

1 AMENDMENT TO HOUSE BILL 3652

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3652 as follows:

3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The State Finance Act is amended by adding  
6 Section 5.570 as follows:

7 (30 ILCS 105/5.570 new)

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

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

12 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

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

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

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

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

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

4           On a school day when school children are present and so  
5 close thereto that a potential hazard exists because of the  
6 close proximity of the motorized traffic, no person shall  
7 drive a motor vehicle at a speed in excess of 20 miles per  
8 hour while passing a school zone or while traveling upon any  
9 public thoroughfare where children pass going to and from  
10 school.

11          For the purpose of this Section a school day shall begin  
12 at seven ante meridian and shall conclude at four post  
13 meridian.

14          This Section shall not be applicable unless appropriate  
15 signs are posted upon streets and highways under their  
16 respective jurisdiction and maintained by the Department,  
17 township, county, park district, city, village or  
18 incorporated town wherein the school zone is located. With  
19 regard to the special speed limit while passing schools, such  
20 signs shall give proper due warning that a school zone is  
21 being approached and shall indicate the school zone and the  
22 maximum speed limit in effect during school days when school  
23 children are present.

24          (b) No person shall operate a motor vehicle in a  
25 construction or maintenance zone at a speed in excess of the  
26 posted speed limit when workers are present and so close to  
27 the moving traffic that a potential hazard exists because of  
28 the motorized traffic.

29          (c) Nothing in this Chapter shall prohibit the use of  
30 electronic speed-detecting devices within 500 feet of signs  
31 within a special school speed zone or a construction or  
32 maintenance zone indicating such zone, as defined in this  
33 Section, nor shall evidence obtained thereby be inadmissible  
34 in any prosecution for speeding provided the use of such

1 device shall apply only to the enforcement of the speed limit  
2 in such special school speed zone or a construction or  
3 maintenance zone.

4 (d) For the purpose of this Section, a construction or  
5 maintenance zone is an area in which the Department, Toll  
6 Highway Authority, or local agency has determined that the  
7 preexisting established speed limit through a highway  
8 construction or maintenance project is greater than is  
9 reasonable or safe with respect to the conditions expected to  
10 exist in the construction or maintenance zone and has posted  
11 a lower speed limit with a highway construction or  
12 maintenance zone special speed limit sign.

13 Highway construction or maintenance zone special speed  
14 limit signs shall be of a design approved by the Department.  
15 The signs shall give proper due warning that a construction  
16 or maintenance zone is being approached and shall indicate  
17 the maximum speed limit in effect. The signs shall also  
18 state the amount of the minimum fine for a violation when  
19 workers are present.

20 (e) A first violation of this Section is a petty offense  
21 with a minimum fine of \$150. A second or subsequent  
22 violation of this Section is a petty offense with a minimum  
23 fine of \$300.

24 (f) When a fine for a violation of subsection (a) is  
25 \$150 or greater, the person who violates subsection (a) shall  
26 be charged an additional \$50 to be paid to the unit school  
27 district where the violation occurred for school safety  
28 purposes. If the violation occurred in a dual school  
29 district, \$25 of the surcharge shall be paid to the  
30 elementary school district for school safety purposes and \$25  
31 of the surcharge shall be paid to the high school district  
32 for school safety purposes. Notwithstanding any other  
33 provision of law, the entire \$50 surcharge shall be paid to  
34 the appropriate school district or districts.

1 For purposes of this subsection (f), "school safety  
2 purposes" includes the costs associated with school zone  
3 safety education and the purchase, installation, and  
4 maintenance of caution lights which are mounted on school  
5 speed zone signs.

6 (g) When a fine for a violation of subsection (b) is  
7 \$150 or greater, the person who violates subsection (b) shall  
8 be charged an additional \$50. The \$50 surcharge shall be  
9 deposited into the Transportation Safety Highway Hire-back  
10 Fund.

11 (h) The Transportation Safety Highway Hire-back Fund is  
12 created as a special fund in the State treasury. Subject to  
13 appropriation by the General Assembly and approval by the  
14 Secretary, the Secretary of Transportation shall use all  
15 moneys in the Transportation Safety Highway Hire-back Fund to  
16 hire off-duty Department of State Police officers to monitor  
17 construction or maintenance zones.

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