

# HB3843



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3843

by Rep. Mark Batinick

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-605

from Ch. 95 1/2, par. 11-605

Amends the Illinois Vehicle Code. Provides that for the purpose of the Section concerning special speed limits while passing schools, a school day begins at 6:30 a.m. (instead of 7 a.m.). Includes a statement of legislative intent. Effective immediately.

LRB101 12393 TAE 60440 b

A BILL FOR

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 1. Legislative purpose. The purpose of this Act is  
5 to promote the health and safety of children, parents, and  
6 school transportation personnel. The periods in which a special  
7 speed limit in a school zone is in effect should be  
8 synchronized with the actual schedules of schools in this  
9 State, including schools in which the schedule demands that  
10 children arrive in school before 7 a.m.

11 Section 5. The Illinois Vehicle Code is amended by changing  
12 Section 11-605 as follows:

13 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

14 (Text of Section before amendment by P.A. 100-987)

15 Sec. 11-605. Special speed limit while passing schools.

16 (a) For the purpose of this Section, "school" means the  
17 following entities:

18 (1) A public or private primary or secondary school.

19 (2) A primary or secondary school operated by a  
20 religious institution.

21 (3) A public, private, or religious nursery school.

22 On a school day when school children are present and so

1 close thereto that a potential hazard exists because of the  
2 close proximity of the motorized traffic, no person shall drive  
3 a motor vehicle at a speed in excess of 20 miles per hour while  
4 passing a school zone or while traveling on a roadway on public  
5 school property or upon any public thoroughfare where children  
6 pass going to and from school.

7 For the purpose of this Section a school day shall begin at  
8 6:30 a.m. ~~seven ante meridian~~ and shall conclude at 4 p.m. ~~four~~  
9 ~~post meridian.~~

10 This Section shall not be applicable unless appropriate  
11 signs are posted upon streets and highways under their  
12 respective jurisdiction and maintained by the Department,  
13 township, county, park district, city, village or incorporated  
14 town wherein the school zone is located. With regard to the  
15 special speed limit while passing schools, such signs shall  
16 give proper due warning that a school zone is being approached  
17 and shall indicate the school zone and the maximum speed limit  
18 in effect during school days when school children are present.

19 (b) (Blank).

20 (c) Nothing in this Chapter shall prohibit the use of  
21 electronic speed-detecting devices within 500 feet of signs  
22 within a special school speed zone indicating such zone, as  
23 defined in this Section, nor shall evidence obtained thereby be  
24 inadmissible in any prosecution for speeding provided the use  
25 of such device shall apply only to the enforcement of the speed  
26 limit in such special school speed zone.

1 (d) (Blank).

2 (e) Except as provided in subsection (e-5), a person who  
3 violates this Section is guilty of a petty offense. Violations  
4 of this Section are punishable with a minimum fine of \$150 for  
5 the first violation and a minimum fine of \$300 for the second  
6 or subsequent violation.

7 (e-5) A person committing a violation of this Section is  
8 guilty of aggravated special speed limit while passing schools  
9 when he or she drives a motor vehicle at a speed that is:

10 (1) 26 miles per hour or more but less than 35 miles  
11 per hour in excess of the applicable special speed limit  
12 established under this Section or a similar provision of a  
13 local ordinance and is guilty of a Class B misdemeanor; or

14 (2) 35 miles per hour or more in excess of the  
15 applicable special speed limit established under this  
16 Section or a similar provision of a local ordinance and is  
17 guilty of a Class A misdemeanor.

18 (f) When a fine for a violation of subsection (a) is \$150  
19 or greater, the person who violates subsection (a) shall be  
20 charged an additional \$50 to be paid to the unit school  
21 district where the violation occurred for school safety  
22 purposes. If the violation occurred in a dual school district,  
23 \$25 of the surcharge shall be paid to the elementary school  
24 district for school safety purposes and \$25 of the surcharge  
25 shall be paid to the high school district for school safety  
26 purposes. Notwithstanding any other provision of law, the

1 entire \$50 surcharge shall be paid to the appropriate school  
2 district or districts.

3 For purposes of this subsection (f), "school safety  
4 purposes" includes the costs associated with school zone safety  
5 education, the Safe Routes to School Program under Section  
6 2705-317 of the Department of Transportation Law of the Civil  
7 Administrative Code of Illinois, safety programs within the  
8 School Safety and Educational Improvement Block Grant Program  
9 under Section 2-3.51.5 of the School Code, and the purchase,  
10 installation, and maintenance of caution lights which are  
11 mounted on school speed zone signs.

12 (g) (Blank).

13 (h) (Blank).

14 (Source: P.A. 99-212, eff. 1-1-16.)

15 (Text of Section after amendment by P.A. 100-987)  
16 Sec. 11-605. Special speed limit while passing schools.

17 (a) For the purpose of this Section, "school" means the  
18 following entities:

19 (1) A public or private primary or secondary school.

20 (2) A primary or secondary school operated by a  
21 religious institution.

22 (3) A public, private, or religious nursery school.

23 On a school day when school children are present and so  
24 close thereto that a potential hazard exists because of the  
25 close proximity of the motorized traffic, no person shall drive

1 a motor vehicle at a speed in excess of 20 miles per hour while  
2 passing a school zone or while traveling on a roadway on public  
3 school property or upon any public thoroughfare where children  
4 pass going to and from school.

5 For the purpose of this Section a school day shall begin at  
6 6:30 a.m. ~~seven ante meridian~~ and shall conclude at 4 p.m. ~~four~~  
7 ~~post meridian.~~

8 This Section shall not be applicable unless appropriate  
9 signs are posted upon streets and highways under their  
10 respective jurisdiction and maintained by the Department,  
11 township, county, park district, city, village or incorporated  
12 town wherein the school zone is located. With regard to the  
13 special speed limit while passing schools, such signs shall  
14 give proper due warning that a school zone is being approached  
15 and shall indicate the school zone and the maximum speed limit  
16 in effect during school days when school children are present.

17 (b) (Blank).

18 (c) Nothing in this Chapter shall prohibit the use of  
19 electronic speed-detecting devices within 500 feet of signs  
20 within a special school speed zone indicating such zone, as  
21 defined in this Section, nor shall evidence obtained thereby be  
22 inadmissible in any prosecution for speeding provided the use  
23 of such device shall apply only to the enforcement of the speed  
24 limit in such special school speed zone.

25 (d) (Blank).

26 (e) Except as provided in subsection (e-5), a person who

1 violates this Section is guilty of a petty offense. Violations  
2 of this Section are punishable with a minimum fine of \$150 for  
3 the first violation and a minimum fine of \$300 for the second  
4 or subsequent violation.

5 (e-5) A person committing a violation of this Section is  
6 guilty of aggravated special speed limit while passing schools  
7 when he or she drives a motor vehicle at a speed that is:

8 (1) 26 miles per hour or more but less than 35 miles  
9 per hour in excess of the applicable special speed limit  
10 established under this Section or a similar provision of a  
11 local ordinance and is guilty of a Class B misdemeanor; or

12 (2) 35 miles per hour or more in excess of the  
13 applicable special speed limit established under this  
14 Section or a similar provision of a local ordinance and is  
15 guilty of a Class A misdemeanor.

16 (f) (Blank).

17 (g) (Blank).

18 (h) (Blank).

19 (Source: P.A. 99-212, eff. 1-1-16; 100-987, eff. 7-1-19.)

20 Section 95. No acceleration or delay. Where this Act makes  
21 changes in a statute that is represented in this Act by text  
22 that is not yet or no longer in effect (for example, a Section  
23 represented by multiple versions), the use of that text does  
24 not accelerate or delay the taking effect of (i) the changes  
25 made by this Act or (ii) provisions derived from any other

1 Public Act.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.