



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4561

Introduced 1/18/2008, by Rep. Jil Tracy

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-601
625 ILCS 5/11-602

from Ch. 95 1/2, par. 11-601
from Ch. 95 1/2, par. 11-602

Amends the Illinois Vehicle Code. Provides that, outside the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, unless some other speed restriction has been established under the Code, the maximum speed limit outside an urban district for any vehicle is 65 miles per hour. Provides that language providing that the Department of Transportation may not alter the speed limits on an access-controlled highway to exceed 55 miles per hour for vehicles of the second division weighing 8,001 pounds or more applies only in the listed counties. Effective January 1, 2009.

LRB095 15430 DRH 41422 b

FISCAL NOTE ACT
MAY APPLY

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 5. The Illinois Vehicle Code is amended by changing
5 Sections 11-601 and 11-602 as follows:

6 (625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)
7 Sec. 11-601. General speed restrictions.

8 (a) No vehicle may be driven upon any highway of this State
9 at a speed which is greater than is reasonable and proper with
10 regard to traffic conditions and the use of the highway, or
11 endangers the safety of any person or property. The fact that
12 the speed of a vehicle does not exceed the applicable maximum
13 speed limit does not relieve the driver from the duty to
14 decrease speed when approaching and crossing an intersection,
15 approaching and going around a curve, when approaching a hill
16 crest, when traveling upon any narrow or winding roadway, or
17 when special hazard exists with respect to pedestrians or other
18 traffic or by reason of weather or highway conditions. Speed
19 must be decreased as may be necessary to avoid colliding with
20 any person or vehicle on or entering the highway in compliance
21 with legal requirements and the duty of all persons to use due
22 care.

23 (b) No person may drive a vehicle upon any highway of this

1 State at a speed which is greater than the applicable statutory
2 maximum speed limit established by paragraphs (c), (d), (e),
3 (f) or (g) of this Section, by Section 11-605 or by a
4 regulation or ordinance made under this Chapter.

5 (c) Unless some other speed restriction is established
6 under this Chapter, the maximum speed limit in an urban
7 district for all vehicles is:

- 8 1. 30 miles per hour; and
- 9 2. 15 miles per hour in an alley.

10 (d) In the counties of Cook, DuPage, Kane, Lake, McHenry,
11 and Will, unless ~~Unless~~ some other speed restriction is
12 established under this Chapter, the maximum speed limit outside
13 an urban district for any vehicle of the first division or a
14 second division vehicle designed or used for the carrying of a
15 gross weight of 8,000 pounds or less (including the weight of
16 the vehicle and maximum load) is (1) 65 miles per hour (i) for
17 all highways under the jurisdiction of the Illinois State Toll
18 Highway Authority and (ii) for all or part of highways that are
19 designated by the Department, have at least 4 lanes of traffic,
20 and have a separation between the roadways moving in opposite
21 directions and (2) 55 miles per hour for all other highways,
22 roads, and streets.

23 (d-1) Outside the counties of Cook, DuPage, Kane, Lake,
24 McHenry, and Will, unless some other speed restriction is
25 established under this Chapter, the maximum speed limit outside
26 an urban district for any vehicle is (1) 65 miles per hour (i)

1 for all highways under the jurisdiction of the Illinois State
2 Toll Highway Authority and (ii) for all or part of highways
3 that are designated by the Department, have at least 4 lanes of
4 traffic, and have a separation between the roadways moving in
5 opposite directions and (2) 55 miles per hour for all other
6 highways, roads, and streets.

7 (e) In the counties of Cook, DuPage, Kane, Lake, McHenry,
8 and Will, unless ~~Unless~~ some lesser speed restriction is
9 established under this Chapter, the maximum speed limit outside
10 an urban district for a second division vehicle designed or
11 used for the carrying of a gross weight of 8,001 pounds or more
12 (including the weight of the vehicle and maximum load) is 55
13 miles per hour.

14 (f) In the counties of Cook, DuPage, Kane, Lake, McHenry,
15 and Will, unless ~~Unless~~ some other speed restriction is
16 established under this Chapter, the maximum speed limit outside
17 an urban district for a bus is:

18 1. 65 miles per hour upon any highway which has at
19 least 4 lanes of traffic and of which the roadways for
20 traffic moving in opposite directions are separated by a
21 strip of ground which is not surfaced or suitable for
22 vehicular traffic, except that the maximum speed limit for
23 a bus on all highways, roads, or streets not under the
24 jurisdiction of the Department or the Illinois State Toll
25 Highway Authority is 55 miles per hour; and

26 2. 60 miles per hour on any other highway, except that

1 the maximum speed limit for a bus on all highways, roads,
2 or streets not under the jurisdiction of the Department or
3 the Illinois State Toll Highway Authority is 55 miles per
4 hour.

5 (f-1) Outside the counties of Cook, DuPage, Kane, Lake,
6 McHenry, and Will, unless some other speed restriction is
7 established under this Chapter, the maximum speed limit
8 outside an urban district for a bus is:

9 1. 65 miles per hour upon any highway which has at
10 least 4 lanes of traffic and of which the roadways for
11 traffic moving in opposite directions are separated by a
12 strip of ground which is not surfaced or suitable for
13 vehicular traffic; and

14 2. 55 miles per hour on any other highway.

15 (g) In the counties of Cook, DuPage, Kane, Lake, McHenry,
16 and Will, unless ~~Unless~~ some other speed restriction is
17 established under this Chapter, the maximum speed limit outside
18 an urban district for a house car, camper, private living
19 coach, vehicles licensed as recreational vehicles, and any
20 vehicle towing any other vehicle is 55 miles per hour or the
21 posted speed limit, whichever is less.

22 (Source: P.A. 89-444, eff. 1-25-96; 89-551, eff. 1-1-97.)

23 (625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

24 Sec. 11-602. Alteration of limits by Department.

25 (a) Whenever the Department determines, upon the basis of

1 an engineering and traffic investigation concerning any
2 highway for which the Department has maintenance
3 responsibility, that a maximum speed limit prescribed in
4 Section 11-601 of this Chapter is greater or less than is
5 reasonable or safe with respect to the conditions found to
6 exist at any intersection or other place on such highway or
7 along any part or zone thereof, the Department shall determine
8 and declare a reasonable and safe absolute maximum speed limit
9 applicable to such intersection or place, or along such part or
10 zone. However, such limit shall not:

11 (1) in the counties of Cook, DuPage, Kane, Lake,
12 McHenry, and Will, exceed 65 miles per hour, or 55 miles
13 per hour for a second division vehicle designed or used for
14 the carrying of a gross weight of 8,001 pounds or more
15 (including the weight of the vehicle and maximum load), on
16 a highway or street which is especially designed for
17 through traffic and to, from, or over which owners of or
18 persons having an interest in abutting property or other
19 persons have no right or easement, or only a limited right
20 or easement, of access, crossing, light, air, or view, and
21 shall not exceed 55 miles per hour on any other highway;
22 or-

23 (2) outside the counties of Cook, DuPage, Kane, Lake,
24 McHenry, and Will, exceed 65 miles per hour on a highway or
25 street which is especially designed for through traffic and
26 to, from, or over which owners of or persons having an

1 interest in abutting property or other persons have no
2 right or easement, or only a limited right or easement, of
3 access, crossing, light, air, or view, and shall not exceed
4 55 miles per hour on any other highway.

5 (b) Where a highway under the Department's jurisdiction is
6 contiguous to school property, the Department may, at the
7 school district's request, set a reduced maximum speed limit
8 for student safety purposes in the portion of the highway that
9 faces the school property and in the portions of the highway
10 that extend one-quarter mile in each direction from the
11 opposite ends of the school property. A limit determined and
12 declared as provided in this Section becomes effective, and
13 suspends the applicability of the limit prescribed in Section
14 11-601 of this Chapter, when appropriate signs giving notice of
15 the limit are erected at such intersection or other place, or
16 along such part or zone of the highway. Electronic
17 speed-detecting devices shall not be used within 500 feet
18 beyond any such sign in the direction of travel; if so used in
19 violation hereof, evidence obtained thereby shall be
20 inadmissible in any prosecution for speeding. However, nothing
21 in this Section prohibits the use of such electronic
22 speed-detecting devices within 500 feet of a sign within a
23 special school speed zone indicating such zone, conforming to
24 the requirements of Section 11-605 of this Act, nor shall
25 evidence obtained thereby be inadmissible in any prosecution
26 for speeding provided the use of such device shall apply only

1 to the enforcement of the speed limit in such special school
2 speed zone.

3 (Source: P.A. 93-624, eff. 12-19-03.)

4 Section 99. Effective date. This Act takes effect January
5 1, 2009.