

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 State Finance Act is amended by adding  
5 Section 5.570 as follows:

6 (30 ILCS 105/5.570 new)

7 Sec. 5.570. The Transportation Safety Highway Hire-back  
8 Fund.

9 Section 10. The Illinois Vehicle Code is amended by  
10 changing Section 11-605 as follows:

11 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

12 Sec. 11-605. Special speed limit while passing schools or  
13 while traveling through highway construction or maintenance  
14 zones.

15 (a) For the purpose of this Section, "school" means the  
16 following entities:

17 (1) A public or private primary or secondary  
18 school.

19 (2) A primary or secondary school operated by a  
20 religious institution.

21 (3) A public, private, or religious nursery school.

22 On a school day when school children are present and so  
23 close thereto that a potential hazard exists because of the  
24 close proximity of the motorized traffic, no person shall  
25 drive a motor vehicle at a speed in excess of 20 miles per  
26 hour while passing a school zone or while traveling upon any  
27 public thoroughfare where children pass going to and from  
28 school.

29 For the purpose of this Section a school day shall begin

1 at seven ante meridian and shall conclude at four post  
2 meridian.

3 This Section shall not be applicable unless appropriate  
4 signs are posted upon streets and highways under their  
5 respective jurisdiction and maintained by the Department,  
6 township, county, park district, city, village or  
7 incorporated town wherein the school zone is located. With  
8 regard to the special speed limit while passing schools, such  
9 signs shall give proper due warning that a school zone is  
10 being approached and shall indicate the school zone and the  
11 maximum speed limit in effect during school days when school  
12 children are present.

13 (b) No person shall operate a motor vehicle in a  
14 construction or maintenance zone at a speed in excess of the  
15 posted speed limit when workers are present and so close to  
16 the moving traffic that a potential hazard exists because of  
17 the motorized traffic.

18 (c) Nothing in this Chapter shall prohibit the use of  
19 electronic speed-detecting devices within 500 feet of signs  
20 within a special school speed zone or a construction or  
21 maintenance zone indicating such zone, as defined in this  
22 Section, nor shall evidence obtained thereby be inadmissible  
23 in any prosecution for speeding provided the use of such  
24 device shall apply only to the enforcement of the speed limit  
25 in such special school speed zone or a construction or  
26 maintenance zone.

27 (d) For the purpose of this Section, a construction or  
28 maintenance zone is an area in which the Department, Toll  
29 Highway Authority, or local agency has determined that the  
30 preexisting established speed limit through a highway  
31 construction or maintenance project is greater than is  
32 reasonable or safe with respect to the conditions expected to  
33 exist in the construction or maintenance zone and has posted  
34 a lower speed limit with a highway construction or

1 maintenance zone special speed limit sign.

2 Highway construction or maintenance zone special speed  
3 limit signs shall be of a design approved by the Department.  
4 The signs shall give proper due warning that a construction  
5 or maintenance zone is being approached and shall indicate  
6 the maximum speed limit in effect. The signs shall also  
7 state the amount of the minimum fine for a violation when  
8 workers are present.

9 (e) A first violation of this Section is a petty offense  
10 with a minimum fine of \$150. A second or subsequent  
11 violation of this Section is a petty offense with a minimum  
12 fine of \$300.

13 (f) When a fine for a violation of subsection (a) is  
14 \$150 or greater, the person who violates subsection (a) shall  
15 be charged an additional \$50 to be paid to the unit school  
16 district where the violation occurred for school safety  
17 purposes. If the violation occurred in a dual school  
18 district, \$25 of the surcharge shall be paid to the  
19 elementary school district for school safety purposes and \$25  
20 of the surcharge shall be paid to the high school district  
21 for school safety purposes. Notwithstanding any other  
22 provision of law, the entire \$50 surcharge shall be paid to  
23 the appropriate school district or districts.

24 For purposes of this subsection (f), "school safety  
25 purposes" includes the costs associated with school zone  
26 safety education and the purchase, installation, and  
27 maintenance of caution lights which are mounted on school  
28 speed zone signs.

29 (g) When a fine for a violation of subsection (b) is  
30 \$150 or greater, the person who violates subsection (b) shall  
31 be charged an additional \$50. The \$50 surcharge shall be  
32 deposited into the Transportation Safety Highway Hire-back  
33 Fund.

34 (h) The Transportation Safety Highway Hire-back Fund is

1 created as a special fund in the State treasury. Subject to  
2 appropriation by the General Assembly and approval by the  
3 Secretary, the Secretary of Transportation shall use all  
4 moneys in the Transportation Safety Highway Hire-back Fund to  
5 hire off-duty Department of State Police officers to monitor  
6 construction or maintenance zones.

7 (Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02.)