**Section 544.60 Implementation**

a) Cost of Installation and Modernization

1) An agreement between the Department and the local agencies will be prepared as outlined in Section 544.50 of this Part. In preparing the agreement, the costs to each agency will be determined on the basis of the following considerations.

A) When Federal funds are used on the project, the established percentage of Federal funds will first be deducted from the total and the remaining cost then proportioned to each agency as described in this Section.

B) Any agency involved may voluntarily assume responsibility for another agency's share of the costs in order to expedite the installation or modernization.

C) In no case will the assigned cost to a local agency exceed 50 percent of its allotted Motor Fuel Tax funds for one year.

D) The local agency's portion of the cost may be paid from its Motor Fuel Tax funds over a two-year period.

2) The division of financial responsibility for the installation and modernization of the traffic signals will be as follows:

A) Intersection of Two State Highways. The Department will be responsible for the installation and modernization of the signals.

B) Ramp Terminals. The Department will be responsible for the installation and modernization of signals installed at the terminal of ramps connecting to or from a State highway.

C) Intersection of a State Highway and Other Public Streets or Highways. The Department and the local agencies will share the responsibility for the installation and modernization. The cost to each agency will be in proportion to the number of intersection approaches that it maintains. If existing signals must be relocated because the State highway is widened and no other work is to be done on the signals, the State will assume the entire cost of relocating the signals.

b) Cost of Maintenance

1) The division of financial responsibility for the maintenance of the traffic signals will be as follows:

A) Intersection Lying Wholly Outside the Corporate Limits of any Municipality. The Department will be responsible for the maintenance of the signals.

B) Intersection Lying Wholly or Partially Within the Corporate Limits of One or More Municipalities. The Department will assume the following costs for the maintenance of traffic signals on State Highways within municipalities.

i) The total costs for all signals at the intersections of two or more State highways.

ii) The total costs for all signals at intersections along State highways that have a level of average daily traffic in excess of 35,000 as shown on the latest published edition of the Department's traffic volume map. The District Engineer will determine the limits of this section of highway within the municipality.

iii) The total costs for all signals located at the terminals of ramps connecting to or from a State highway.

iv) At all other intersections the Department and the municipalities will share in the cost of signal maintenance. The cost to the municipalities will be in proportion to the number of approaches that they maintain.

C) Maintenance costs of signals covered by individual agreements executed subsequent to the Master Agreement will be limited to the conditions defined in subsection (b)(1)(B) above, except that either agency may accept the other's share of the maintenance cost of an individual signalized intersection when it is clearly in the best interest of the agency to do so. The District Engineer shall obtain the Engineer of Operations' concurrence in accepting maintenance costs normally the responsibility of the municipality.

D) The total cost of maintaining all other signals in a municipality not included in subsections (b)(1)(B) and (C) will be the responsibility of the municipality.

2) Municipalities will not be required to maintain or share in the cost of maintaining signals at an intersection on a State highway where the municipality's annual Motor Fuel Tax allotment is less than 50 percent of the current installation costs of the signals.

c) Energy Charges

1) The division of financial responsibility for the energy charges will be as follows:

A) Intersection Lying Wholly Outside the Corporate Limits of any Municipality. The Department will pay the energy charges for the operation of the signals.

B) Intersection Lying Wholly Within the Corporate Limits of a Municipality. The municipality and the Department will share the energy charges according to the proportionate number of intersection approaches maintained by each agency.

C) Intersection Lying Partially Within the Corporate Limits of One or More Municipalities. The municipalities will be responsible for the energy charges.

2) Municipalities will not be required to pay or share in the cost of energy charges for signals at an intersection on a State highway where the municipality's annual Motor Fuel Tax allotment is less than 50 percent of the current installation cost of the signals.

d) Standard of Maintenance

1) Every signal must be maintained to at least the minimum level prescribed in the Illinois Manual on Uniform Traffic Control Devices. Exceptionally high traffic volumes, operational problems, or other special conditions may require a higher level of maintenance be established for certain individual signals or State highway segments. When required, the District Engineer may stipulate the higher level of service with the concurrence of the Engineer of Operations.

2) Where a municipality has demonstrated to the satisfaction of the District Engineer that it can provide the established level of maintenance with its own forces or through an ongoing contractual agreement, the District Engineer may authorize maintenance by the municipality.

3) Where the municipality does not wish to provide maintenance or where the District Engineer has determined the agency does not have the capability of providing the required level of service, the Department will maintain the signals.

4) The State reserves the right to take over the maintenance of the traffic signals and to bill the local agency for the cost of such maintenance upon 30 days' notice in writing, if the local agency fails to maintain the traffic signals as specified.

e) Billing

1) The agency providing the maintenance will bill the other agency for its appropriate share of the costs on a schedule determined by mutual agreement. The billing period shall not exceed one year.

2) The billing amount shall be for the maintenance cost incurred, less any third party damage claims received for repair of signals that are the responsibility of the billed party.

3) Any proposed single expenditure in excess of $5,000 for repair of damage to a single installation must be approved by the billed party before the expenditure is made. The Department reserves the right to examine the records of the municipality to determine the costs billed are fully documented.

(Source: Amended at 25 Ill. Reg. 11183, effective August 16, 2001)