



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5408

Introduced 2/9/2024, by Rep. Brad Stephens

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.1012 new

Creates the O'Hare Driver Safety Act. Provides that a person operating a motor vehicle shall not stop or stand the person's vehicle on a shoulder of a highway including the highway entrance and exit ramps or on the side of a roadway within a 2-mile radius surrounding O'Hare International Airport. Establishes that a person who violates the provisions shall be subject to a \$100 fine. Limits the liability of a vehicle lessor if specified conditions are met. Requires the Illinois Toll Highway Authority to install and maintain automated traffic safety systems along traffic routes within a 2-mile radius of O'Hare International Airport. Requires all fine proceeds to be deposited into the Illinois State Police Highway Enforcement Fund. Requires the Authority to adopt rules to implement and administer the Act. Defines terms.

LRB103 35376 MXP 65441 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 referred to as the
5 O'Hare Driver Safety Act.

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

7 "Authority" means the Illinois Toll Highway Authority.

8 "Automated traffic safety system" means a device with one
9 or more motor vehicle sensors to produce a recorded image of a
10 motor vehicle that is stopped or standing on the side of a
11 highway or roadway in violation of Section 11-1303 of the
12 Illinois Vehicle Code.

13 "Recorded images" has the same meaning given to that term
14 under Section 11-208.6 of the Illinois Vehicle Code.

15 Section 10. No stopping or standing within 2 miles of
16 O'Hare International Airport. Except where permitted, a person
17 operating a motor vehicle shall not stop or stand the person's
18 vehicle on a shoulder of a highway, including the highway
19 entrance and exit ramps or on the side of a roadway within a
20 2-mile radius surrounding O'Hare International Airport.

21 No person who is the lessor of a motor vehicle under a
22 written lease agreement shall be liable for an automated

1 traffic safety system violation involving such motor vehicle
2 during the period of the lease, unless, upon the request of the
3 appropriate authority received within 120 days after the
4 violation occurred, the lessor provides within 60 days after
5 such receipt the name and address of the lessee.

6 Upon the provision of information by the lessor under this
7 Section, the Authority may issue the violation to the lessee
8 of the vehicle in the same manner as it would issue a violation
9 to a registered owner of a vehicle, and the lessee may be held
10 liable for the violation.

11 This Section shall not apply to vehicles that are stopped
12 or standing in a restricted area if:

- 13 (1) a person is yielding to an emergency vehicle;
14 (2) the vehicle malfunctions;
15 (3) a person was directed to stop the person's vehicle
16 by a law enforcement officer; or
17 (4) the vehicle was stolen prior to violation and not
18 controlled by the registered owner of the vehicle.

19 Section 15. Installation of automated traffic safety
20 systems; enforcement. The Authority shall install and maintain
21 automated traffic safety systems along traffic routes within a
22 2-mile radius of O'Hare International Airport.

23 A traffic route that is equipped with an automated traffic
24 safety system must be posted with a sign visible to
25 approaching traffic indicating that the route is being

1 monitored by an automated traffic safety system and informing
2 drivers that stopping or standing is prohibited.

3 Section 17. Recorded image. An automated traffic safety
4 system that produces a recorded image of a motor vehicle's
5 violation of this Act is designed to obtain a clear recorded
6 image of the vehicle and the vehicle's license plate. The
7 recorded image must also display the time, date, and location
8 of the violation.

9 Section 20. Fines; notice. A person who violates this Act
10 shall be subject to a \$100 fine for each offense. Proceeds from
11 fines shall be deposited into the Illinois State Police
12 Highway Enforcement Fund.

13 For each violation of a provision of this Act recorded by
14 an automatic traffic safety system, the Authority shall issue
15 a written notice of the violation to the registered owner of
16 the vehicle as the alleged violator. The notice shall be
17 delivered to the registered owner of the vehicle, by mail,
18 within 30 days after the Secretary of State notifies the
19 Authority of the identity of the owner of the vehicle, but in
20 no event later than 90 days after the violation.

21 The notice shall include:

22 (1) the name and address of the registered owner of
23 the vehicle;

24 (2) the registration number of the motor vehicle

- 1 involved in the violation;
- 2 (3) the violation charged;
- 3 (4) the location where the violation occurred;
- 4 (5) the date and time of the violation;
- 5 (6) a copy of the recorded images;
- 6 (7) the amount of the civil penalty imposed and the
- 7 requirements of any traffic education program imposed and
- 8 the date by which the civil penalty should be paid and the
- 9 traffic education program should be completed;
- 10 (8) a statement that recorded images are evidence of a
- 11 violation of stopping or standing in a restricted area;
- 12 (9) a warning that failure to pay the civil penalty,
- 13 to complete a required traffic education program, or to
- 14 contest liability in a timely manner is an admission of
- 15 liability;
- 16 (10) a statement that the person may elect to proceed
- 17 by:
- 18 (A) paying the fine, completing a required traffic
- 19 education program, or both; or
- 20 (B) challenging the charge in court, by mail, or
- 21 by administrative hearing; and
- 22 (11) a website address, accessible through the
- 23 Internet, where the person may view the recorded images of
- 24 the violation.

1 Fund. The Illinois State Police Highway Enforcement Fund is
2 created as a special fund in the State treasury.

3 Section 30. Rules. The Authority shall adopt rules
4 necessary implement and administer this Act.

5 Section 900. The State Finance Act is amended by adding
6 Section 5.1012 as follows:

7 (30 ILCS 105/5.1012 new)

8 Sec. 5.1012. Illinois State Police Highway Enforcement
9 Fund.