



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4297

Introduced 1/30/2004, by Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-208
625 ILCS 5/11-208.5 new

from Ch. 95 1/2, par. 11-208

Amends the Illinois Vehicle Code. Provides that a unit of local government may not establish an area or zone where parking is prohibited unless a sign giving notice of the prohibition of parking is posted at each boundary of the area or zone. Limits the concurrent exercise of home rule powers.

LRB093 17647 DRH 43320 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning vehicles.

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 changing
5 Section 11-208 and adding Section 11-208.5 as follows:

6 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

7 Sec. 11-208. Powers of local authorities.

8 (a) The provisions of this Code shall not be deemed to
9 prevent local authorities with respect to streets and highways
10 under their jurisdiction and within the reasonable exercise of
11 the police power from:

12 1. Regulating the standing or parking of vehicles,
13 except as limited by Sections 11-208.5 and Section 11-1306
14 of this Act;

15 2. Regulating traffic by means of police officers or
16 traffic control signals;

17 3. Regulating or prohibiting processions or
18 assemblages on the highways;

19 4. Designating particular highways as one-way highways
20 and requiring that all vehicles thereon be moved in one
21 specific direction;

22 5. Regulating the speed of vehicles in public parks
23 subject to the limitations set forth in Section 11-604;

24 6. Designating any highway as a through highway, as
25 authorized in Section 11-302, and requiring that all
26 vehicles stop before entering or crossing the same or
27 designating any intersection as a stop intersection or a
28 yield right-of-way intersection and requiring all vehicles
29 to stop or yield the right-of-way at one or more entrances
30 to such intersections;

31 7. Restricting the use of highways as authorized in
32 Chapter 15;

1 8. Regulating the operation of bicycles and requiring
2 the registration and licensing of same, including the
3 requirement of a registration fee;

4 9. Regulating or prohibiting the turning of vehicles or
5 specified types of vehicles at intersections;

6 10. Altering the speed limits as authorized in Section
7 11-604;

8 11. Prohibiting U-turns;

9 12. Prohibiting pedestrian crossings at other than
10 designated and marked crosswalks or at intersections;

11 13. Prohibiting parking during snow removal operation;

12 14. Imposing fines in accordance with Section
13 11-1301.3 as penalties for use of any parking place
14 reserved for persons with disabilities, as defined by
15 Section 1-159.1, or disabled veterans by any person using a
16 motor vehicle not bearing registration plates specified in
17 Section 11-1301.1 or a special decal or device as defined
18 in Section 11-1301.2 as evidence that the vehicle is
19 operated by or for a person with disabilities or disabled
20 veteran;

21 15. Adopting such other traffic regulations as are
22 specifically authorized by this Code; or

23 16. Enforcing the provisions of subsection (f) of
24 Section 3-413 of this Code or a similar local ordinance.

25 (b) No ordinance or regulation enacted under subsections 1,
26 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective
27 until signs giving reasonable notice of such local traffic
28 regulations are posted.

29 (c) The provisions of this Code shall not prevent any
30 municipality having a population of 500,000 or more inhabitants
31 from prohibiting any person from driving or operating any motor
32 vehicle upon the roadways of such municipality with headlamps
33 on high beam or bright.

34 (d) The provisions of this Code shall not be deemed to
35 prevent local authorities within the reasonable exercise of
36 their police power from prohibiting, on private property, the

1 unauthorized use of parking spaces reserved for persons with
2 disabilities.

3 (e) No unit of local government, including a home rule
4 unit, may enact or enforce an ordinance that applies only to
5 motorcycles if the principal purpose for that ordinance is to
6 restrict the access of motorcycles to any highway or portion of
7 a highway for which federal or State funds have been used for
8 the planning, design, construction, or maintenance of that
9 highway. No unit of local government, including a home rule
10 unit, may enact an ordinance requiring motorcycle users to wear
11 protective headgear. Nothing in this subsection (e) shall
12 affect the authority of a unit of local government to regulate
13 motorcycles for traffic control purposes or in accordance with
14 Section 12-602 of this Code. No unit of local government,
15 including a home rule unit, may regulate motorcycles in a
16 manner inconsistent with this Code. This subsection (e) is a
17 limitation under subsection (i) of Section 6 of Article VII of
18 the Illinois Constitution on the concurrent exercise by home
19 rule units of powers and functions exercised by the State.

20 (Source: P.A. 90-106, eff. 1-1-98; 90-513, eff. 8-22-97;
21 90-655, eff. 7-30-98; 91-519, eff. 1-1-00.)

22 (625 ILCS 5/11-208.5 new)

23 Sec. 11-208.5. No parking zone signs. No unit of local
24 government, including a home rule unit, may establish on any
25 roadway, street, or highway in this State an area or zone where
26 parking is prohibited unless a sign giving notice of the
27 prohibition of parking is posted at each boundary of the area
28 or zone. This Section is a limitation under subsection (i) of
29 Section 6 of Article VII of the Illinois Constitution on the
30 concurrent exercise by home rule units of powers and functions
31 exercised by the State.