



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1578

Introduced 2/4/2025, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-208
625 ILCS 5/11-208.3

from Ch. 95 1/2, par. 11-208
from Ch. 95 1/2, par. 11-208.3

Amends the Illinois Vehicle Code. Provides that a municipality, county, or township may enact an ordinance providing for administrative and civil fines to enforce violations of fleeing or attempting to elude a peace officer or a similar violation of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation. Provides that an administrative and civil fine enforcement may only be issued if the driver of the vehicle that was involved in the violation cannot be identified. Provides that law enforcement, a State's Attorney, or the Office of the Attorney General is not prohibited from enforcing such violations when the vehicle has been reported stolen or hijacked. Makes corresponding changes.

LRB104 08309 LNS 18360 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 Illinois Vehicle Code is amended by
5 changing Sections 11-208 and 11-208.3 as follows:

6 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

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

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

12 1. Regulating the standing or parking of vehicles,
13 except as limited by Sections 11-1306 and 11-1307 of this
14 Act;

15 2. Regulating traffic by means of police officers or
16 traffic control signals;

17 3. Regulating or prohibiting processions or
18 assemblages on the highways; and certifying persons to
19 control traffic for processions or assemblages;

20 4. Designating particular highways as one-way highways
21 and requiring that all vehicles thereon be moved in one
22 specific direction;

23 5. Regulating the speed of vehicles in public parks

1 subject to the limitations set forth in Section 11-604;

2 6. Designating any highway as a through highway, as
3 authorized in Section 11-302, and requiring that all
4 vehicles stop before entering or crossing the same or
5 designating any intersection as a stop intersection or a
6 yield right-of-way intersection and requiring all vehicles
7 to stop or yield the right-of-way at one or more entrances
8 to such intersections;

9 7. Restricting the use of highways as authorized in
10 Chapter 15;

11 8. Regulating the operation of mobile carrying
12 devices, bicycles, low-speed electric bicycles, and
13 low-speed gas bicycles, and requiring the registration and
14 licensing of same, including the requirement of a
15 registration fee;

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

18 10. Altering the speed limits as authorized in Section
19 11-604;

20 11. Prohibiting U-turns;

21 12. Prohibiting pedestrian crossings at other than
22 designated and marked crosswalks or at intersections;

23 13. Prohibiting parking during snow removal operation;

24 14. Imposing fines in accordance with Section
25 11-1301.3 as penalties for use of any parking place
26 reserved for persons with disabilities, as defined by

1 Section 1-159.1, or veterans with disabilities by any
2 person using a motor vehicle not bearing registration
3 plates specified in Section 11-1301.1 or a special decal
4 or device as defined in Section 11-1301.2 as evidence that
5 the vehicle is operated by or for a person with
6 disabilities or a veteran with a disability;

7 15. Adopting such other traffic regulations as are
8 specifically authorized by this Code; or

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

11 (b) No ordinance or regulation enacted under paragraph 1,
12 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be
13 effective until signs giving reasonable notice of such local
14 traffic regulations are posted.

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

20 (d) The provisions of this Code shall not be deemed to
21 prevent local authorities within the reasonable exercise of
22 their police power from prohibiting, on private property, the
23 unauthorized use of parking spaces reserved for persons with
24 disabilities.

25 (e) No unit of local government, including a home rule
26 unit, may enact or enforce an ordinance that applies only to

1 motorcycles if the principal purpose for that ordinance is to
2 restrict the access of motorcycles to any highway or portion
3 of a highway for which federal or State funds have been used
4 for the planning, design, construction, or maintenance of that
5 highway. No unit of local government, including a home rule
6 unit, may enact an ordinance requiring motorcycle users to
7 wear protective headgear. Nothing in this subsection (e) shall
8 affect the authority of a unit of local government to regulate
9 motorcycles for traffic control purposes or in accordance with
10 Section 12-602 of this Code. No unit of local government,
11 including a home rule unit, may regulate motorcycles in a
12 manner inconsistent with this Code. This subsection (e) is a
13 limitation under subsection (i) of Section 6 of Article VII of
14 the Illinois Constitution on the concurrent exercise by home
15 rule units of powers and functions exercised by the State.

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

1 to process the data.

2 (e-10) A unit of local government, including a home rule
3 unit, may not enact an ordinance prohibiting the use of
4 Automated Driving System equipped vehicles on its roadways.
5 Nothing in this subsection (e-10) shall affect the authority
6 of a unit of local government to regulate Automated Driving
7 System equipped vehicles for traffic control purposes. No unit
8 of local government, including a home rule unit, may regulate
9 Automated Driving System equipped vehicles in a manner
10 inconsistent with this Code. For purposes of this subsection
11 (e-10), "Automated Driving System equipped vehicle" means any
12 vehicle equipped with an Automated Driving System of hardware
13 and software that are collectively capable of performing the
14 entire dynamic driving task on a sustained basis, regardless
15 of whether it is limited to a specific operational domain.
16 This subsection (e-10) is a limitation under subsection (i) of
17 Section 6 of Article VII of the Illinois Constitution on the
18 concurrent exercise by home rule units of powers and functions
19 exercised by the State.

20 (f) A municipality or county designated in Section
21 11-208.6 may enact an ordinance providing for an automated
22 traffic law enforcement system to enforce violations of this
23 Code or a similar provision of a local ordinance and imposing
24 liability on a registered owner or lessee of a vehicle used in
25 such a violation.

26 (g) A municipality or county, as provided in Section

1 11-1201.1, may enact an ordinance providing for an automated
2 traffic law enforcement system to enforce violations of
3 Section 11-1201 of this Code or a similar provision of a local
4 ordinance and imposing liability on a registered owner of a
5 vehicle used in such a violation.

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

11 (i) A municipality or county designated in Section
12 11-208.9 may enact an ordinance providing for an automated
13 traffic law enforcement system to enforce violations of
14 Section 11-1414 of this Code or a similar provision of a local
15 ordinance and imposing liability on a registered owner or
16 lessee of a vehicle used in such a violation.

17 (j) A municipality, county, or township may enact an
18 ordinance providing for administrative and civil fines to
19 enforce violations of Section 11-204 of the Illinois Vehicle
20 Code or a similar provision of a local ordinance and imposing
21 liability on a registered owner or lessee of a vehicle used in
22 such a violation. An administrative and civil fine enforcement
23 may only be issued under this Section if the driver of the
24 vehicle that was involved in a violation of Section 11-204 of
25 this Code or a similar provision of a local ordinance cannot be
26 identified. This subsection shall not prohibit law

1 enforcement, a State's Attorney, or the Office of the Attorney
2 General from enforcing violations of Section 11-204 or a
3 similar provision of a local ordinance when the vehicle has
4 been reported stolen or hijacked.

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

8 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

9 Sec. 11-208.3. Administrative adjudication of violations
10 of traffic regulations concerning the standing, parking, or
11 condition of vehicles, automated traffic law violations, ~~and~~
12 automated speed enforcement system violations, and other
13 violations.

14 (a) Any municipality, ~~or~~ county, or township may provide
15 by ordinance for a system of administrative adjudication of
16 vehicular standing and parking violations and vehicle
17 compliance violations as described in this subsection,
18 automated traffic law violations as defined in Section
19 11-208.6, 11-208.9, or 11-1201.1, and automated speed
20 enforcement system violations as defined in Section 11-208.8
21 and violations of Section 11-204 of the Illinois Vehicle Code
22 or a similar provision of a local ordinance as specified in
23 subsection (j) of Section 11-208 of this Code. The
24 administrative system shall have as its purpose the fair and
25 efficient enforcement of municipal, ~~or~~ county, or township

1 regulations through the administrative adjudication of
2 automated speed enforcement system or automated traffic law
3 violations and violations of municipal, ~~or~~ county, or township
4 ordinances regulating the standing and parking of vehicles,
5 the condition and use of vehicle equipment, ~~and~~ the display of
6 municipal or county wheel tax licenses within the
7 municipality's or county's borders, and violations of Section
8 11-204 of this Code or a similar provision of a local
9 ordinance, as specified in subsection (j) of Section 11-208 of
10 this Code. The administrative system shall only have authority
11 to adjudicate civil offenses carrying fines not in excess of
12 \$500 or requiring the completion of a traffic education
13 program, or both, that occur after the effective date of the
14 ordinance adopting such a system under this Section. For
15 purposes of this Section, "compliance violation" means a
16 violation of a municipal or county regulation governing the
17 condition or use of equipment on a vehicle or governing the
18 display of a municipal or county wheel tax license.

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

21 (1) A traffic compliance administrator authorized to
22 adopt, distribute, and process parking, compliance, and
23 automated speed enforcement system or automated traffic
24 law violation notices and other notices required by this
25 Section, collect money paid as fines and penalties for
26 violation of parking and compliance ordinances, ~~and~~

1 automated speed enforcement system or automated traffic
2 law violations, and violations of Section 11-204 of this
3 Code or a similar provision of a local ordinance, as
4 specified in subsection (j) of Section 11-208 of this Code
5 and operate an administrative adjudication system.

6 (2) A parking, standing, compliance, automated speed
7 enforcement system, ~~or~~ automated traffic law, or other
8 violation notice of a violation of Section 11-204 of this
9 Code or a similar provision of a local ordinance, as
10 specified in subsection (j) of Section 11-208 of this Code
11 that shall specify or include the date, time, and place of
12 the violation of a parking, standing, compliance,
13 automated speed enforcement system, or automated traffic
14 law regulation; the particular regulation violated; any
15 requirement to complete a traffic education program; the
16 fine and any penalty that may be assessed for late payment
17 or failure to complete a required traffic education
18 program, or both, when so provided by ordinance; the
19 vehicle make or a photograph of the vehicle; the state
20 registration number of the vehicle; and the identification
21 number of the person issuing the notice. With regard to
22 automated speed enforcement system or automated traffic
23 law violations, vehicle make shall be specified on the
24 automated speed enforcement system or automated traffic
25 law violation notice if the notice does not include a
26 photograph of the vehicle and the make is available and

1 readily discernible. With regard to municipalities or
2 counties with a population of 1 million or more, it shall
3 be grounds for dismissal of a parking violation if the
4 state registration number or vehicle make specified is
5 incorrect. The violation notice shall state that the
6 completion of any required traffic education program, the
7 payment of any indicated fine, and the payment of any
8 applicable penalty for late payment or failure to complete
9 a required traffic education program, or both, shall
10 operate as a final disposition of the violation. The
11 notice also shall contain information as to the
12 availability of a hearing in which the violation may be
13 contested on its merits. The violation notice shall
14 specify the time and manner in which a hearing may be had.

15 (3) Service of a parking, standing, ~~or~~ compliance, or
16 other violation notice of a violation of Section 11-204 of
17 this Code or a similar provision of a local ordinance, as
18 specified in subsection (j) of Section 11-208 of this
19 Code, by: (i) affixing the original or a facsimile of the
20 notice to an unlawfully parked or standing vehicle; (ii)
21 handing the notice to the operator of a vehicle if he or
22 she is present; or (iii) mailing the notice to the address
23 of the registered owner or lessee of the cited vehicle as
24 recorded with the Secretary of State or the lessor of the
25 motor vehicle within 30 days after the Secretary of State
26 or the lessor of the motor vehicle notifies the

1 municipality, ~~or~~ county, or township of the identity of
2 the owner or lessee of the vehicle, but not later than 90
3 days after the date of the violation, except that in the
4 case of 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, or township of the identity of
14 the owner or lessee of the vehicle, but not later than 90
15 days after the violation, except that in the case of a
16 lessee of a motor vehicle, service of an automated traffic
17 law violation notice may occur no later than 210 days
18 after the violation. A person authorized by ordinance to
19 issue and serve parking, standing, ~~and~~ compliance, or
20 other violation notices of violations of Section 11-204 of
21 this Code or similar provisions of local ordinances, as
22 specified in subsection (j) of Section 11-208 of this
23 Code, shall certify as to the correctness of the facts
24 entered on the violation notice by signing his or her name
25 to the notice at the time of service or, in the case of a
26 notice produced by a computerized device, by signing a

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

1 being operated in violation of Section 11-208.6, 11-208.9,
2 or 11-1201.1 or a local ordinance must be reviewed and
3 approved by a law enforcement officer or retired law
4 enforcement officer of the municipality or county issuing
5 the violation or by an additional fully trained reviewing
6 technician who is not employed by the contractor who
7 employs the technician who made the initial determination.
8 In the case of an automated speed enforcement system
9 violation, the ordinance shall require a determination by
10 a technician employed by the municipality, based upon an
11 inspection of recorded images, video or other
12 documentation, including documentation of the speed limit
13 and automated speed enforcement signage, and documentation
14 of the inspection, calibration, and certification of the
15 speed equipment, that the vehicle was being operated in
16 violation of Article VI of Chapter 11 of this Code or a
17 similar local ordinance. If the technician determines that
18 the vehicle speed was not determined by a calibrated,
19 certified speed equipment device based upon the speed
20 equipment documentation, or if the vehicle was an
21 emergency vehicle, a citation may not be issued. The
22 automated speed enforcement ordinance shall require that
23 all determinations by a technician that a violation
24 occurred be reviewed and approved by a law enforcement
25 officer or retired law enforcement officer of the
26 municipality issuing the violation or by an additional

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

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

1 any civil penalty imposed by a finding that Section
2 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a similar
3 local ordinance has been violated. The original or a
4 facsimile of the violation notice or, in the case of a
5 notice produced by a computerized device, a printed record
6 generated by the device showing the facts entered on the
7 notice, shall be retained by the traffic compliance
8 administrator, and shall be a record kept in the ordinary
9 course of business. A parking, standing, compliance,
10 automated speed enforcement system, ~~or~~ automated traffic
11 law, or other violation notice of a violation of Section
12 11-204 of this Code or a similar provision of a local
13 ordinance, as specified in subsection (j) of Section
14 11-208 of this Code, issued, signed, and served in
15 accordance with this Section, a copy of the notice, or the
16 computer-generated record shall be prima facie correct and
17 shall be prima facie evidence of the correctness of the
18 facts shown on the notice. The notice, copy, or
19 computer-generated record shall be admissible in any
20 subsequent administrative or legal proceedings.

21 (4) An opportunity for a hearing for the registered
22 owner of the vehicle cited in the parking, standing,
23 compliance, automated speed enforcement system, ~~or~~
24 automated traffic law, or other violation notice of a
25 violation of Section 11-204 of this Code or a similar
26 provision of a local ordinance, as specified in subsection

1 (j) of Section 11-208 of this Code, in which the owner may
2 contest the merits of the alleged violation, and during
3 which formal or technical rules of evidence shall not
4 apply; provided, however, that under Section 11-1306 of
5 this Code the lessee of a vehicle cited in the violation
6 notice likewise shall be provided an opportunity for a
7 hearing of the same kind afforded the registered owner.
8 The hearings shall be recorded, and the person conducting
9 the hearing on behalf of the traffic compliance
10 administrator shall be empowered to administer oaths and
11 to secure by subpoena both the attendance and testimony of
12 witnesses and the production of relevant books and papers.
13 Persons appearing at a hearing under this Section may be
14 represented by counsel at their expense. The ordinance may
15 also provide for internal administrative review following
16 the decision of the hearing officer.

17 (5) Service of additional notices, sent by first class
18 United States mail, postage prepaid, to the address of the
19 registered owner of the cited vehicle as recorded with the
20 Secretary of State or, if any notice to that address is
21 returned as undeliverable, to the last known address
22 recorded in a United States Post Office approved database,
23 or, under Section 11-1306 or subsection (p) of Section
24 11-208.6 or 11-208.9, or subsection (p) of Section
25 11-208.8 of this Code, to the lessee of the cited vehicle
26 at the last address known to the lessor of the cited

1 vehicle at the time of lease or, if any notice to that
2 address is returned as undeliverable, to the last known
3 address recorded in a United States Post Office approved
4 database. The service shall be deemed complete as of the
5 date of deposit in the United States mail. The notices
6 shall be in the following sequence and shall include, but
7 not be limited to, the information specified herein:

8 (i) A second notice of parking, standing, ~~or~~
9 compliance, or other violation of Section 11-204 of
10 this Code or a similar provision of a local ordinance,
11 as specified in subsection (j) of Section 11-208 of
12 this Code, if the first notice of the violation was
13 issued by affixing the original or a facsimile of the
14 notice to the unlawfully parked vehicle or by handing
15 the notice to the operator. This notice shall specify
16 or include the date and location of the violation
17 cited in the parking, standing, ~~or~~ compliance, or
18 other violation notice of a violation of Section
19 11-204 of this Code or a similar provision of a local
20 ordinance, as specified in subsection (j) of Section
21 11-208 of this Code, the particular regulation
22 violated, the vehicle make or a photograph of the
23 vehicle, the state registration number of the vehicle,
24 any requirement to complete a traffic education
25 program, the fine and any penalty that may be assessed
26 for late payment or failure to complete a traffic

1 education program, or both, when so provided by
2 ordinance, the availability of a hearing in which the
3 violation may be contested on its merits, and the time
4 and manner in which the hearing may be had. The notice
5 of violation shall also state that failure to complete
6 a required traffic education program, to pay the
7 indicated fine and any applicable penalty, or to
8 appear at a hearing on the merits in the time and
9 manner specified, will result in a final determination
10 of violation liability for the cited violation in the
11 amount of the fine or penalty indicated, and that,
12 upon the occurrence of a final determination of
13 violation liability for the failure, and the
14 exhaustion of, or failure to exhaust, available
15 administrative or judicial procedures for review, any
16 incomplete traffic education program or any unpaid
17 fine or penalty, or both, will constitute a debt due
18 and owing the municipality or county.

19 (ii) A notice of final determination of parking,
20 standing, compliance, automated speed enforcement
21 system, or automated traffic law violation liability,
22 or violation liability under Section 11-204 of this
23 Code or a similar provision of a local ordinance, as
24 specified in subsection (j) of Section 11-208 of this
25 Code. This notice shall be sent following a final
26 determination of parking, standing, compliance,

1 automated speed enforcement system, or automated
2 traffic law violation liability, or other violation
3 liability under Section 11-204 of this Code or a
4 similar provision of a local ordinance, as specified
5 in subsection (j) of Section 11-208 of this Code, and
6 the conclusion of judicial review procedures taken
7 under this Section. The notice shall state that the
8 incomplete traffic education program or the unpaid
9 fine or penalty, or both, is a debt due and owing the
10 municipality, ~~or~~ county, or township. The notice shall
11 contain warnings that failure to complete any required
12 traffic education program or to pay any fine or
13 penalty due and owing the municipality, ~~or~~ county, or
14 township ~~or both,~~ within the time specified may result
15 in the municipality's, county's, or township's
16 ~~municipality's or county's~~ filing of a petition in the
17 Circuit Court to have the incomplete traffic education
18 program or unpaid fine or penalty, or both, rendered a
19 judgment as provided by this Section, or, where
20 applicable, may result in suspension of the person's
21 driver's license for failure to complete a traffic
22 education program.

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

24 This notice shall be sent to the person liable for failure
25 to complete a required traffic education program. The
26 notice shall state that failure to complete a required

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

16 (7) Final determinations of violation liability. A
17 final determination of violation liability shall occur
18 following failure to complete the required traffic
19 education program or to pay the fine or penalty, or both,
20 after a hearing officer's determination of violation
21 liability and the exhaustion of or failure to exhaust any
22 administrative review procedures provided by ordinance.
23 Where a person fails to appear at a hearing to contest the
24 alleged violation in the time and manner specified in a
25 prior mailed notice, the hearing officer's determination
26 of violation liability shall become final: (A) upon denial

1 of a timely petition to set aside that determination, or
2 (B) upon expiration of the period for filing the petition
3 without a filing having been made.

4 (8) A petition to set aside a determination of
5 parking, standing, compliance, automated speed enforcement
6 system, or automated traffic law violation liability, or
7 other violation liability under Section 11-204 of this
8 Code or a similar provision of a local ordinance, as
9 specified in subsection (j) of Section 11-208 of this
10 Code, that may be filed by a person owing an unpaid fine or
11 penalty. A petition to set aside a determination of
12 liability may also be filed by a person required to
13 complete a traffic education program. The petition shall
14 be filed with and ruled upon by the traffic compliance
15 administrator in the manner and within the time specified
16 by ordinance. The grounds for the petition may be limited
17 to: (A) the person not having been the owner or lessee of
18 the cited vehicle on the date the violation notice was
19 issued, (B) the person having already completed the
20 required traffic education program or paid the fine or
21 penalty, or both, for the violation in question, and (C)
22 excusable failure to appear at or request a new date for a
23 hearing. With regard to municipalities or counties with a
24 population of 1 million or more, it shall be grounds for
25 dismissal of a parking violation if the state registration
26 number or vehicle make, only if specified in the violation

1 notice, is incorrect. After the determination of parking,
2 standing, compliance, automated speed enforcement system,
3 or automated traffic law violation liability, or other
4 violation liability under Section 11-204 of this Code or a
5 similar provision of a local ordinance, as specified in
6 subsection (j) of Section 11-208 of this Code, has been
7 set aside upon a showing of just cause, the registered
8 owner shall be provided with a hearing on the merits for
9 that violation.

10 (9) Procedures for non-residents. Procedures by which
11 persons who are not residents of the municipality, ~~or~~
12 county, or township may contest the merits of the alleged
13 violation without attending a hearing.

14 (10) A schedule of civil fines for violations of
15 vehicular standing, parking, compliance, automated speed
16 enforcement system, or automated traffic law regulations
17 enacted by ordinance pursuant to this Section or
18 violations under Section 11-204 of this Code or similar
19 provisions of local ordinances, as specified in subsection
20 (j) of Section 11-208 of this Code, and a schedule of
21 penalties for late payment of the fines or failure to
22 complete required traffic education programs, provided,
23 however, that the total amount of the fine and penalty for
24 any one violation shall not exceed \$250, except as to
25 violations of an ordinance relating to Section 11-204 of
26 this Code, as specified in subsection (j) of Section

1 11-208 of this Code, which shall not exceed \$500, and
2 except as provided in subsection (c) of Section 11-1301.3
3 of this Code.

4 (11) Other provisions as are necessary and proper to
5 carry into effect the powers granted and purposes stated
6 in this Section.

7 (b-5) An automated speed enforcement system or automated
8 traffic law ordinance adopted under this Section by a
9 municipality or county shall require that the determination to
10 issue a citation be vested solely with the municipality or
11 county and that such authority may not be delegated to any
12 vendor retained by the municipality or county. Any contract or
13 agreement violating such a provision in the ordinance is null
14 and void.

15 (c) Any municipality, ~~or~~ county, or township establishing
16 vehicular standing, parking, compliance, automated speed
17 enforcement system, or automated traffic law regulations under
18 this Section or other offenses under Section 11-204 of this
19 Code or similar provisions of local ordinances, as specified
20 in subsection (j) of Section 11-208 of this Code, may also
21 provide by ordinance for a program of vehicle immobilization
22 for the purpose of facilitating enforcement of those
23 regulations. The program of vehicle immobilization shall
24 provide for immobilizing any eligible vehicle upon the public
25 way by presence of a restraint in a manner to prevent operation
26 of the vehicle. Any ordinance establishing a program of

1 vehicle immobilization under this Section shall provide:

2 (1) Criteria for the designation of vehicles eligible
3 for immobilization. A vehicle shall be eligible for
4 immobilization when the registered owner of the vehicle
5 has accumulated the number of incomplete traffic education
6 programs or unpaid final determinations of parking,
7 standing, compliance, automated speed enforcement system,
8 or automated traffic law violation liability or violation
9 liability under Section 11-204 of this Code or a similar
10 provision of a local ordinance, as specified in subsection
11 (j) of Section 11-208 of this Code, or both, as determined
12 by ordinance.

13 (2) A notice of impending vehicle immobilization and a
14 right to a hearing to challenge the validity of the notice
15 by disproving liability for the incomplete traffic
16 education programs or unpaid final determinations of
17 parking, standing, compliance, automated speed enforcement
18 system, or automated traffic law violation liability or
19 violation liability under Section 11-204 of this Code or a
20 similar provision of a local ordinance, as specified in
21 subsection (j) of Section 11-208 of this Code, or both,
22 listed on the notice.

23 (3) The right to a prompt hearing after a vehicle has
24 been immobilized or subsequently towed without the
25 completion of the required traffic education program or
26 payment of the outstanding fines and penalties on parking,

1 standing, compliance, automated speed enforcement system,
2 or automated traffic law violations or other offenses
3 under Section 11-204 of this Code or similar provisions of
4 local ordinances, as specified in subsection (j) of
5 Section 11-208 of this Code, or both, for which final
6 determinations have been issued. An order issued after the
7 hearing is a final administrative decision within the
8 meaning of Section 3-101 of the Code of Civil Procedure.

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

12 (d) Judicial review of final determinations of parking,
13 standing, compliance, automated speed enforcement system, or
14 automated traffic law violations or other offenses of Section
15 11-204 of this Code or a similar provision of a local
16 ordinance, as specified in subsection (j) of Section 11-208 of
17 this Code, and final administrative decisions issued after
18 hearings regarding vehicle immobilization and impoundment made
19 under this Section shall be subject to the provisions of the
20 Administrative Review Law.

21 (e) Any fine, penalty, incomplete traffic education
22 program, or part of any fine or any penalty remaining unpaid
23 after the exhaustion of, or the failure to exhaust,
24 administrative remedies created under this Section and the
25 conclusion of any judicial review procedures shall be a debt
26 due and owing the municipality, ~~or~~ county, or township and, as

1 such, may be collected in accordance with applicable law.
2 Completion of any required traffic education program and
3 payment in full of any fine or penalty resulting from a
4 standing, parking, compliance, automated speed enforcement
5 system, or automated traffic law violation or other offenses
6 of Section 11-204 of this Code or a similar provision of a
7 local ordinance, as specified in subsection (j) of Section
8 11-208 of this Code, 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 or other offenses
14 of Section 11-204 of this Code or a similar provision of a
15 local ordinance, as specified in subsection (j) of Section
16 11-208 of this Code, the municipality, ~~or~~ county, or township
17 may commence a proceeding in the Circuit Court for purposes of
18 obtaining a judgment on the final determination of violation.
19 Nothing in this Section shall prevent a municipality, ~~or~~
20 county, or township from consolidating multiple final
21 determinations of parking, standing, compliance, automated
22 speed enforcement system, or automated traffic law violations
23 or other offenses of Section 11-204 of this Code or a similar
24 provision of a local ordinance, as specified in subsection (j)
25 of Section 11-208 of this Code, against a person in a
26 proceeding. Upon commencement of the action, the municipality,

1 ~~or~~ county, or township shall file a certified copy or record of
2 the final determination of parking, standing, compliance,
3 automated speed enforcement system, or automated traffic law
4 violation or other offenses of Section 11-204 of this Code or a
5 similar provision of a local ordinance, as specified in
6 subsection (j) of Section 11-208 of this Code, which shall be
7 accompanied by a certification that recites facts sufficient
8 to show that the final determination of violation was issued
9 in accordance with this Section and the applicable municipal, or
10 ~~or~~ county, or township ordinance. Service of the summons and a
11 copy of the petition may be by any method provided by Section
12 2-203 of the Code of Civil Procedure or by certified mail,
13 return receipt requested, provided that the total amount of
14 fines and penalties for final determinations of parking,
15 standing, compliance, automated speed enforcement system, ~~or~~
16 automated traffic law, or other violations does not exceed
17 \$2500. If the court is satisfied that the final determination
18 of parking, standing, compliance, automated speed enforcement
19 system, or automated traffic law violation or other offenses
20 of Section 11-204 of this Code or a similar provision of a
21 local ordinance, as specified in subsection (j) of Section
22 11-208 of this Code, was entered in accordance with the
23 requirements of this Section and the applicable municipal, ~~or~~
24 county, or township ordinance, and that the registered owner
25 or the lessee, as the case may be, had an opportunity for an
26 administrative hearing and for judicial review as provided in

1 this Section, the court shall render judgment in favor of the
2 municipality, ~~or~~ county, or township and against the
3 registered owner or the lessee for the amount indicated in the
4 final determination of parking, standing, compliance,
5 automated speed enforcement system, or automated traffic law
6 violation, or other offenses of Section 11-204 of this Code or
7 a similar provision of a local ordinance, as specified in
8 subsection (j) of Section 11-208 of this Code, plus costs. The
9 judgment shall have the same effect and may be enforced in the
10 same manner as other judgments for the recovery of money.

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

13 A low-income individual required to complete a traffic
14 education program under this Section who provides proof of
15 eligibility for the federal earned income tax credit under
16 Section 32 of the Internal Revenue Code or the Illinois earned
17 income tax credit under Section 212 of the Illinois Income Tax
18 Act shall not be required to pay any fee for participating in a
19 required traffic education program.

20 (h) Notwithstanding any other provision of law to the
21 contrary, a person shall not be liable for violations, fees,
22 fines, or penalties under this Section during the period in
23 which the motor vehicle was stolen or hijacked, as indicated
24 in a report to the appropriate law enforcement agency filed in
25 a timely manner.

26 (i) Nothing in this Section shall be construed to prohibit

1 law enforcement, a State's Attorney, or the Office of the
2 Attorney General from enforcing a violation when the vehicle
3 at issue has been reported stolen or hijacked.

4 (Source: P.A. 102-558, eff. 8-20-21; 102-905, eff. 1-1-23;
5 103-364, eff. 7-28-23.)