than 6 miles per  
10 hour and no more than 10 miles per hour over the legal  
11 speed limit, a civil penalty not exceeding \$50, plus an  
12 additional penalty of not more than \$50 for failure to pay  
13 the original penalty in a timely manner; or

14 (2) if the recorded speed is more than 10 miles per  
15 hour over the legal speed limit, a civil penalty not  
16 exceeding \$100, plus an additional penalty of not more  
17 than \$100 for failure to pay the original penalty in a  
18 timely manner.

19 A penalty may not be imposed under this Section if the  
20 driver of the motor vehicle received a Uniform Traffic  
21 Citation from a police officer for a speeding violation  
22 occurring within one-eighth of a mile and 15 minutes of the  
23 violation that was recorded by the system. A violation for  
24 which a civil penalty is imposed under this Section is not a  
25 violation of a traffic regulation governing the movement of  
26 vehicles and may not be recorded on the driving record of the

1 owner of the vehicle. A law enforcement officer is not  
2 required to be present or to witness the violation. No penalty  
3 may be imposed under this Section if the recorded speed of a  
4 vehicle is 5 miles per hour or less over the legal speed limit.  
5 The municipality may send, in the same manner that notices are  
6 sent under this Section, a speed violation warning notice  
7 where the violation involves a speed of 5 miles per hour or  
8 less above the legal speed limit.

9 (d) The net proceeds that a municipality receives from  
10 civil penalties imposed under an automated speed enforcement  
11 system, after deducting all non-personnel and personnel costs  
12 associated with the operation and maintenance of such system,  
13 shall be expended or obligated by the municipality for the  
14 following purposes:

15 (i) public safety initiatives to ensure safe passage  
16 around schools, and to provide police protection and  
17 surveillance around schools and parks, including but not  
18 limited to: (1) personnel costs; and (2) non-personnel  
19 costs such as construction and maintenance of public  
20 safety infrastructure and equipment;

21 (ii) initiatives to improve pedestrian and traffic  
22 safety;

23 (iii) construction and maintenance of infrastructure  
24 within the municipality, including but not limited to  
25 roads and bridges; and

26 (iv) after school programs.

(e) For each violation of a provision of this Code or a local ordinance recorded by an automated speed enforcement system, the municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(f) The notice required under subsection (e) of this Section shall include:

(1) the name and address of the registered owner of the vehicle:

(2) the registration number of the motor vehicle involved in the violation:

(3) the violation charged:

(4) the date, time, and location where the violation occurred:

(5) a copy of the recorded image or images;

(6) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(7) a statement that recorded images are evidence of a violation of a speed restriction;

(8) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability;

(9) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or  
dministrative hearing; and

(10) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(g) (Blank).

(h) Based on inspection of recorded images produced by an automated speed enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(i) Recorded images made by an automated speed enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(j) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were

1       stolen before the violation occurred and not under the  
2       control or in the possession of the owner or lessee at the  
3       time of the violation;

4               (1.5) that the motor vehicle was hijacked before the  
5       violation occurred and not under the control of or in the  
6       possession of the owner or lessee at the time of the  
7       violation;

8               (2) that the driver of the motor vehicle received a  
9       Uniform Traffic Citation from a police officer for a  
10      speeding violation occurring within one-eighth of a mile  
11      and 15 minutes of the violation that was recorded by the  
12      system; and

13               (3) any other evidence or issues provided by municipal  
14      ordinance.

15               (k) To demonstrate that the motor vehicle was hijacked or  
16      the motor vehicle or registration plates or digital  
17      registration plates were stolen before the violation occurred  
18      and were not under the control or possession of the owner or  
19      lessee at the time of the violation, the owner or lessee must  
20      submit proof that a report concerning the motor vehicle or  
21      registration plates was filed with a law enforcement agency in  
22      a timely manner.

23               (l) A roadway equipped with an automated speed enforcement  
24      system shall be posted with a sign conforming to the national  
25      Manual on Uniform Traffic Control Devices that is visible to  
26      approaching traffic stating that vehicle speeds are being

1 photo-enforced and indicating the speed limit. The  
2 municipality shall install such additional signage as it  
3 determines is necessary to give reasonable notice to drivers  
4 as to where automated speed enforcement systems are installed.

5 (m) A roadway where a new automated speed enforcement  
6 system is installed shall be posted with signs providing 30  
7 days notice of the use of a new automated speed enforcement  
8 system prior to the issuance of any citations through the  
9 automated speed enforcement system.

10 (n) The compensation paid for an automated speed  
11 enforcement system must be based on the value of the equipment  
12 or the services provided and may not be based on the number of  
13 traffic citations issued or the revenue generated by the  
14 system.

15 (n-1) No member of the General Assembly and no officer or  
16 employee of a municipality or county shall knowingly accept  
17 employment or receive compensation or fees for services from a  
18 vendor that provides automated speed enforcement system  
19 equipment or services to municipalities or counties. No former  
20 member of the General Assembly shall, within a period of 2  
21 years immediately after the termination of service as a member  
22 of the General Assembly, knowingly accept employment or  
23 receive compensation or fees for services from a vendor that  
24 provides automated speed enforcement system equipment or  
25 services to municipalities or counties. No former officer or  
26 employee of a municipality or county shall, within a period of

1       2 years immediately after the termination of municipal or  
2 county employment, knowingly accept employment or receive  
3 compensation or fees for services from a vendor that provides  
4 automated speed enforcement system equipment or services to  
5 municipalities or counties.

6                   (o) (Blank).

7                   (p) No person who is the lessor of a motor vehicle pursuant  
8 to a written lease agreement shall be liable for an automated  
9 speed or traffic law enforcement system violation involving  
10 such motor vehicle during the period of the lease; provided  
11 that upon the request of the appropriate authority received  
12 within 120 days after the violation occurred, the lessor  
13 provides within 60 days after such receipt the name and  
14 address of the lessee. The drivers license number of a lessee  
15 may be subsequently individually requested by the appropriate  
16 authority if needed for enforcement of this Section.

17               Upon the provision of information by the lessor pursuant  
18 to this subsection, the municipality may issue the violation  
19 to the lessee of the vehicle in the same manner as it would  
20 issue a violation to a registered owner of a vehicle pursuant  
21 to this Section, and the lessee may be held liable for the  
22 violation.

23               (q) A municipality using an automated speed enforcement  
24 system must provide notice to drivers by publishing the  
25 locations of all safety zones where system equipment is  
26 installed on the website of the municipality.

(r) A municipality operating an automated speed enforcement system shall conduct a statistical analysis to assess the safety impact of the system following installation of the system and every 2 years thereafter. A municipality operating an automated speed enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of the system by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. Each statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality.

(s) This Section applies only to municipalities with a population of 1,000,000 or more inhabitants.

(t) If a county or municipality selects a new vendor for

1       its automated speed enforcement system and must, as a  
2 consequence, apply for a permit, approval, or other  
3 authorization from the Department for reinstallation of one or  
4 more malfunctioning components of that system and if, at the  
5 time of the application for the permit, approval, or other  
6 authorization, the new vendor operates an automated speed  
7 enforcement system for any other county or municipality in the  
8 State, then the Department shall approve or deny the county or  
9 municipality's application for the permit, approval, or other  
10 authorization within 90 days after its receipt.

11               (u) The Department may revoke any permit, approval, or  
12 other authorization granted to a county or municipality for  
13 the placement, installation, or operation of an automated  
14 speed enforcement system if any official or employee who  
15 serves that county or municipality is charged with bribery,  
16 official misconduct, or a similar crime related to the  
17 placement, installation, or operation of the automated speed  
18 enforcement system in the county or municipality.

19               The Department shall adopt any rules necessary to  
20 implement and administer this subsection. The rules adopted by  
21 the Department shall describe the revocation process, shall  
22 ensure that notice of the revocation is provided, and shall  
23 provide an opportunity to appeal the revocation. Any county or  
24 municipality that has a permit, approval, or other  
25 authorization revoked under this subsection may not reapply  
26 for such a permit, approval, or other authorization for a

1 period of 1 year after the revocation.

2       (v) Except as provided in this Section, a county or  
3 municipality, including a home rule county or municipality,  
4 may not use an automated speed enforcement system to provide  
5 recorded images of a motor vehicle for the purpose of  
6 recording its speed. Except as provided under this Section,  
7 the regulation of the use of automated speed enforcement  
8 systems to record vehicle speeds is an exclusive power and  
9 function of the State. This subsection is a denial and  
10 limitation of home rule powers and functions under subsection  
11 (h) of Section 6 of Article VII of the Illinois Constitution.

12 (Source: P.A. 102-905, eff. 1-1-23; 103-364, eff. 7-28-23.)

13       (625 ILCS 5/11-208.6 rep.)

14       Section 15. The Illinois Vehicle Code is amended by  
15 repealing Section 11-208.6.

16       Section 20. The O'Hare Driver Safety Act is amended by  
17 changing Section 5 as follows:

18       (625 ILCS 80/5)

19       Sec. 5. Definitions. As used in this Act:

20       "Authority" means the Illinois Toll Highway Authority.

21       "Automated traffic safety system" means a device with one  
22 or more motor vehicle sensors to produce a recorded image of a  
23 motor vehicle that is stopped or standing on the side of a

1       highway or roadway in violation of Section 11-1303 of the  
2       Illinois Vehicle Code.

3       "Recorded images" means images recorded by an automated  
4       traffic law enforcement system on:

- 5           (1) 2 or more photographs;
- 6           (2) 2 or more microphotographs;
- 7           (3) 2 or more electronic images; or
- 8           (4) a video recording showing the motor vehicle and,  
9       on at least one image or portion of the recording, clearly  
10      identifying the registration plate or digital registration  
11      plate number of the motor vehicle. ~~has the same meaning~~  
12      ~~given to that term under Section 11-208.6 of the Illinois~~  
13      ~~Vehicle Code.~~

14     (Source: P.A. 103-861, eff. 1-1-25.)