



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB5304

Introduced 2/9/2024, by Rep. Jaime M. Andrade, Jr.

#### SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 140/7.5

625 ILCS 5/3-400

625 ILCS 5/11-612

625 ILCS 7/Act rep.

from Ch. 95 1/2, par. 3-400

Creates the Highway Work Zone Safety Act. Establishes the Highway Work Zone Speed Control Pilot Program. Provides that the Program's purpose is to enforce the speed limits established for construction or maintenance speed zones. Requires the Department of Transportation to install and operate an automated traffic control system only when highway construction and maintenance is occurring and when workers are present. Requires the Department to conduct a public safety campaign and post signage to inform drivers about the use of an automated traffic control system that detects speeds in excess of a work zone speed limit. Requires an automated traffic control system used in the Program to undergo an annual calibration check performed by an independent calibration laboratory. Provides that the Department shall employ automated traffic control system operators to operate an automated traffic control system at a construction or maintenance speed zone. Enumerates the duties and training requirements of an automated traffic control system operator. Limits the use of a photograph or recorded image captured by an automated traffic control system. Creates a presumption that the owner of a motor vehicle that is the subject of a photograph or recorded image was operating the motor vehicle when the photograph or recorded image was obtained through an automated traffic control system. Allows the presumption to be rebutted if specified conditions are met. Grants rulemaking authority to the Department. Defines terms. Repeals the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act. Makes conforming changes.

LRB103 39108 MXP 69248 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 1. Short title. This Act may be cited as the  
5 Highway Work Zone Safety Act.

6 Section 5. Definitions. As used in this Act:

7 "Authority" means the Illinois State Toll Highway  
8 Authority.

9 "Automatic traffic control system" means a photographic  
10 device, radar device, laser device, or other electrical or  
11 mechanical device or devices designed to record the speed of a  
12 vehicle and obtain a clear photograph or other recorded image  
13 of the vehicle, the vehicle operator, and the vehicle's  
14 registration plate or digital registration plate while the  
15 driver is violating Section 11-605.1 of the Illinois Vehicle  
16 Code. The photograph or other recorded image must also display  
17 the time, date, and location of the violation. A law  
18 enforcement officer is not required to be present or to  
19 witness the violation.

20 "Committee" means the Illinois Traffic Records Safety  
21 Coordinating Committee.

22 "Construction or maintenance speed zone" has the same  
23 meaning given to that term under Section 11-605.1 of the

1 Illinois Vehicle Code.

2 "Department" means the Department of Transportation.

3 "Motor vehicle rental company" has the meaning given to  
4 that term under Section 6-305.3 of the Illinois Vehicle Code.

5 "Owner" means a person in whose name a motor vehicle is  
6 registered under the laws of this State, another state, or a  
7 foreign country or under the International Registration Plan.

8 "Program" means the Highway Work Zone Speed Control Pilot  
9 Program created under this Act.

10 "Work zone speed limit" means a temporary speed limit  
11 established for a work zone by the Department, the Authority,  
12 or a unit of local government that has jurisdiction over the  
13 work zone.

14 Section 10. Highway Work Zone Speed Control Pilot Program.

15 (a) The Department shall establish the Highway Work Zone  
16 Speed Control Pilot Program for the purposes of enforcing the  
17 speed limits established for construction or maintenance speed  
18 zones.

19 (b) The Department shall administer the Program in  
20 coordination with the State Police and a third-party vendor.

21 (c) The Department and the State Police shall enter into  
22 an agreement to share information regarding the Program.

23 (d) The Department may enter into an agreement with a  
24 third-party vendor to assist in the administration of the  
25 Program.

1 Section 15. Procedures.

2 (a) The Department shall install and operate an automated  
3 traffic control system only when:

4 (1) highway construction or maintenance is occurring;  
5 and

6 (2) workers are present in the construction or  
7 maintenance speed zone.

8 (b) Before installing an automated traffic control system  
9 for the purposes of the Program, the Department shall do the  
10 following:

11 (1) conduct a public information campaign to inform  
12 drivers about the use of an automated traffic control  
13 system to detect speeds in excess of a work zone speed  
14 limit; and

15 (2) post signage indicating that the work zone speed  
16 limit is being monitored by an automated traffic control  
17 system before the entrance to a construction or  
18 maintenance speed zone in which an automated traffic  
19 control system is in use.

20 Section 20. Maintenance of automated traffic control  
21 systems.

22 (a) An automated traffic control system used in the  
23 Program shall undergo an annual calibration check performed by  
24 an independent calibration laboratory selected by the

1 Department.

2 (b) The independent calibration laboratory performing the  
3 annual calibration check required under subsection (a) shall  
4 issue a certificate of calibration to the Department for auto  
5 traffic control system as proof that:

6 (1) the annual calibration check was performed; and

7 (2) the automated traffic control system is accurately  
8 calibrated.

9 Section 25. Automated traffic control system operator  
10 requirements; duties; restrictions.

11 (a) The Department shall employ automated traffic control  
12 system operators to operate an automated traffic control  
13 system at a construction or maintenance speed zone.

14 (b) An automated traffic control system operator must be:

15 (1) an employee of the Department or a police officer  
16 employed by the State Police; and

17 (2) trained and certified to operate an automated  
18 traffic control system.

19 (c) An automated traffic control system operator must  
20 complete training by the manufacturer of the automated traffic  
21 control system in the procedures for deploying, testing, and  
22 operating an automated traffic control system.

23 (d) The manufacturer of the automated traffic control  
24 system shall issue a certificate of training to an automated  
25 traffic control system operator upon the successful completion

1 of the training required under subsection (c).

2 (e) An automated traffic control system operator shall  
3 complete a daily log for the automated traffic control system  
4 that contains the following:

5 (1) the location of the construction or maintenance  
6 speed zone where the automated traffic control system is  
7 deployed;

8 (2) the date and time when workers are present at the  
9 construction or maintenance speed zone;

10 (3) the location within the construction or  
11 maintenance speed zone where workers are present;

12 (4) a statement that the automated traffic control  
13 system operator successfully performed, and the device  
14 passed, the tests of the automated traffic control system  
15 specified by the manufacturer before producing a  
16 photograph or recorded image; and

17 (5) the signature of the automated traffic control  
18 system operator.

19 (f) The information and recorded images collected under  
20 the Program are confidential and exempt from disclosure under  
21 the Freedom of Information Act.

22 Section 30. Photograph and recorded images; permitted and  
23 nonpermitted uses.

24 (a) Except as otherwise provided in this Act, information  
25 and photographs or recorded images collected under the Program

1 are not discoverable by court order as evidence in a  
2 proceeding except to assess a penalty under Section 40 of this  
3 Act.

4 (b) Information and a photograph or recorded image  
5 collected under the Program must be destroyed not later than 2  
6 years after the date the information and photograph or  
7 recorded image is collected.

8 (c) Notwithstanding any other provision of law,  
9 information and photographs or recorded images collected under  
10 the Program are the exclusive property of the State and not the  
11 property of the manufacturer or vendor of the automated  
12 traffic control system.

13 (d) Except as otherwise provided under the Illinois  
14 Vehicle Code, use of a photograph or recorded image obtained  
15 through the use of an automated traffic control system for the  
16 purpose of enforcing a traffic offense is prohibited.

17 (e) A photograph or recorded image obtained through the  
18 use of an automated traffic control system may not be used as  
19 evidence in any action other than an action to collect a work  
20 zone speed limit civil penalty for which the photograph or  
21 recorded image was obtained.

22 (f) A photograph or recorded image obtained through the  
23 use of an automated traffic control system may be used  
24 internally to administer the Program. However, unless  
25 authorized by court order, a photograph or recorded image  
26 obtained through the use of an automated traffic control

1 system may not be disclosed to anyone other than:

2 (1) the owner of the motor vehicle at the time the  
3 recorded speed of the motor vehicle exceeded a work zone  
4 speed limit;

5 (2) an individual alleged to have been operating the  
6 motor vehicle at the time the works zone speed limit was  
7 exceeded;

8 (3) an attorney representing an individual;

9 (4) a law enforcement officer;

10 (5) the Authority or Department;

11 (6) a law enforcement officer; or

12 (7) the court in a proceeding for judicial review.

13 Section 35. Liability.

14 (a) Except as provided in subsection (d), the owner of a  
15 motor vehicle identified through an automated traffic control  
16 system is liable for the civil penalty described in section 40  
17 of this Act for exceeding a work zone speed limit.

18 (b) There is a rebuttable presumption that the owner of a  
19 motor vehicle that is the subject of a photograph or recorded  
20 image was operating the motor vehicle when the photograph or  
21 recorded image was obtained through an automated traffic  
22 control system.

23 (c) The presumption under subsection (b) does not apply to  
24 an owner of a motor vehicle that is a motor vehicle rental  
25 company.



1 (d) The owner of a motor vehicle may submit information as  
2 determined by the Department to rebut the presumption created  
3 by subsection (b).

4 (e) It is a defense under this Section if any of the  
5 following apply:

6 (1) The person receiving a notice of violation issued  
7 under this Act:

8 (A) was not the owner of the motor vehicle; or

9 (B) was not driving the motor vehicle at the time  
10 that the work zone speed limit was exceeded.

11 (2) The vehicle was reported stolen prior to the time  
12 that the work zone speed limit was exceeded and was not  
13 recovered prior to that time.

14 (3) The automated traffic control system was not  
15 properly tested for accuracy, certification, or  
16 calibration.

17 (4) Workers were not present in the construction or  
18 maintenance speed zone at the time that the work zone  
19 speed limit was exceeded.

20 Section 40. Civil penalties.

21 (a) This Section does not apply to a person who has been  
22 charged with an infraction for a violation of Section 11-605.1  
23 of the Illinois Vehicle Code for the same offense.

24 (b) The Department shall assess a civil penalty against a  
25 person who exceeds a work zone speed limit if the automated

1 traffic control system indicates that the operator of a motor  
2 vehicle has exceeded the work speed limit by at least eleven 11  
3 miles per hour.

4 (c) A person who exceeds a work zone speed limit that is  
5 detected under this Act is subject to the following civil  
6 penalties:

7 (1) A written warning for the first violation.

8 (2) A civil penalty of \$75 for the second violation.

9 (3) A civil penalty of \$150 for the third and each  
10 subsequent violation.

11 (d) A civil penalty collected under this Section shall be  
12 deposited into the State General Fund.

13 (e) A person assessed a civil penalty under this Act is not  
14 liable for an infraction for a violation of Section 11-605.1  
15 of the Illinois Vehicle Code.

16 Section 45. Reports.

17 (a) Not later than November 1 of each year, the Department  
18 must submit a report to the Committee that includes the  
19 following:

20 (1) the number of motor vehicle accidents and related  
21 serious injuries and deaths that occurred in each  
22 construction or maintenance speed zone where an automated  
23 traffic control system was operated;

24 (2) data related to the speed of motor vehicles  
25 traveling through a construction or maintenance speed zone

1 where an automated traffic control system was operated;

2 (3) the number of violations issued in a construction  
3 or maintenance speed zone where an automated traffic  
4 control system was operated; and

5 (4) the amount of fines imposed for violations  
6 occurring in a construction or maintenance speed zone  
7 where an automated traffic control system was operated.

8 (b) Not later than July 1, 2028, the Department must  
9 submit a report to the Committee that provides a summary of the  
10 impact of the use of automated traffic control systems in  
11 construction or maintenance speed zone.

12 (c) A report under this Section must be submitted to the  
13 Committee in an electronic format.

14 Section 50. Rulemaking. The Department shall adopt rules  
15 to implement this Act, including, but not limited to, rules  
16 establishing procedures for notices, hearings, and appeals  
17 under this Act.

18 Section 900. The Freedom of Information Act is amended by  
19 changing Section 7.5 as follows:

20 (5 ILCS 140/7.5)

21 (Text of Section before amendment by P.A. 103-472)

22 Sec. 7.5. Statutory exemptions. To the extent provided for  
23 by the statutes referenced below, the following shall be

1 exempt from inspection and copying:

2 (a) All information determined to be confidential  
3 under Section 4002 of the Technology Advancement and  
4 Development Act.

5 (b) Library circulation and order records identifying  
6 library users with specific materials under the Library  
7 Records Confidentiality Act.

8 (c) Applications, related documents, and medical  
9 records received by the Experimental Organ Transplantation  
10 Procedures Board and any and all documents or other  
11 records prepared by the Experimental Organ Transplantation  
12 Procedures Board or its staff relating to applications it  
13 has received.

14 (d) Information and records held by the Department of  
15 Public Health and its authorized representatives relating  
16 to known or suspected cases of sexually transmissible  
17 disease or any information the disclosure of which is  
18 restricted under the Illinois Sexually Transmissible  
19 Disease Control Act.

20 (e) Information the disclosure of which is exempted  
21 under Section 30 of the Radon Industry Licensing Act.

22 (f) Firm performance evaluations under Section 55 of  
23 the Architectural, Engineering, and Land Surveying  
24 Qualifications Based Selection Act.

25 (g) Information the disclosure of which is restricted  
26 and exempted under Section 50 of the Illinois Prepaid

1 Tuition Act.

2 (h) Information the disclosure of which is exempted  
3 under the State Officials and Employees Ethics Act, and  
4 records of any lawfully created State or local inspector  
5 general's office that would be exempt if created or  
6 obtained by an Executive Inspector General's office under  
7 that Act.

8 (i) Information contained in a local emergency energy  
9 plan submitted to a municipality in accordance with a  
10 local emergency energy plan ordinance that is adopted  
11 under Section 11-21.5-5 of the Illinois Municipal Code.

12 (j) Information and data concerning the distribution  
13 of surcharge moneys collected and remitted by carriers  
14 under the Emergency Telephone System Act.

15 (k) Law enforcement officer identification information  
16 or driver identification information compiled by a law  
17 enforcement agency or the Department of Transportation  
18 under Section 11-212 of the Illinois Vehicle Code.

19 (l) Records and information provided to a residential  
20 health care facility resident sexual assault and death  
21 review team or the Executive Council under the Abuse  
22 Prevention Review Team Act.

23 (m) Information provided to the predatory lending  
24 database created pursuant to Article 3 of the Residential  
25 Real Property Disclosure Act, except to the extent  
26 authorized under that Article.

1           (n) Defense budgets and petitions for certification of  
2           compensation and expenses for court appointed trial  
3           counsel as provided under Sections 10 and 15 of the  
4           Capital Crimes Litigation Act (repealed). This subsection  
5           (n) shall apply until the conclusion of the trial of the  
6           case, even if the prosecution chooses not to pursue the  
7           death penalty prior to trial or sentencing.

8           (o) Information that is prohibited from being  
9           disclosed under Section 4 of the Illinois Health and  
10          Hazardous Substances Registry Act.

11          (p) Security portions of system safety program plans,  
12          investigation reports, surveys, schedules, lists, data, or  
13          information compiled, collected, or prepared by or for the  
14          Department of Transportation under Sections 2705-300 and  
15          2705-616 of the Department of Transportation Law of the  
16          Civil Administrative Code of Illinois, the Regional  
17          Transportation Authority under Section 2.11 of the  
18          Regional Transportation Authority Act, or the St. Clair  
19          County Transit District under the Bi-State Transit Safety  
20          Act (repealed).

21          (q) Information prohibited from being disclosed by the  
22          Personnel Record Review Act.

23          (r) Information prohibited from being disclosed by the  
24          Illinois School Student Records Act.

25          (s) Information the disclosure of which is restricted  
26          under Section 5-108 of the Public Utilities Act.

1 (t) (Blank).

2 (u) Records and information provided to an independent  
3 team of experts under the Developmental Disability and  
4 Mental Health Safety Act (also known as Brian's Law).

5 (v) Names and information of people who have applied  
6 for or received Firearm Owner's Identification Cards under  
7 the Firearm Owners Identification Card Act or applied for  
8 or received a concealed carry license under the Firearm  
9 Concealed Carry Act, unless otherwise authorized by the  
10 Firearm Concealed Carry Act; and databases under the  
11 Firearm Concealed Carry Act, records of the Concealed  
12 Carry Licensing Review Board under the Firearm Concealed  
13 Carry Act, and law enforcement agency objections under the  
14 Firearm Concealed Carry Act.

15 (v-5) Records of the Firearm Owner's Identification  
16 Card Review Board that are exempted from disclosure under  
17 Section 10 of the Firearm Owners Identification Card Act.

18 (w) Personally identifiable information which is  
19 exempted from disclosure under subsection (g) of Section  
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure  
22 under Section 5-1014.3 of the Counties Code or Section  
23 8-11-21 of the Illinois Municipal Code.

24 (y) Confidential information under the Adult  
25 Protective Services Act and its predecessor enabling  
26 statute, the Elder Abuse and Neglect Act, including

1 information about the identity and administrative finding  
2 against any caregiver of a verified and substantiated  
3 decision of abuse, neglect, or financial exploitation of  
4 an eligible adult maintained in the Registry established  
5 under Section 7.5 of the Adult Protective Services Act.

6 (z) Records and information provided to a fatality  
7 review team or the Illinois Fatality Review Team Advisory  
8 Council under Section 15 of the Adult Protective Services  
9 Act.

10 (aa) Information which is exempted from disclosure  
11 under Section 2.37 of the Wildlife Code.

12 (bb) Information which is or was prohibited from  
13 disclosure by the Juvenile Court Act of 1987.

14 (cc) Recordings made under the Law Enforcement  
15 Officer-Worn Body Camera Act, except to the extent  
16 authorized under that Act.

17 (dd) Information that is prohibited from being  
18 disclosed under Section 45 of the Condominium and Common  
19 Interest Community Ombudsperson Act.

20 (ee) Information that is exempted from disclosure  
21 under Section 30.1 of the Pharmacy Practice Act.

22 (ff) Information that is exempted from disclosure  
23 under the Revised Uniform Unclaimed Property Act.

24 (gg) Information that is prohibited from being  
25 disclosed under Section 7-603.5 of the Illinois Vehicle  
26 Code.



1 (hh) Records that are exempt from disclosure under  
2 Section 1A-16.7 of the Election Code.

3 (ii) Information which is exempted from disclosure  
4 under Section 2505-800 of the Department of Revenue Law of  
5 the Civil Administrative Code of Illinois.

6 (jj) Information and reports that are required to be  
7 submitted to the Department of Labor by registering day  
8 and temporary labor service agencies but are exempt from  
9 disclosure under subsection (a-1) of Section 45 of the Day  
10 and Temporary Labor Services Act.

11 (kk) Information prohibited from disclosure under the  
12 Seizure and Forfeiture Reporting Act.

13 (ll) Information the disclosure of which is restricted  
14 and exempted under Section 5-30.8 of the Illinois Public  
15 Aid Code.

16 (mm) Records that are exempt from disclosure under  
17 Section 4.2 of the Crime Victims Compensation Act.

18 (nn) Information that is exempt from disclosure under  
19 Section 70 of the Higher Education Student Assistance Act.

20 (oo) Communications, notes, records, and reports  
21 arising out of a peer support counseling session  
22 prohibited from disclosure under the First Responders  
23 Suicide Prevention Act.

24 (pp) Names and all identifying information relating to  
25 an employee of an emergency services provider or law  
26 enforcement agency under the First Responders Suicide

1 Prevention Act.

2 (qq) Information and records held by the Department of  
3 Public Health and its authorized representatives collected  
4 under the Reproductive Health Act.

5 (rr) Information that is exempt from disclosure under  
6 the Cannabis Regulation and Tax Act.

7 (ss) Data reported by an employer to the Department of  
8 Human Rights pursuant to Section 2-108 of the Illinois  
9 Human Rights Act.

10 (tt) Recordings made under the Children's Advocacy  
11 Center Act, except to the extent authorized under that  
12 Act.

13 (uu) Information that is exempt from disclosure under  
14 Section 50 of the Sexual Assault Evidence Submission Act.

15 (vv) Information that is exempt from disclosure under  
16 subsections (f) and (j) of Section 5-36 of the Illinois  
17 Public Aid Code.

18 (ww) Information that is exempt from disclosure under  
19 Section 16.8 of the State Treasurer Act.

20 (xx) Information that is exempt from disclosure or  
21 information that shall not be made public under the  
22 Illinois Insurance Code.

23 (yy) Information prohibited from being disclosed under  
24 the Illinois Educational Labor Relations Act.

25 (zz) Information prohibited from being disclosed under  
26 the Illinois Public Labor Relations Act.

1           (aaa) Information prohibited from being disclosed  
2 under Section 1-167 of the Illinois Pension Code.

3           (bbb) Information that is prohibited from disclosure  
4 by the Illinois Police Training Act and the Illinois State  
5 Police Act.

6           (ccc) Records exempt from disclosure under Section  
7 2605-304 of the Illinois State Police Law of the Civil  
8 Administrative Code of Illinois.

9           (ddd) Information prohibited from being disclosed  
10 under Section 35 of the Address Confidentiality for  
11 Victims of Domestic Violence, Sexual Assault, Human  
12 Trafficking, or Stalking Act.

13           (eee) Information prohibited from being disclosed  
14 under subsection (b) of Section 75 of the Domestic  
15 Violence Fatality Review Act.

16           (fff) Images from cameras under the Expressway Camera  
17 Act. This subsection (fff) is inoperative on and after  
18 July 1, 2025.

19           (ggg) Information prohibited from disclosure under  
20 paragraph (3) of subsection (a) of Section 14 of the Nurse  
21 Agency Licensing Act.

22           (hhh) Information submitted to the Illinois State  
23 Police in an affidavit or application for an assault  
24 weapon endorsement, assault weapon attachment endorsement,  
25 .50 caliber rifle endorsement, or .50 caliber cartridge  
26 endorsement under the Firearm Owners Identification Card

1 Act.

2 (iii) Data exempt from disclosure under Section 50 of  
3 the School Safety Drill Act.

4 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
5 Section 30 of the Insurance Data Security Law.

6 (kkk) ~~(iii)~~ Confidential business information  
7 prohibited from disclosure under Section 45 of the Paint  
8 Stewardship Act.

9 (lll) (Reserved).

10 (mmm) ~~(iii)~~ Information prohibited from being  
11 disclosed under subsection (e) of Section 1-129 of the  
12 Illinois Power Agency Act.

13 (nnn) Information prohibited from being disclosed  
14 under subsection (g) of Section 25 of the Highway Work  
15 Zone Safety Act.

16 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
17 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
18 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
19 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
20 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
21 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;  
22 revised 1-2-24.)

23 (Text of Section after amendment by P.A. 103-472)

24 Sec. 7.5. Statutory exemptions. To the extent provided for  
25 by the statutes referenced below, the following shall be

1 exempt from inspection and copying:

2 (a) All information determined to be confidential  
3 under Section 4002 of the Technology Advancement and  
4 Development Act.

5 (b) Library circulation and order records identifying  
6 library users with specific materials under the Library  
7 Records Confidentiality Act.

8 (c) Applications, related documents, and medical  
9 records received by the Experimental Organ Transplantation  
10 Procedures Board and any and all documents or other  
11 records prepared by the Experimental Organ Transplantation  
12 Procedures Board or its staff relating to applications it  
13 has received.

14 (d) Information and records held by the Department of  
15 Public Health and its authorized representatives relating  
16 to known or suspected cases of sexually transmissible  
17 disease or any information the disclosure of which is  
18 restricted under the Illinois Sexually Transmissible  
19 Disease Control Act.

20 (e) Information the disclosure of which is exempted  
21 under Section 30 of the Radon Industry Licensing Act.

22 (f) Firm performance evaluations under Section 55 of  
23 the Architectural, Engineering, and Land Surveying  
24 Qualifications Based Selection Act.

25 (g) Information the disclosure of which is restricted  
26 and exempted under Section 50 of the Illinois Prepaid

1 Tuition Act.

2 (h) Information the disclosure of which is exempted  
3 under the State Officials and Employees Ethics Act, and  
4 records of any lawfully created State or local inspector  
5 general's office that would be exempt if created or  
6 obtained by an Executive Inspector General's office under  
7 that Act.

8 (i) Information contained in a local emergency energy  
9 plan submitted to a municipality in accordance with a  
10 local emergency energy plan ordinance that is adopted  
11 under Section 11-21.5-5 of the Illinois Municipal Code.

12 (j) Information and data concerning the distribution  
13 of surcharge moneys collected and remitted by carriers  
14 under the Emergency Telephone System Act.

15 (k) Law enforcement officer identification information  
16 or driver identification information compiled by a law  
17 enforcement agency or the Department of Transportation  
18 under Section 11-212 of the Illinois Vehicle Code.

19 (l) Records and information provided to a residential  
20 health care facility resident sexual assault and death  
21 review team or the Executive Council under the Abuse  
22 Prevention Review Team Act.

23 (m) Information provided to the predatory lending  
24 database created pursuant to Article 3 of the Residential  
25 Real Property Disclosure Act, except to the extent  
26 authorized under that Article.

1           (n) Defense budgets and petitions for certification of  
2           compensation and expenses for court appointed trial  
3           counsel as provided under Sections 10 and 15 of the  
4           Capital Crimes Litigation Act (repealed). This subsection  
5           (n) shall apply until the conclusion of the trial of the  
6           case, even if the prosecution chooses not to pursue the  
7           death penalty prior to trial or sentencing.

8           (o) Information that is prohibited from being  
9           disclosed under Section 4 of the Illinois Health and  
10          Hazardous Substances Registry Act.

11          (p) Security portions of system safety program plans,  
12          investigation reports, surveys, schedules, lists, data, or  
13          information compiled, collected, or prepared by or for the  
14          Department of Transportation under Sections 2705-300 and  
15          2705-616 of the Department of Transportation Law of the  
16          Civil Administrative Code of Illinois, the Regional  
17          Transportation Authority under Section 2.11 of the  
18          Regional Transportation Authority Act, or the St. Clair  
19          County Transit District under the Bi-State Transit Safety  
20          Act (repealed).

21          (q) Information prohibited from being disclosed by the  
22          Personnel Record Review Act.

23          (r) Information prohibited from being disclosed by the  
24          Illinois School Student Records Act.

25          (s) Information the disclosure of which is restricted  
26          under Section 5-108 of the Public Utilities Act.

1 (t) (Blank).

2 (u) Records and information provided to an independent  
3 team of experts under the Developmental Disability and  
4 Mental Health Safety Act (also known as Brian's Law).

5 (v) Names and information of people who have applied  
6 for or received Firearm Owner's Identification Cards under  
7 the Firearm Owners Identification Card Act or applied for  
8 or received a concealed carry license under the Firearm  
9 Concealed Carry Act, unless otherwise authorized by the  
10 Firearm Concealed Carry Act; and databases under the  
11 Firearm Concealed Carry Act, records of the Concealed  
12 Carry Licensing Review Board under the Firearm Concealed  
13 Carry Act, and law enforcement agency objections under the  
14 Firearm Concealed Carry Act.

15 (v-5) Records of the Firearm Owner's Identification  
16 Card Review Board that are exempted from disclosure under  
17 Section 10 of the Firearm Owners Identification Card Act.

18 (w) Personally identifiable information which is  
19 exempted from disclosure under subsection (g) of Section  
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure  
22 under Section 5-1014.3 of the Counties Code or Section  
23 8-11-21 of the Illinois Municipal Code.

24 (y) Confidential information under the Adult  
25 Protective Services Act and its predecessor enabling  
26 statute, the Elder Abuse and Neglect Act, including



1 information about the identity and administrative finding  
2 against any caregiver of a verified and substantiated  
3 decision of abuse, neglect, or financial exploitation of  
4 an eligible adult maintained in the Registry established  
5 under Section 7.5 of the Adult Protective Services Act.

6 (z) Records and information provided to a fatality  
7 review team or the Illinois Fatality Review Team Advisory  
8 Council under Section 15 of the Adult Protective Services  
9 Act.

10 (aa) Information which is exempted from disclosure  
11 under Section 2.37 of the Wildlife Code.

12 (bb) Information which is or was prohibited from  
13 disclosure by the Juvenile Court Act of 1987.

14 (cc) Recordings made under the Law Enforcement  
15 Officer-Worn Body Camera Act, except to the extent  
16 authorized under that Act.

17 (dd) Information that is prohibited from being  
18 disclosed under Section 45 of the Condominium and Common  
19 Interest Community Ombudsperson Act.

20 (ee) Information that is exempted from disclosure  
21 under Section 30.1 of the Pharmacy Practice Act.

22 (ff) Information that is exempted from disclosure  
23 under the Revised Uniform Unclaimed Property Act.

24 (gg) Information that is prohibited from being  
25 disclosed under Section 7-603.5 of the Illinois Vehicle  
26 Code.

1 (hh) Records that are exempt from disclosure under  
2 Section 1A-16.7 of the Election Code.

3 (ii) Information which is exempted from disclosure  
4 under Section 2505-800 of the Department of Revenue Law of  
5 the Civil Administrative Code of Illinois.

6 (jj) Information and reports that are required to be  
7 submitted to the Department of Labor by registering day  
8 and temporary labor service agencies but are exempt from  
9 disclosure under subsection (a-1) of Section 45 of the Day  
10 and Temporary Labor Services Act.

11 (kk) Information prohibited from disclosure under the  
12 Seizure and Forfeiture Reporting Act.

13 (ll) Information the disclosure of which is restricted  
14 and exempted under Section 5-30.8 of the Illinois Public  
15 Aid Code.

16 (mm) Records that are exempt from disclosure under  
17 Section 4.2 of the Crime Victims Compensation Act.

18 (nn) Information that is exempt from disclosure under  
19 Section 70 of the Higher Education Student Assistance Act.

20 (oo) Communications, notes, records, and reports  
21 arising out of a peer support counseling session  
22 prohibited from disclosure under the First Responders  
23 Suicide Prevention Act.

24 (pp) Names and all identifying information relating to  
25 an employee of an emergency services provider or law  
26 enforcement agency under the First Responders Suicide

1 Prevention Act.

2 (qq) Information and records held by the Department of  
3 Public Health and its authorized representatives collected  
4 under the Reproductive Health Act.

5 (rr) Information that is exempt from disclosure under  
6 the Cannabis Regulation and Tax Act.

7 (ss) Data reported by an employer to the Department of  
8 Human Rights pursuant to Section 2-108 of the Illinois  
9 Human Rights Act.

10 (tt) Recordings made under the Children's Advocacy  
11 Center Act, except to the extent authorized under that  
12 Act.

13 (uu) Information that is exempt from disclosure under  
14 Section 50 of the Sexual Assault Evidence Submission Act.

15 (vv) Information that is exempt from disclosure under  
16 subsections (f) and (j) of Section 5-36 of the Illinois  
17 Public Aid Code.

18 (ww) Information that is exempt from disclosure under  
19 Section 16.8 of the State Treasurer Act.

20 (xx) Information that is exempt from disclosure or  
21 information that shall not be made public under the  
22 Illinois Insurance Code.

23 (yy) Information prohibited from being disclosed under  
24 the Illinois Educational Labor Relations Act.

25 (zz) Information prohibited from being disclosed under  
26 the Illinois Public Labor Relations Act.

1           (aaa) Information prohibited from being disclosed  
2 under Section 1-167 of the Illinois Pension Code.

3           (bbb) Information that is prohibited from disclosure  
4 by the Illinois Police Training Act and the Illinois State  
5 Police Act.

6           (ccc) Records exempt from disclosure under Section  
7 2605-304 of the Illinois State Police Law of the Civil  
8 Administrative Code of Illinois.

9           (ddd) Information prohibited from being disclosed  
10 under Section 35 of the Address Confidentiality for  
11 Victims of Domestic Violence, Sexual Assault, Human  
12 Trafficking, or Stalking Act.

13           (eee) Information prohibited from being disclosed  
14 under subsection (b) of Section 75 of the Domestic  
15 Violence Fatality Review Act.

16           (fff) Images from cameras under the Expressway Camera  
17 Act. This subsection (fff) is inoperative on and after  
18 July 1, 2025.

19           (ggg) Information prohibited from disclosure under  
20 paragraph (3) of subsection (a) of Section 14 of the Nurse  
21 Agency Licensing Act.

22           (hhh) Information submitted to the Illinois State  
23 Police in an affidavit or application for an assault  
24 weapon endorsement, assault weapon attachment endorsement,  
25 .50 caliber rifle endorsement, or .50 caliber cartridge  
26 endorsement under the Firearm Owners Identification Card

1 Act.

2 (iii) Data exempt from disclosure under Section 50 of  
3 the School Safety Drill Act.

4 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
5 Section 30 of the Insurance Data Security Law.

6 (kkk) ~~(iii)~~ Confidential business information  
7 prohibited from disclosure under Section 45 of the Paint  
8 Stewardship Act.

9 (lll) ~~(iii)~~ Data exempt from disclosure under Section  
10 2-3.196 of the School Code.

11 (mmm) ~~(iii)~~ Information prohibited from being  
12 disclosed under subsection (e) of Section 1-129 of the  
13 Illinois Power Agency Act.

14 (nnn) Information prohibited from being disclosed  
15 under subsection (g) of Section 25 of the Highway Work  
16 Zone Safety Act.

17 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
18 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
19 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
20 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
21 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
22 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
23 103-580, eff. 12-8-23; revised 1-2-24.)

24 Section 905. The Illinois Vehicle Code is amended by  
25 changing Sections 3-400 and 11-612 as follows:

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

2 Sec. 3-400. Definitions. Notwithstanding the definitions  
3 set forth in Chapter 1 of this Act, for the purposes of this  
4 Article, the following words shall have the meaning ascribed  
5 to them as follows:

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

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

24 "Base Jurisdiction" means, for purposes of fleet  
25 registration, the jurisdiction where the registrant has an

1 established place of business, where operational records of  
2 the fleet are maintained and where mileage is accrued by the  
3 fleet. In case a registrant operates more than one fleet, and  
4 maintains records for each fleet in different places, the  
5 "base jurisdiction" for a fleet shall be the jurisdiction  
6 where an established place of business is maintained, where  
7 records of the operation of that fleet are maintained and  
8 where mileage is accrued by that fleet.

9 "Operational Records" means documents supporting miles  
10 traveled in each jurisdiction and total miles traveled, such  
11 as fuel reports, trip leases, and logs.

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

23 "Registration plate or digital registration plate cover"  
24 means any tinted, colored, painted, marked, clear, or  
25 illuminated object that is designed to (i) cover any of the  
26 characters of a motor vehicle's registration plate or digital

1 registration plate; or (ii) distort a recorded image of any of  
2 the characters of a motor vehicle's registration plate or  
3 digital registration plate recorded by an automated  
4 enforcement system as defined in Section 11-208.6, 11-208.8,  
5 or 11-1201.1 of this Code or recorded by an automated traffic  
6 control system as defined in Section 5 of the Highway Work Zone  
7 Safety Act. ~~15 of the Automated Traffic Control Systems in~~  
8 ~~Highway Construction or Maintenance Zones Act.~~

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

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

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

21 (625 ILCS 5/11-612)

22 Sec. 11-612. Certain systems to record vehicle speeds  
23 prohibited. Except as authorized in the Highway Work Zone  
24 Safety Act ~~Automated Traffic Control Systems in Highway~~  
25 ~~Construction or Maintenance Zones Act~~ and Section 11-208.8 of



1 this Code, no photographic, video, or other imaging system may  
2 be used in this State to record vehicle speeds for the purpose  
3 of enforcing any law or ordinance regarding a maximum or  
4 minimum speed limit unless a law enforcement officer is  
5 present at the scene and witnesses the event. No State or local  
6 governmental entity, including a home rule county or  
7 municipality, may use such a system in a way that is prohibited  
8 by this Section. The regulation of the use of such systems is  
9 an exclusive power and function of the State. This Section is a  
10 denial and limitation of home rule powers and functions under  
11 subsection (h) of Section 6 of Article VII of the Illinois  
12 Constitution.

13 (Source: P.A. 97-672, eff. 7-1-12.)

14 (625 ILCS 7/Act rep.)

15 Section 910. The Automated Traffic Control Systems in  
16 Highway Construction or Maintenance Zones Act is repealed.

17 Section 995. No acceleration or delay. Where this Act  
18 makes changes in a statute that is represented in this Act by  
19 text that is not yet or no longer in effect (for example, a  
20 Section represented by multiple versions), the use of that  
21 text does not accelerate or delay the taking effect of (i) the  
22 changes made by this Act or (ii) provisions derived from any  
23 other Public Act.