

1 AN ACT in relation to 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  
5 changing Sections 1-105.5, 6-204, 11-208.3, and 11-306 as  
6 follows:

7 (625 ILCS 5/1-105.5)

8 Sec. 1-105.5. Automated red light enforcement system. A  
9 system ~~in--a-municipality-with-a-population-of-1,000,000-or~~  
10 ~~more~~ operated by a governmental agency, in cooperation with a  
11 law enforcement agency, that photographically records a motor  
12 vehicle's response to a traffic control signal with a red  
13 light indication and is designed to obtain a clear photograph  
14 of the vehicle and the vehicle's license plate ~~when-the-motor~~  
15 ~~vehicle--is-involved-in-a-motor-vehicle-accident,--leaving-the~~  
16 ~~scene-of-a-motor-vehicle-accident,--or-reckless--driving--that~~  
17 ~~results-in-bodily-injury.~~

18 (Source: P.A. 90-86, eff. 7-10-97.)

19 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)

20 Sec. 6-204. When Court to forward License and Reports.

21 (a) For the purpose of providing to the Secretary of  
22 State the records essential to the performance of the  
23 Secretary's duties under this Code to cancel, revoke or  
24 suspend the driver's license and privilege to drive motor  
25 vehicles of certain minors adjudicated truant minors in need  
26 of supervision, addicted, or delinquent and of persons found  
27 guilty of the criminal offenses or traffic violations which  
28 this Code recognizes as evidence relating to unfitness to  
29 safely operate motor vehicles, the following duties are

1 imposed upon public officials:

2 (1) Whenever any person is convicted of any offense  
3 for which this Code makes mandatory the cancellation or  
4 revocation of the driver's license or permit of such  
5 person by the Secretary of State, the judge of the court  
6 in which such conviction is had shall require the  
7 surrender to the clerk of the court of all driver's  
8 licenses or permits then held by the person so convicted,  
9 and the clerk of the court shall, within 10 days  
10 thereafter, forward the same, together with a report of  
11 such conviction, to the Secretary.

12 (2) Whenever any person is convicted of any offense  
13 under this Code or similar offenses under a municipal  
14 ordinance, other than regulations governing standing,  
15 parking or weights of vehicles, and excepting the  
16 following enumerated Sections of this Code: Sections  
17 11-1406 (obstruction to driver's view or control),  
18 11-1407 (improper opening of door into traffic), 11-1410  
19 (coasting on downgrade), 11-1411 (following fire  
20 apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101  
21 (driving vehicle which is in unsafe condition or  
22 improperly equipped), 12-201(a) (daytime lights on  
23 motorcycles), 12-202 (clearance, identification and side  
24 marker lamps), 12-204 (lamp or flag on projecting load),  
25 12-205 (failure to display the safety lights required),  
26 12-401 (restrictions as to tire equipment), 12-502  
27 (mirrors), 12-503 (windshields must be unobstructed and  
28 equipped with wipers), 12-601 (horns and warning  
29 devices), 12-602 (mufflers, prevention of noise or  
30 smoke), 12-603 (seat safety belts), 12-702 (certain  
31 vehicles to carry flares or other warning devices),  
32 12-703 (vehicles for oiling roads operated on highways),  
33 12-710 (splash guards and replacements), 13-101 (safety  
34 tests), 15-101 (size, weight and load), 15-102 (width),

1 15-103 (height), 15-104 (name and address on second  
2 division vehicles), 15-107 (length of vehicle), 15-109.1  
3 (cover or tarpaulin), 15-111 (weights), 15-112 (weights),  
4 15-301 (weights), 15-316 (weights), 15-318 (weights), and  
5 also excepting the following enumerated Sections of the  
6 Chicago Municipal Code: Sections 27-245 (following fire  
7 apparatus), 27-254 (obstruction of traffic), 27-258  
8 (driving vehicle which is in unsafe condition), 27-259  
9 (coasting on downgrade), 27-264 (use of horns and signal  
10 devices), 27-265 (obstruction to driver's view or driver  
11 mechanism), 27-267 (dimming of headlights), 27-268  
12 (unattended motor vehicle), 27-272 (illegal funeral  
13 procession), 27-273 (funeral procession on boulevard),  
14 27-275 (driving freight hauling vehicles on boulevard),  
15 27-276 (stopping and standing of buses or taxicabs),  
16 27-277 (cruising of public passenger vehicles), 27-305  
17 (parallel parking), 27-306 (diagonal parking), 27-307  
18 (parking not to obstruct traffic), 27-308 (stopping,  
19 standing or parking regulated), 27-311 (parking  
20 regulations), 27-312 (parking regulations), 27-313  
21 (parking regulations), 27-314 (parking regulations),  
22 27-315 (parking regulations), 27-316 (parking  
23 regulations), 27-317 (parking regulations), 27-318  
24 (parking regulations), 27-319 (parking regulations),  
25 27-320 (parking regulations), 27-321 (parking  
26 regulations), 27-322 (parking regulations), 27-324  
27 (loading and unloading at an angle), 27-333 (wheel and  
28 axle loads), 27-334 (load restrictions in the downtown  
29 district), 27-335 (load restrictions in residential  
30 areas), 27-338 (width of vehicles), 27-339 (height of  
31 vehicles), 27-340 (length of vehicles), 27-352  
32 (reflectors on trailers), 27-353 (mufflers), 27-354  
33 (display of plates), 27-355 (display of city vehicle tax  
34 sticker), 27-357 (identification of vehicles), 27-358

1 (projecting of loads), and also excepting the following  
2 enumerated paragraphs of Section 2-201 of the Rules and  
3 Regulations of the Illinois State Toll Highway Authority:  
4 (l) (driving unsafe vehicle on tollway), (m) (vehicles  
5 transporting dangerous cargo not properly indicated), it  
6 shall be the duty of the clerk of the court in which such  
7 conviction is had within 10 days thereafter to forward to  
8 the Secretary of State a report of the conviction and the  
9 court may recommend the suspension of the driver's  
10 license or permit of the person so convicted.

11 The reporting requirements of this subsection shall apply  
12 to all violations stated in paragraphs (1) and (2) of this  
13 subsection when the individual has been adjudicated under the  
14 Juvenile Court Act or the Juvenile Court Act of 1987. Such  
15 reporting requirements shall also apply to individuals  
16 adjudicated under the Juvenile Court Act or the Juvenile  
17 Court Act of 1987 who have committed a violation of Section  
18 11-501 of this Code, or similar provision of a local  
19 ordinance, or Section 9-3 of the Criminal Code of 1961, as  
20 amended, relating to the offense of reckless homicide. The  
21 reporting requirements of this subsection shall also apply to  
22 a truant minor in need of supervision, an addicted minor, or  
23 a delinquent minor and whose driver's license and privilege  
24 to drive a motor vehicle has been ordered suspended for such  
25 times as determined by the Court, but only until he or she  
26 attains 18 years of age. It shall be the duty of the clerk  
27 of the court in which adjudication is had within 10 days  
28 thereafter to forward to the Secretary of State a report of  
29 the adjudication and the court order requiring the Secretary  
30 of State to suspend the minor's driver's license and driving  
31 privilege for such time as determined by the Court, but only  
32 until he or she attains the age of 18 years. All juvenile  
33 court dispositions reported to the Secretary of State under  
34 this provision shall be processed by the Secretary of State

1 as if the cases had been adjudicated in traffic or criminal  
2 court. However, information reported relative to the offense  
3 of reckless homicide, or Section 11-501 of this Code, or a  
4 similar provision of a local ordinance, shall be privileged  
5 and available only to the Secretary of State, courts, and  
6 police officers.

7 (3) Whenever an order is entered vacating the  
8 forfeiture of any bail, security or bond given to secure  
9 appearance for any offense under this Code or similar  
10 offenses under municipal ordinance, it shall be the duty  
11 of the clerk of the court in which such vacation was had  
12 or the judge of such court if such court has no clerk,  
13 within 10 days thereafter to forward to the Secretary of  
14 State a report of the vacation.

15 (4) A report of any disposition of court  
16 supervision for a violation of Sections 6-303, 11-401,  
17 11-501 or a similar provision of a local ordinance,  
18 11-503 and 11-504 shall be forwarded to the Secretary of  
19 State. A report of any disposition of court supervision  
20 for a violation of an offense defined as a serious  
21 traffic violation in this Code or a similar provision of  
22 a local ordinance committed by a person under the age of  
23 21 years shall be forwarded to the Secretary of State.

24 (5) Reports of conviction under this Code and  
25 sentencing hearings under the Juvenile Court Act of 1987  
26 in an electronic format or a computer processible medium  
27 shall be forwarded to the Secretary of State via the  
28 Supreme Court in the form and format required by the  
29 Illinois Supreme Court and established by a written  
30 agreement between the Supreme Court and the Secretary of  
31 State. In counties with a population over 300,000,  
32 instead of forwarding reports to the Supreme Court,  
33 reports of conviction under this Code and sentencing  
34 hearings under the Juvenile Court Act of 1987 in an

1 electronic format or a computer processible medium may be  
2 forwarded to the Secretary of State by the Circuit Court  
3 Clerk in a form and format required by the Secretary of  
4 State and established by written agreement between the  
5 Circuit Court Clerk and the Secretary of State. Failure  
6 to forward the reports of conviction or sentencing  
7 hearing under the Juvenile Court Act of 1987 as required  
8 by this Section shall be deemed an omission of duty and  
9 it shall be the duty of the several State's Attorneys to  
10 enforce the requirements of this Section.

11 6. Whenever any municipality has established a  
12 system of administrative adjudication to determine  
13 liability for a violation of subsection (c) of Section  
14 11-306 or a similar offense under a municipal ordinance  
15 that is recorded by an automated red light enforcement  
16 system, the municipality, within 10 days of determining  
17 liability for a violation, shall forward a report of the  
18 adjudication to the Secretary of State. The report shall  
19 be in a form required by the Secretary of State.

20 (b) Whenever a restricted driving permit is forwarded to  
21 a court, as a result of confiscation by a police officer  
22 pursuant to the authority in Section 6-113(f), it shall be  
23 the duty of the clerk, or judge, if the court has no clerk,  
24 to forward such restricted driving permit and a facsimile of  
25 the officer's citation to the Secretary of State as  
26 expeditiously as practicable.

27 (c) For the purposes of this Code, a forfeiture of bail  
28 or collateral deposited to secure a defendant's appearance in  
29 court when forfeiture has not been vacated, or the failure of  
30 a defendant to appear for trial after depositing his driver's  
31 license in lieu of other bail, shall be equivalent to a  
32 conviction.

33 (d) For the purpose of providing the Secretary of State  
34 with records necessary to properly monitor and assess driver

1 performance and assist the courts in the proper disposition  
2 of repeat traffic law offenders, the clerk of the court shall  
3 forward to the Secretary of State, on a form prescribed by  
4 the Secretary, records of a driver's participation in a  
5 driver remedial or rehabilitative program which was required,  
6 through a court order or court supervision, in relation to  
7 the driver's arrest for a violation of Section 11-501 of this  
8 Code or a similar provision of a local ordinance. The clerk  
9 of the court shall also forward to the Secretary, either on  
10 paper or in an electronic format or a computer processible  
11 medium as required under paragraph (5) of subsection (a) of  
12 this Section, any disposition of court supervision for any  
13 traffic violation, excluding those offenses listed in  
14 paragraph (2) of subsection (a) of this Section. These  
15 reports shall be sent within 10 days after disposition, or,  
16 if the driver is referred to a driver remedial or  
17 rehabilitative program, within 10 days of the driver's  
18 referral to that program. These reports received by the  
19 Secretary of State, including those required to be forwarded  
20 under paragraph (a)(4), shall be privileged information,  
21 available only (i) to the affected driver and (ii) for use by  
22 the courts, police officers, prosecuting authorities, and the  
23 Secretary of State.

24 (Source: P.A. 91-357, eff. 7-29-99; 91-716, eff. 10-1-00;  
25 92-458, eff. 8-22-01.)

26 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

27 Sec. 11-208.3. Administrative adjudication of violations  
28 of traffic regulations concerning the standing, parking, or  
29 condition of vehicles and automated red light violations.

30 (a) Any municipality may provide by ordinance for a  
31 system of administrative adjudication of vehicular standing  
32 and parking violations, and vehicle compliance violations as  
33 defined in this subsection, and automated red light

1 violations as defined by this subsection. The administrative  
 2 system shall have as its purpose the fair and efficient  
 3 enforcement of municipal regulations through the  
 4 administrative adjudication of violations of municipal  
 5 ordinances regulating the standing and parking of vehicles,  
 6 the condition and use of vehicle equipment, and the display  
 7 of municipal wheel tax licenses within the municipality's  
 8 borders. The administrative system shall only have authority  
 9 to adjudicate civil offenses carrying fines not in excess of  
 10 \$250 that occur after the effective date of the ordinance  
 11 adopting such a system under this Section. For purposes of  
 12 this Section, "compliance violation" means a violation of a  
 13 municipal regulation governing the condition or use of  
 14 equipment on a vehicle or governing the display of a  
 15 municipal wheel tax license. For purposes of this Section,  
 16 "automated red light violation" means a violation of  
 17 subsection (c) of Section 11-306 or a similar offense under a  
 18 municipal ordinance that is recorded by an automated red  
 19 light enforcement system.

20 (b) Any ordinance establishing a system of  
 21 administrative adjudication under this Section shall provide  
 22 for:

23 (1) A traffic compliance administrator authorized  
 24 to adopt, distribute and process parking and compliance  
 25 violation notices and other notices required by this  
 26 Section, collect money paid as fines and penalties for  
 27 violation of parking and compliance ordinances, and  
 28 operate an administrative adjudication system. The  
 29 traffic compliance administrator also may make a  
 30 certified report to the Secretary of State under Section  
 31 6-306.5.

32 (2) A parking, standing, or compliance, or  
 33 automated red light violation notice that shall specify  
 34 the date, time, and place of violation of a parking,



1 standing, or compliance, or automated red light  
2 regulation; the particular regulation violated; the fine  
3 and any penalty that may be assessed for late payment,  
4 when so provided by ordinance; the vehicle make and state  
5 registration number; and the identification number of the  
6 person issuing the notice. With regard to municipalities  
7 with a population of 1 million or more, it shall be  
8 grounds for dismissal of a parking violation if the State  
9 registration number or vehicle make specified is  
10 incorrect. The violation notice shall state that the  
11 payment of the indicated fine, and of any applicable  
12 penalty for late payment, shall operate as a final  
13 disposition of the violation. The notice also shall  
14 contain information as to the availability of a hearing  
15 in which the violation may be contested on its merits.  
16 The violation notice shall specify the time and manner in  
17 which a hearing may be had.

18 (3) Service of the parking, standing, or compliance  
19 violation notice by affixing the original or a facsimile  
20 of the notice to an unlawfully parked vehicle or by  
21 handing the notice to the operator of a vehicle if he or  
22 she is present and service of an automated red light  
23 violation notice by mail to the address of the registered  
24 owner of the cited vehicle as recorded with the Secretary  
25 of State within 30 days of the violation. A person  
26 authorized by ordinance to issue and serve parking,  
27 standing, and compliance, or automated red light  
28 violation notices shall certify as to the correctness of  
29 the facts entered on the violation notice by signing his  
30 or her name to the notice at the time of service or in  
31 the case of a notice produced by a computerized device,  
32 by signing a single certificate to be kept by the traffic  
33 compliance administrator attesting to the correctness of  
34 all notices produced by the device while it was under his

1 or her control. The original or a facsimile of the  
2 violation notice shall be retained by the traffic  
3 compliance administrator, and shall be a record kept in  
4 the ordinary course of business. A parking, standing, or  
5 compliance, or automated red light violation notice  
6 issued, signed and served in accordance with this  
7 Section, or a copy of the notice, shall be prima facie  
8 correct and shall be prima facie evidence of the  
9 correctness of the facts shown on the notice. The notice  
10 or copy shall be admissible in any subsequent  
11 administrative or legal proceedings.

12 (4) An opportunity for a hearing for the registered  
13 owner of the vehicle cited in the parking, standing, or  
14 compliance, or automated red light violation notice in  
15 which the owner may contest the merits of the alleged  
16 violation, and during which formal or technical rules of  
17 evidence shall not apply; provided, however, that under  
18 Section 11-1306 of this Code the lessee of a vehicle  
19 cited in the violation notice likewise shall be provided  
20 an opportunity for a hearing of the same kind afforded  
21 the registered owner. The hearings shall be recorded,  
22 and the person conducting the hearing on behalf of the  
23 traffic compliance administrator shall be empowered to  
24 administer oaths and to secure by subpoena both the  
25 attendance and testimony of witnesses and the production  
26 of relevant books and papers. Persons appearing at a  
27 hearing under this Section may be represented by counsel  
28 at their expense. The ordinance may also provide for  
29 internal administrative review following the decision of  
30 the hearing officer.

31 (5) Service of additional notices, sent by first  
32 class United States mail, postage prepaid, to the address  
33 of the registered owner of the cited vehicle as recorded  
34 with the Secretary of State or, under Section 11-1306 of

1 this Code, to the lessee of the cited vehicle at the last  
2 address known to the lessor of the cited vehicle at the  
3 time of lease. The service shall be deemed complete as  
4 of the date of deposit in the United States mail. The  
5 notices shall be in the following sequence and shall  
6 include but not be limited to the information specified  
7 herein:

8 (i) A second notice of violation. This notice  
9 shall specify the date and location of the violation  
10 cited in the parking, standing, ~~or compliance,~~ or  
11 automated red light violation notice, the particular  
12 regulation violated, the vehicle make and state  
13 registration number, the fine and any penalty that  
14 may be assessed for late payment when so provided by  
15 ordinance, the availability of a hearing in which  
16 the violation may be contested on its merits, and  
17 the time and manner in which the hearing may be had.  
18 The notice of violation shall also state that  
19 failure either to pay the indicated fine and any  
20 applicable penalty, or to appear at a hearing on the  
21 merits in the time and manner specified, will result  
22 in a final determination of violation liability for  
23 the cited violation in the amount of the fine or  
24 penalty indicated, and that, upon the occurrence of  
25 a final determination of violation liability for the  
26 failure, and the exhaustion of, or failure to  
27 exhaust, available administrative or judicial  
28 procedures for review, any unpaid fine or penalty  
29 will constitute a debt due and owing the  
30 municipality.

31 (ii) A notice of final determination of  
32 parking, standing, ~~or compliance,~~ or automated red  
33 light violation liability. This notice shall be sent  
34 following a final determination of parking,

1 standing, or compliance, or automated red light  
2 violation liability and the conclusion of judicial  
3 review procedures taken under this Section. The  
4 notice shall state that the unpaid fine or penalty  
5 is a debt due and owing the municipality. The  
6 notice shall contain warnings that failure to pay  
7 any fine or penalty due and owing the municipality  
8 within the time specified may result in the  
9 municipality's filing of a petition in the Circuit  
10 Court to have the unpaid fine or penalty rendered a  
11 judgment as provided by this Section, or may result  
12 in suspension of the person's drivers license for  
13 failure to pay fines or penalties for 10 or more  
14 parking violations under Section 6-306.5.

15 (6) A Notice of impending drivers license  
16 suspension. This notice shall be sent to the person  
17 liable for any fine or penalty that remains due and owing  
18 on 10 or more parking violations. The notice shall state  
19 that failure to pay the fine or penalty owing within 45  
20 days of the notice's date will result in the municipality  
21 notifying the Secretary of State that the person is  
22 eligible for initiation of suspension proceedings under  
23 Section 6-306.5 of this Code. The notice shall also state  
24 that the person may obtain a photostatic copy of an  
25 original ticket imposing a fine or penalty by sending a  
26 self addressed, stamped envelope to the municipality  
27 along with a request for the photostatic copy. The  
28 notice of impending drivers license suspension shall be  
29 sent by first class United States mail, postage prepaid,  
30 to the address recorded with the Secretary of State.

31 (7) Final determinations of violation liability. A  
32 final determination of violation liability shall occur  
33 following failure to pay the fine or penalty after a  
34 hearing officer's determination of violation liability

1 and the exhaustion of or failure to exhaust any  
2 administrative review procedures provided by ordinance.  
3 Where a person fails to appear at a hearing to contest  
4 the alleged violation in the time and manner specified in  
5 a prior mailed notice, the hearing officer's  
6 determination of violation liability shall become final:  
7 (A) upon denial of a timely petition to set aside that  
8 determination, or (B) upon expiration of the period for  
9 filing the petition without a filing having been made.

10 (8) A petition to set aside a determination of  
11 parking, standing, ~~or compliance,~~ or automated red light  
12 violation liability that may be filed by a person owing  
13 an unpaid fine or penalty. The petition shall be filed  
14 with and ruled upon by the traffic compliance  
15 administrator in the manner and within the time specified  
16 by ordinance. The grounds for the petition may be limited  
17 to: (A) the person not having been the owner or lessee  
18 of the cited vehicle on the date the violation notice was  
19 issued, (B) the person having already paid the fine or  
20 penalty for the violation in question, and (C) excusable  
21 failure to appear at or request a new date for a hearing.  
22 With regard to municipalities with a population of 1  
23 million or more, it shall be grounds for dismissal of a  
24 parking violation if the State registration number or  
25 vehicle make specified is incorrect. After the  
26 determination of parking, standing, ~~or compliance,~~ or  
27 automated red light violation liability has been set  
28 aside upon a showing of just cause, the registered owner  
29 shall be provided with a hearing on the merits for that  
30 violation.

31 (9) Procedures for non-residents. Procedures by  
32 which persons who are not residents of the municipality  
33 may contest the merits of the alleged violation without  
34 attending a hearing.

1           (10) A schedule of civil fines for violations of  
2           vehicular standing, parking, and compliance, and  
3           automated red light regulations enacted by ordinance  
4           pursuant to this Section, and a schedule of penalties for  
5           late payment of the fines, provided, however, that the  
6           total amount of the fine and penalty for any one  
7           violation shall not exceed \$250.

8           (11) Other provisions as are necessary and proper  
9           to carry into effect the powers granted and purposes  
10          stated in this Section.

11          (c) Any municipality establishing vehicular standing,  
12          parking, and compliance, and automated red light regulations  
13          under this Section may also provide by ordinance for a  
14          program of vehicle immobilization for the purpose of  
15          facilitating enforcement of those regulations. The program  
16          of vehicle immobilization shall provide for immobilizing any  
17          eligible vehicle upon the public way by presence of a  
18          restraint in a manner to prevent operation of the vehicle.  
19          Any ordinance establishing a program of vehicle  
20          immobilization under this Section shall provide:

21               (1) Criteria for the designation of vehicles  
22               eligible for immobilization. A vehicle shall be eligible  
23               for immobilization when the registered owner of the  
24               vehicle has accumulated the number of unpaid final  
25               determinations of parking, standing, or compliance, or  
26               automated red light violation liability as determined by  
27               ordinance.

28               (2) A notice of impending vehicle immobilization  
29               and a right to a hearing to challenge the validity of the  
30               notice by disproving liability for the unpaid final  
31               determinations of parking, standing, or compliance, or  
32               automated red light violation liability listed on the  
33               notice.

34               (3) The right to a prompt hearing after a vehicle

1 has been immobilized or subsequently towed without  
2 payment of the outstanding fines and penalties on  
3 parking, standing, ~~or compliance,~~ or automated red light  
4 violations for which final determinations have been  
5 issued. An order issued after the hearing is a final  
6 administrative decision within the meaning of Section  
7 3-101 of the Code of Civil Procedure.

8 (4) A post immobilization and post-towing notice  
9 advising the registered owner of the vehicle of the right  
10 to a hearing to challenge the validity of the  
11 impoundment.

12 (d) Judicial review of final determinations of parking,  
13 standing, ~~and compliance,~~ and automated red light violations  
14 and final administrative decisions issued after hearings  
15 regarding vehicle immobilization and impoundment made under  
16 this Section shall be subject to the provisions of the  
17 Administrative Review Law.

18 (e) Any fine, penalty, or part of any fine or any  
19 penalty remaining unpaid after the exhaustion of, or the  
20 failure to exhaust, administrative remedies created under  
21 this Section and the conclusion of any judicial review  
22 procedures shall be a debt due and owing the municipality  
23 and, as such, may be collected in accordance with applicable  
24 law. Payment in full of any fine or penalty resulting from a  
25 standing, parking, ~~or compliance,~~ or automated red light  
26 violation shall constitute a final disposition of that  
27 violation.

28 (f) After the expiration of the period within which  
29 judicial review may be sought for a final determination of  
30 parking, standing, ~~or compliance,~~ or automated red light  
31 violation, the municipality may commence a proceeding in the  
32 Circuit Court for purposes of obtaining a judgment on the  
33 final determination of violation. Nothing in this Section  
34 shall prevent a municipality from consolidating multiple

1 final determinations of parking, standing, ~~or~~ compliance, or  
2 automated red light violation against a person in a  
3 proceeding. Upon commencement of the action, the  
4 municipality shall file a certified copy of the final  
5 determination of parking, standing, ~~or~~ compliance, or  
6 automated red light violation, which shall be accompanied by  
7 a certification that recites facts sufficient to show that  
8 the final determination of violation was issued in accordance  
9 with this Section and the applicable municipal ordinance.  
10 Service of the summons and a copy of the petition may be by  
11 any method provided by Section 2-203 of the Code of Civil  
12 Procedure or by certified mail, return receipt requested,  
13 provided that the total amount of fines and penalties for  
14 final determinations of parking, standing, ~~or~~ compliance, or  
15 automated red light violations does not exceed \$2500. If the  
16 court is satisfied that the final determination of parking,  
17 standing, ~~or~~ compliance, or automated red light violation was  
18 entered in accordance with the requirements of this Section  
19 and the applicable municipal ordinance, and that the  
20 registered owner or the lessee, as the case may be, had an  
21 opportunity for an administrative hearing and for judicial  
22 review as provided in this Section, the court shall render  
23 judgment in favor of the municipality and against the  
24 registered owner or the lessee for the amount indicated in  
25 the final determination of parking, standing, ~~or~~ compliance,  
26 or automated red light violation, plus costs. The judgment  
27 shall have the same effect and may be enforced in the same  
28 manner as other judgments for the recovery of money.  
29 (Source: P.A. 88-415; 88-437; 88-670, eff. 12-2-94; 89-190,  
30 eff. 1-1-96.)

31 (625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)  
32 Sec. 11-306. Traffic-control signal legend. Whenever  
33 traffic is controlled by traffic-control signals exhibiting



1 different colored lights or color lighted arrows,  
2 successively one at a time or in combination, only the colors  
3 green, red and yellow shall be used, except for special  
4 pedestrian signals carrying a word legend, and the lights  
5 shall indicate and apply to drivers of vehicles and  
6 pedestrians as follows:

7 (a) Green indication.

8 1. Vehicular traffic facing a circular green signal  
9 may proceed straight through or turn right or left unless  
10 a sign at such place prohibits either such turn.  
11 Vehicular traffic, including vehicles turning right or  
12 left, shall yield the right of way to other vehicles and  
13 to pedestrians lawfully within the intersection or an  
14 adjacent crosswalk at the time such signal is exhibited.

15 2. Vehicular traffic facing a green arrow signal,  
16 shown alone or in combination with another indication,  
17 may cautiously enter the intersection only to make the  
18 movement indicated by such arrow, or such other movement  
19 as is permitted by other indications shown at the same  
20 time. Such vehicular traffic shall yield the right of  
21 way to pedestrians lawfully within an adjacent crosswalk  
22 and to other traffic lawfully using the intersection.

23 3. Unless otherwise directed by a  
24 pedestrian-control signal, as provided in Section 11-307,  
25 pedestrians facing any green signal, except when the sole  
26 green signal is a turn arrow, may proceed across the  
27 roadway within any marked or unmarked crosswalk.

28 (b) Steady yellow indication.

29 1. Vehicular traffic facing a steady circular  
30 yellow or yellow arrow signal is thereby warned that the  
31 related green movement is being terminated or that a red  
32 indication will be exhibited immediately thereafter.

33 2. Pedestrians facing a steady circular yellow or  
34 yellow arrow signal, unless otherwise directed by a

1 pedestrian-control signal as provided in Section 11-307,  
2 are thereby advised that there is insufficient time to  
3 cross the roadway before a red indication is shown and no  
4 pedestrian shall then start to cross the roadway.

5 (c) Steady red indication.

6 1. Except as provided in paragraph 3 of this  
7 subsection (c), vehicular traffic facing a steady  
8 circular red signal alone shall stop at a clearly marked  
9 stop line, but if there is no such stop line, before  
10 entering the crosswalk on the near side of the  
11 intersection, or if there is no such crosswalk, then  
12 before entering the intersection, and shall remain  
13 standing until an indication to proceed is shown.

14 2. Except as provided in paragraph 3 of this  
15 subsection (c), vehicular traffic facing a steady red  
16 arrow signal shall not enter the intersection to make the  
17 movement indicated by the arrow and, unless entering the  
18 intersection to make a movement permitted by another  
19 signal, shall stop at a clearly marked stop line, but if  
20 there is no such stop line, before entering the crosswalk  
21 on the near side of the intersection, or if there is no  
22 such crosswalk, then before entering the intersection,  
23 and shall remain standing until an indication permitting  
24 the movement indicated by such red arrow is shown.

25 3. Except when a sign is in place prohibiting a  
26 turn and local authorities by ordinance or State  
27 authorities by rule or regulation prohibit any such turn,  
28 vehicular traffic facing any steady red signal may  
29 cautiously enter the intersection to turn right, or to  
30 turn left from a one-way street into a one-way street,  
31 after stopping as required by paragraph 1 or paragraph 2  
32 of this subsection. After stopping, the driver shall  
33 yield the right of way to any vehicle in the intersection  
34 or approaching on another roadway so closely as to

1 constitute an immediate hazard during the time such  
 2 driver is moving across or within the intersection or  
 3 junction or roadways. Such driver shall yield the right  
 4 of way to pedestrians within the intersection or an  
 5 adjacent crosswalk.

6 4. Unless otherwise directed by a  
 7 pedestrian-control signal as provided in Section 11-307,  
 8 pedestrians facing a steady circular red or red arrow  
 9 signal alone shall not enter the roadway.

10 5. A municipality with a population of 1,000,000 or  
 11 more may enact an ordinance that provides for the use of  
 12 an automated red light enforcement system to enforce  
 13 violations of this subsection (c) ~~that--result--in--or~~  
 14 ~~involve--a-motor-vehicle-accident,-leaving-the-scene-of-a~~  
 15 ~~motor-vehicle-accident,-or-reckless-driving-that--results~~  
 16 ~~in-bodily-injury.~~

17 This paragraph 5 is subject to prosecutorial  
 18 discretion that is consistent with applicable law.

19 6. The owner of a vehicle used in violation of this  
 20 subsection (c) shall be liable for the violation if the  
 21 vehicle was used or operated with the permission of the  
 22 owner, express or implied, and the violation was recorded  
 23 by a red light enforcement system; however, the owner  
 24 shall not be liable if:

25 (i) the operator of the vehicle other than the  
 26 owner has been found guilty of the violation,

27 (ii) the violation occurred at any time during  
 28 which the vehicle was reported to a law enforcement  
 29 agency as having been stolen and had not been  
 30 recovered by the owner at the time of the violation,  
 31 or

32 (iii) the violation occurred at any time  
 33 during which the vehicle was leased to another and,  
 34 within 10 days of receiving notice of the violation,

1           the owner submits to the applicable law enforcement  
2           agency the correct name and address of the lessee of  
3           the vehicle at the time of the violation, in which  
4           case the lessee of the vehicle at the time of the  
5           violation shall be deemed to be the owner of the  
6           vehicle for purposes of this subsection (c).

7           (d) In the event an official traffic control signal is  
8           erected and maintained at a place other than an intersection,  
9           the provisions of this Section shall be applicable except as  
10          to provisions which by their nature can have no application.  
11          Any stop required shall be at a traffic sign or a marking on  
12          the pavement indicating where the stop shall be made or, in  
13          the absence of such sign or marking, the stop shall be made  
14          at the signal.

15          (e) The motorman of any streetcar shall obey the above  
16          signals as applicable to vehicles.

17          (Source: P.A. 90-86, eff. 7-10-97; 91-357, eff. 7-29-99.)