

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 1-126 and 11-605 as follows:

6 (625 ILCS 5/1-126) (from Ch. 95 1/2, par. 1-126)
7 Sec. 1-126. Highway.

8 The entire width between the boundary lines of every way
9 publicly maintained when any part thereof is open to the use
10 of the public for purposes of vehicular travel or located on
11 public school property.

12 (Source: P.A. 76-1586.)

13 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)
14 Sec. 11-605. Special speed limit while passing schools or
15 while traveling through highway construction or maintenance
16 zones.

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

- 19 (1) A public or private primary or secondary
- 20 school.
- 21 (2) A primary or secondary school operated by a
- 22 religious institution.
- 23 (3) A public, private, or religious nursery school.

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

1 For the purpose of this Section a school day shall begin
2 at seven ante meridian and shall conclude at four post
3 meridian.

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

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

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

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

1 a lower speed limit with a highway construction or
2 maintenance zone special speed limit sign.

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

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

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

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

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.