



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3435

Introduced 2/4/2026, by Sen. Ram Villivalam

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-208.10 new

Amends the Illinois Vehicle Code. Allows a municipality with a population of 1,000,000 or more to use an automated traffic law enforcement system to record and enforce violations related to traffic obstruction. Provides that for each violation recorded by an automated traffic law enforcement system, the municipality having jurisdiction shall issue a written notice of violation to the registered owner by mail within 30 days after the Secretary of State identifies the owner, but no later than 90 days after the violation. Sets forth defenses for a violation. Provides that unless the driver received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding \$100, or the completion of a traffic education program, or both, plus an additional penalty of not more than \$100 for failure to pay the original penalty or complete a required program in a timely manner. Requires each intersection monitored by an automated traffic law enforcement system to have a posted sign visible to approaching traffic indicating that automated enforcement is in use. Provides that compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or services provided and may not be based on the number of citations issued or the revenue generated. Prohibits a member of the General Assembly and officer or employee of a municipality or county from knowingly accepting employment or receiving compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. Allows the Secretary to adopt rules necessary to implement the provisions. Makes other changes.

LRB104 19785 LNS 33235 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 adding  
5 Section 11-208.10 as follows:

6 (625 ILCS 5/11-208.10 new)

7 Sec. 11-208.10. Automated traffic law enforcement for  
8 obstruction of traffic at intersections in municipalities with  
9 a population of 1,000,000 or more.

10 (a) For purposes of this Section:

11 "Automated traffic law enforcement system" means a device  
12 with one or more motor vehicle sensors that produces a  
13 recorded image of a motor vehicle's violation of Section  
14 11-1425 or a similar provision of a local ordinance and is  
15 designed to obtain a clear recorded image of the vehicle and  
16 the vehicle's license plate, with the recorded image  
17 displaying the time, date, and location of the violation.

18 "Obstruction of traffic at intersections" means a  
19 violation of Section 11-1425 or a similar local ordinance  
20 prohibiting a driver from entering an intersection or marked  
21 crosswalk unless there is sufficient space to accommodate the  
22 vehicle without obstructing the passage of another vehicle or  
23 pedestrian.

1       "Recorded images" means images recorded by an automated  
2 traffic law enforcement system on (i) 2 or more photographs,  
3 (ii) 2 or more microphotographs, (iii) 2 or more electronic  
4 images, or (iv) a video recording showing the motor vehicle  
5 and, on at least one image or portion of the recording, clearly  
6 identifying the registration plate or digital registration  
7 plate number of the motor vehicle.

8       (b) Notwithstanding any other provision of law, a  
9 municipality with a population of 1,000,000 or more may use an  
10 automated traffic law enforcement system to record and enforce  
11 violations of Section 11-1425 or a similar ordinance. A law  
12 enforcement officer is not required to be present when the  
13 violation occurs or to witness the violation.

14       (c) This Section does not authorize the use of automated  
15 systems for speed enforcement, which remains subject to  
16 Section 11-208.8 and the State's exclusive regulation of  
17 automated speed enforcement except as provided therein.

18       (d) For each violation recorded by an automated traffic  
19 law enforcement system under this Section, the municipality  
20 having jurisdiction shall issue a written notice of violation  
21 to the registered owner by mail within 30 days after the  
22 Secretary of State identifies the owner, but no later than 90  
23 days after the violation. The municipality shall make the  
24 recorded images accessible to the alleged violator via an  
25 Internet website.

26       (e) The notice shall include:

- 1           (1) the name and address of the registered owner;
- 2           (2) the registration number of the motor vehicle;
- 3           (3) the violation charged;
- 4           (4) the date, time, and location of the violation;
- 5           (5) a copy of the recorded images;
- 6           (6) the amount of the civil penalty and the date by  
7 which it must be paid;
- 8           (7) a statement that recorded images are evidence of a  
9 violation;
- 10          (8) a warning that failure to pay, complete any  
11 required program, or contest in a timely manner is an  
12 admission of liability;
- 13          (9) a statement that the person may elect to proceed  
14 by paying the fine, completing a required traffic  
15 education program, or both, or by challenging the charge  
16 in court, by mail, or by administrative hearing; and
- 17          (10) a website address where the person may view the  
18 recorded images of the violation.
- 19          (f) A notice alleging the violation based on recorded  
20 images shall be evidence of the facts contained therein and  
21 admissible in any proceeding alleging a violation under this  
22 Section. Recorded images shall be confidential and made  
23 available only to the alleged violator and governmental and  
24 law enforcement agencies for adjudication, statistical, or  
25 other governmental purposes. Any recorded image evidencing a  
26 violation may be admissible in proceedings resulting from the

1 citation.

2 (g) The court or hearing officer may consider in defense  
3 of a violation:

4 (1) that the motor vehicle or its registration plates  
5 or digital registration plates were stolen before the  
6 violation and were not under the control or in the  
7 possession of the owner or lessee at the time;

8 (2) that the motor vehicle was hijacked before the  
9 violation and was not under the control or in the  
10 possession of the owner or lessee at the time; and

11 (3) any other evidence or issues provided by municipal  
12 ordinance.

13 To establish theft or hijacking, the owner or lessee must  
14 submit proof of a timely report to a law enforcement agency.

15 (h) Unless the driver received a Uniform Traffic Citation  
16 from a police officer at the time of the violation, the motor  
17 vehicle owner is subject to a civil penalty not exceeding \$100  
18 or the completion of a traffic education program, or both,  
19 plus an additional penalty of not more than \$100 for failure to  
20 pay the original penalty or complete a required program in a  
21 timely manner. A violation under this Section is not a  
22 violation of a traffic regulation governing the movement of  
23 vehicles and may not be recorded on the owner's driving  
24 record. A registered owner holding a valid commercial driver's  
25 license is not required to complete a traffic education  
26 program.

1       (i) Each intersection monitored by an automated traffic  
2 law enforcement system under this Section must have a posted  
3 sign visible to approaching traffic indicating that automated  
4 enforcement is in use. The municipality shall post on its  
5 website the locations where an automated traffic law  
6 enforcement system is installed.

7       (j) Compensation paid for an automated traffic law  
8 enforcement system must be based on the value of the equipment  
9 or services provided and may not be based on the number of  
10 citations issued or the revenue generated. No member of the  
11 General Assembly and no officer or employee of a municipality  
12 or county shall knowingly accept employment or receive  
13 compensation or fees for services from a vendor that provides  
14 automated traffic law enforcement system equipment or services  
15 to municipalities or counties. This prohibition applies for 2  
16 years after leaving such office or employment.

17       (k) A lessor of a motor vehicle shall not be liable for a  
18 violation under this Section if, upon timely request and  
19 within 60 days of receipt, the lessor provides the name and  
20 address of the lessee, after which the municipality may issue  
21 the violation to the lessee in the same manner as to a  
22 registered owner, and the lessee may be held liable.

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

25       (m) Nothing in this Section alters the substantive  
26 elements of Section 11-1425, which prohibits a driver from

1 entering an intersection or marked crosswalk unless there is  
2 sufficient space on the other side to accommodate the vehicle  
3 without obstructing the passage of other vehicles or  
4 pedestrians.

5 (n) The Secretary may adopt rules necessary to implement  
6 this Section, including permits, approvals, or authorizations  
7 for placement, installation, or operation, consistent with  
8 timelines and revocation procedures applicable to automated  
9 traffic law enforcement systems.

10 Section 97. Severability. The provisions of this Act are  
11 severable under Section 1.31 of the Statute on Statutes.