



Rep. Jaime M. Andrade, Jr.

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10400HB2857ham001

LRB104 08086 LNS 23345 a

1 AMENDMENT TO HOUSE BILL 2857

2 AMENDMENT NO. _____. Amend House Bill 2857 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Highway Work Zone Safety Act.

6 Section 5. Definitions. As used in this Act:

7 "Construction or maintenance speed zone" has the same
8 meaning given to that term under Section 11-605.1 of the
9 Illinois Vehicle Code.

10 "Motor vehicle rental company" has the meaning given to
11 that term under Section 6-305.3 of the Illinois Vehicle Code.

12 "Owner" means a person in whose name a motor vehicle is
13 registered under the laws of this State, another state, or a
14 foreign country or under the International Registration Plan.

15 "Program" means the Highway Work Zone Safety Speed Control
16 Program created under this Act.

1 "Work zone speed limit" means a temporary speed limit
2 established for a work zone by (i) the Department of
3 Transportation, (ii) the Illinois State Toll Highway
4 Authority, or (iii) a unit of local government that has
5 jurisdiction over the highway.

6 "Work zone speed safety camera system" means a
7 photographic device, radar device, laser device, or other
8 electrical or mechanical device or devices designed to record
9 the speed of a vehicle and obtain a clear photograph or other
10 recorded image of the vehicle, the vehicle operator, and the
11 vehicle's registration plate or digital registration plate
12 while the driver is violating Section 11-605.1 of the Illinois
13 Vehicle Code. The photograph or other recorded image must also
14 display the time, date, and location of the violation. A law
15 enforcement officer is not required to be present or to
16 witness the violation.

17 Section 10. Highway Work Zone Safety Speed Control
18 Program.

19 (a) The Department of Transportation, in coordination with
20 the Illinois State Police, shall establish the Highway Work
21 Zone Safety Speed Control Program for the purposes of
22 enforcing the speed limits established for construction or
23 maintenance speed zones.

24 (b) The Department of Transportation shall administer the
25 Program in coordination with the Illinois State Police and the

1 Illinois State Toll Highway Authority.

2 (c) The Illinois State Police and the Department of
3 Transportation shall enter into an agreement to share
4 information regarding the Program.

5 (d) The Department of Transportation may enter into an
6 agreement with a third-party vendor to assist in the
7 administration of the Program.

8 Section 15. Procedures.

9 (a) The Illinois State Police, in conjunction with the
10 Department of Transportation and the Illinois State Toll
11 Highway Authority, shall set up and operate work zone speed
12 safety camera systems in highway construction and maintenance
13 speed zones to detect violations of posted work zone speed
14 limits.

15 (b) Before setting up a work zone speed safety camera
16 system for the purposes of the Program:

17 (1) the Illinois State Police and the Department of
18 Transportation may conduct a public information campaign
19 to inform drivers about the use of work zone speed safety
20 camera systems to detect speeds in excess of a work zone
21 speed limit; and

22 (2) signs indicating that work zone speeds are
23 enforced by work zone speed safety camera systems shall be
24 clearly posted in the areas where the systems may be in
25 use.

1 Section 20. Work zone speed safety camera system operator
2 requirements; duties; restrictions. The Department of
3 Transportation or the Illinois State Police may employ work
4 zone speed safety camera system operators to operate work zone
5 speed safety camera systems in construction or maintenance
6 speed zones. The Department of Transportation may adopt any
7 rules necessary to establish requirements, duties, or
8 restrictions concerning work zone speed safety camera system
9 operators.

10 Section 25. Photograph and recorded images; permitted and
11 nonpermitted uses.

12 (a) Except as otherwise provided in this Act, information
13 and photographs or recorded images collected under the Program
14 are not discoverable by court order as evidence in a
15 proceeding except to assess a penalty under Section 30.

16 (b) Photographs or recorded images collected under the
17 Program must be destroyed not later than 2 years after the date
18 the photograph or recorded image is collected.

19 (c) Notwithstanding any other provision of law,
20 information and photographs or recorded images collected under
21 the Program are the exclusive property of the State and not the
22 property of the manufacturer or vendor of the work zone speed
23 safety camera system.

24 (d) Except as otherwise provided under the Illinois

1 Vehicle Code or this Act, use of a photograph or recorded image
2 obtained through the use of a work zone speed safety camera
3 system for the purpose of enforcing a traffic offense is
4 prohibited.

5 (e) A photograph or recorded image obtained through the
6 use of a work zone speed safety camera system may not be used
7 as evidence in any action other than an action to collect a
8 work zone speed limit fine for which the photograph or
9 recorded image was obtained.

10 (f) A photograph or recorded image obtained through the
11 use of a work zone speed safety camera system may be used
12 internally to administer the Program. However, unless
13 authorized by court order, a photograph or recorded image
14 obtained through the use of a work zone speed safety camera
15 system may not be disclosed to anyone other than:

16 (1) the owner of the motor vehicle at the time the
17 recorded speed of the motor vehicle exceeded a work zone
18 speed limit;

19 (2) an individual alleged to have been operating the
20 motor vehicle at the time the work zone speed limit was
21 exceeded;

22 (3) an attorney representing an individual;

23 (4) a law enforcement officer;

24 (5) the Illinois State Police, the Illinois State Toll
25 Highway Authority, or the Department of Transportation; or

26 (6) a court.

1 (g) The information and recorded images collected under
2 the Program are confidential and exempt from disclosure under
3 the Freedom of Information Act.

4 Section 30. Civil law violation.

5 (a) A person who owns a motor vehicle that is identified by
6 an automated traffic control system as operating in a
7 construction or maintenance speed zone at a speed in excess of
8 the posted speed limit commits a civil law violation.

9 (b) A person found to have committed a violation in
10 subsection (a) or subsection (c):

11 (1) is guilty of a civil law violation punishable by a
12 minimum fine of \$100 and a maximum fine of \$200. The
13 proceeds of the fine shall be payable to the clerk of the
14 circuit court. Within one month after the deposit of the
15 fine, the clerk shall distribute the proceeds of the fine
16 as follows:

17 (A) \$10 of the fine to the circuit clerk;

18 (B) \$10 of the fine to the State's Attorney;

19 (C) \$50 of the fine to the Transportation Safety
20 Highway Hire-back Fund in the State treasury; and

21 (D) any remainder of the fine to the State Police
22 Vehicle Fund in the State treasury.

23 (2) With respect to funds designated for the Illinois
24 State Police, the moneys shall be remitted by the circuit
25 court clerk to the Illinois State Police within one month

1 after receipt for deposit into the State Police Vehicle
2 Fund.

3 (3) With respect to moneys designated for the
4 Department of Transportation, the moneys shall be remitted
5 by the circuit court clerk to the Department of
6 Transportation within one month after receipt for deposit
7 into the Transportation Safety Highway Hire-back Fund.

8 (c) A person found to have committed a third or subsequent
9 violation of subsection (a), and found to have failed to pay
10 all fines and costs within 30 days of the last judgment,
11 commits a separate civil law violation. The State may proceed
12 with collections in accordance with the law against a person
13 who is guilty under this Act but has failed to pay all fines
14 and costs.

15 Section 35. Vehicle rental or leasing company's
16 identification of a renter or lessee.

17 (a) A civil law violation issued under this Act to a motor
18 vehicle rental or leasing company shall be dismissed with
19 respect to the rental or leasing company if:

20 (1) the company responds to the civil law violation by
21 submitting, within 30 days of the mailing of the citation,
22 an affidavit of non-liability stating that, at the time of
23 the alleged speeding or other traffic violation, the
24 vehicle was in the custody and control of a renter or
25 lessee under the terms of a rental agreement or lease; and

1 (2) the company provides the driver's license number,
2 name, and address of the renter or lessee.

3 (b) A civil law violation dismissed with respect to a
4 motor vehicle rental or leasing company in accordance with
5 subsection (a) may then be issued and delivered by mail or
6 other means to the renter or lessee identified in the
7 affidavit of non-liability.

8 Section 40. Procurement. The Department of Transportation
9 may procure such as is necessary to implement and administer
10 this Act.

11 Section 45. Rulemaking. The Department of Transportation
12 shall adopt rules to implement and administer this Act.

13 Section 900. The Freedom of Information Act is amended by
14 changing Section 7.5 as follows:

15 (5 ILCS 140/7.5)

16 Sec. 7.5. Statutory exemptions. To the extent provided for
17 by the statutes referenced below, the following shall be
18 exempt from inspection and copying:

19 (a) All information determined to be confidential
20 under Section 4002 of the Technology Advancement and
21 Development Act.

22 (b) Library circulation and order records identifying

1 library users with specific materials under the Library
2 Records Confidentiality Act.

3 (c) Applications, related documents, and medical
4 records received by the Experimental Organ Transplantation
5 Procedures Board and any and all documents or other
6 records prepared by the Experimental Organ Transplantation
7 Procedures Board or its staff relating to applications it
8 has received.

9 (d) Information and records held by the Department of
10 Public Health and its authorized representatives relating
11 to known or suspected cases of sexually transmitted
12 infection or any information the disclosure of which is
13 restricted under the Illinois Sexually Transmitted
14 Infection Control Act.

15 (e) Information the disclosure of which is exempted
16 under Section 30 of the Radon Industry Licensing Act.

17 (f) Firm performance evaluations under Section 55 of
18 the Architectural, Engineering, and Land Surveying
19 Qualifications Based Selection Act.

20 (g) Information the disclosure of which is restricted
21 and exempted under Section 50 of the Illinois Prepaid
22 Tuition Act.

23 (h) Information the disclosure of which is exempted
24 under the State Officials and Employees Ethics Act, and
25 records of any lawfully created State or local inspector
26 general's office that would be exempt if created or

1 obtained by an Executive Inspector General's office under
2 that Act.

3 (i) Information contained in a local emergency energy
4 plan submitted to a municipality in accordance with a
5 local emergency energy plan ordinance that is adopted
6 under Section 11-21.5-5 of the Illinois Municipal Code.

7 (j) Information and data concerning the distribution
8 of surcharge moneys collected and remitted by carriers
9 under the Emergency Telephone System Act.

10 (k) Law enforcement officer identification information
11 or driver identification information compiled by a law
12 enforcement agency or the Department of Transportation
13 under Section 11-212 of the Illinois Vehicle Code.

14 (l) Records and information provided to a residential
15 health care facility resident sexual assault and death
16 review team or the Executive Council under the Abuse
17 Prevention Review Team Act.

18 (m) Information provided to the predatory lending
19 database created pursuant to Article 3 of the Residential
20 Real Property Disclosure Act, except to the extent
21 authorized under that Article.

22 (n) Defense budgets and petitions for certification of
23 compensation and expenses for court appointed trial
24 counsel as provided under Sections 10 and 15 of the
25 Capital Crimes Litigation Act (repealed). This subsection
26 (n) shall apply until the conclusion of the trial of the

1 case, even if the prosecution chooses not to pursue the
2 death penalty prior to trial or sentencing.

3 (o) Information that is prohibited from being
4 disclosed under Section 4 of the Illinois Health and
5 Hazardous Substances Registry Act.

6 (p) Security portions of system safety program plans,
7 investigation reports, surveys, schedules, lists, data, or
8 information compiled, collected, or prepared by or for the
9 Department of Transportation under Sections 2705-300 and
10 2705-616 of the Department of Transportation Law of the
11 Civil Administrative Code of Illinois, the Regional
12 Transportation Authority under Section 2.11 of the
13 Regional Transportation Authority Act, or the St. Clair
14 County Transit District under the Bi-State Transit Safety
15 Act (repealed).

16 (q) Information prohibited from being disclosed by the
17 Personnel Record Review Act.

18 (r) Information prohibited from being disclosed by the
19 Illinois School Student Records Act.

20 (s) Information the disclosure of which is restricted
21 under Section 5-108 of the Public Utilities Act.

22 (t) (Blank).

23 (u) Records and information provided to an independent
24 team of experts under the Developmental Disability and
25 Mental Health Safety Act (also known as Brian's Law).

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under
2 the Firearm Owners Identification Card Act or applied for
3 or received a concealed carry license under the Firearm
4 Concealed Carry Act, unless otherwise authorized by the
5 Firearm Concealed Carry Act; and databases under the
6 Firearm Concealed Carry Act, records of the Concealed
7 Carry Licensing Review Board under the Firearm Concealed
8 Carry Act, and law enforcement agency objections under the
9 Firearm Concealed Carry Act.

10 (v-5) Records of the Firearm Owner's Identification
11 Card Review Board that are exempted from disclosure under
12 Section 10 of the Firearm Owners Identification Card Act.

13 (w) Personally identifiable information which is
14 exempted from disclosure under subsection (g) of Section
15 19.1 of the Toll Highway Act.

16 (x) Information which is exempted from disclosure
17 under Section 5-1014.3 of the Counties Code or Section
18 8-11-21 of the Illinois Municipal Code.

19 (y) Confidential information under the Adult
20 Protective Services Act and its predecessor enabling
21 statute, the Elder Abuse and Neglect Act, including
22 information about the identity and administrative finding
23 against any caregiver of a verified and substantiated
24 decision of abuse, neglect, or financial exploitation of
25 an eligible adult maintained in the Registry established
26 under Section 7.5 of the Adult Protective Services Act.

1 (z) Records and information provided to a fatality
2 review team or the Illinois Fatality Review Team Advisory
3 Council under Section 15 of the Adult Protective Services
4 Act.

5 (aa) Information which is exempted from disclosure
6 under Section 2.37 of the Wildlife Code.

7 (bb) Information which is or was prohibited from
8 disclosure by the Juvenile Court Act of 1987.

9 (cc) Recordings made under the Law Enforcement
10 Officer-Worn Body Camera Act, except to the extent
11 authorized under that Act.

12 (dd) Information that is prohibited from being
13 disclosed under Section 45 of the Condominium and Common
14 Interest Community Ombudsperson Act.

15 (ee) Information that is exempted from disclosure
16 under Section 30.1 of the Pharmacy Practice Act.

17 (ff) Information that is exempted from disclosure
18 under the Revised Uniform Unclaimed Property Act.

19 (gg) Information that is prohibited from being
20 disclosed under Section 7-603.5 of the Illinois Vehicle
21 Code.

22 (hh) Records that are exempt from disclosure under
23 Section 1A-16.7 of the Election Code.

24 (ii) Information which is exempted from disclosure
25 under Section 2505-800 of the Department of Revenue Law of
26 the Civil Administrative Code of Illinois.

1 (jj) Information and reports that are required to be
2 submitted to the Department of Labor by registering day
3 and temporary labor service agencies but are exempt from
4 disclosure under subsection (a-1) of Section 45 of the Day
5 and Temporary Labor Services Act.

6 (kk) Information prohibited from disclosure under the
7 Seizure and Forfeiture Reporting Act.

8 (ll) Information the disclosure of which is restricted
9 and exempted under Section 5-30.8 of the Illinois Public
10 Aid Code.

11 (mm) Records that are exempt from disclosure under
12 Section 4.2 of the Crime Victims Compensation Act.

13 (nn) Information that is exempt from disclosure under
14 Section 70 of the Higher Education Student Assistance Act.

15 (oo) Communications, notes, records, and reports
16 arising out of a peer support counseling session
17 prohibited from disclosure under the First Responders
18 Suicide Prevention Act.

19 (pp) Names and all identifying information relating to
20 an employee of an emergency services provider or law
21 enforcement agency under the First Responders Suicide
22 Prevention Act.

23 (qq) Information and records held by the Department of
24 Public Health and its authorized representatives collected
25 under the Reproductive Health Act.

26 (rr) Information that is exempt from disclosure under

1 the Cannabis Regulation and Tax Act.

2 (ss) Data reported by an employer to the Department of
3 Human Rights pursuant to Section 2-108 of the Illinois
4 Human Rights Act.

5 (tt) Recordings made under the Children's Advocacy
6 Center Act, except to the extent authorized under that
7 Act.

8 (uu) Information that is exempt from disclosure under
9 Section 50 of the Sexual Assault Evidence Submission Act.

10 (vv) Information that is exempt from disclosure under
11 subsections (f) and (j) of Section 5-36 of the Illinois
12 Public Aid Code.

13 (ww) Information that is exempt from disclosure under
14 Section 16.8 of the State Treasurer Act.

15 (xx) Information that is exempt from disclosure or
16 information that shall not be made public under the
17 Illinois Insurance Code.

18 (yy) Information prohibited from being disclosed under
19 the Illinois Educational Labor Relations Act.

20 (zz) Information prohibited from being disclosed under
21 the Illinois Public Labor Relations Act.

22 (aaa) Information prohibited from being disclosed
23 under Section 1-167 of the Illinois Pension Code.

24 (bbb) Information that is prohibited from disclosure
25 by the Illinois Police Training Act and the Illinois State
26 Police Act.

1 (ccc) Records exempt from disclosure under Section
2 2605-304 of the Illinois State Police Law of the Civil
3 Administrative Code of Illinois.

4 (ddd) Information prohibited from being disclosed
5 under Section 35 of the Address Confidentiality for
6 Victims of Domestic Violence, Sexual Assault, Human
7 Trafficking, or Stalking Act.

8 (eee) Information prohibited from being disclosed
9 under subsection (b) of Section 75 of the Domestic
10 Violence Fatality Review Act.

11 (fff) Images from cameras under the Expressway Camera
12 Act. This subsection (fff) is inoperative on and after
13 July 1, 2025.

14 (ggg) Information prohibited from disclosure under
15 paragraph (3) of subsection (a) of Section 14 of the Nurse
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois State
18 Police in an affidavit or application for an assault
19 weapon endorsement, assault weapon attachment endorsement,
20 .50 caliber rifle endorsement, or .50 caliber cartridge
21 endorsement under the Firearm Owners Identification Card
22 Act.

23 (iii) Data exempt from disclosure under Section 50 of
24 the School Safety Drill Act.

25 (jjj) Information exempt from disclosure under Section
26 30 of the Insurance Data Security Law.

1 (kkk) Confidential business information prohibited
2 from disclosure under Section 45 of the Paint Stewardship
3 Act.

4 (lll) Data exempt from disclosure under Section
5 2-3.196 of the School Code.

6 (mmm) Information prohibited from being disclosed
7 under subsection (e) of Section 1-129 of the Illinois
8 Power Agency Act.

9 (nnn) Materials received by the Department of Commerce
10 and Economic Opportunity that are confidential under the
11 Music and Musicians Tax Credit and Jobs Act.

12 (ooo) ~~(nnn)~~ Data or information provided pursuant to
13 Section 20 of the Statewide Recycling Needs and Assessment
14 Act.

15 (ppp) ~~(nnn)~~ Information that is exempt from disclosure
16 under Section 28-11 of the Lawful Health Care Activity
17 Act.

18 (qqq) ~~(nnn)~~ Information that is exempt from disclosure
19 under Section 7-101 of the Illinois Human Rights Act.

20 (rrr) ~~(mmm)~~ Information prohibited from being
21 disclosed under Section 4-2 of the Uniform Money
22 Transmission Modernization Act.

23 (sss) ~~(nnn)~~ Information exempt from disclosure under
24 Section 40 of the Student-Athlete Endorsement Rights Act.

25 (ttt) Information prohibited from being disclosed
26 under subsection (g) of Section 25 of the Highway Work

1 Zone Safety Act.

2 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
3 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
4 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
5 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
6 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
7 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
8 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.
9 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,
10 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;
11 103-1049, eff. 8-9-24; revised 11-26-24.)

12 Section 905. The Illinois Vehicle Code is amended by
13 changing Sections 3-400, 11-605.1, and 11-612 as follows:

14 (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

15 Sec. 3-400. Definitions. Notwithstanding the definitions
16 set forth in Chapter 1 of this Act, for the purposes of this
17 Article, the following words shall have the meaning ascribed
18 to them as follows:

19 "Apportionable Fee" means any periodic recurring fee
20 required for licensing or registering vehicles, such as, but
21 not limited to, registration fees, license or weight fees.

22 "Apportionable Vehicle" means any vehicle, except
23 recreational vehicles, vehicles displaying restricted plates,
24 city pickup and delivery vehicles, buses used in

1 transportation of chartered parties, and government owned
2 vehicles that are used or intended for use in 2 or more member
3 jurisdictions that allocate or proportionally register
4 vehicles, in a fleet which is used for the transportation of
5 persons for hire or the transportation of property and which
6 has a gross vehicle weight in excess of 26,000 pounds; or has
7 three or more axles regardless of weight; or is used in
8 combination when the weight of such combination exceeds 26,000
9 pounds gross vehicle weight. Vehicles, or combinations having
10 a gross vehicle weight of 26,000 pounds or less and two-axle
11 vehicles may be proportionally registered at the option of
12 such owner.

13 "Base Jurisdiction" means, for purposes of fleet
14 registration, the jurisdiction where the registrant has an
15 established place of business, where operational records of
16 the fleet are maintained and where mileage is accrued by the
17 fleet. In case a registrant operates more than one fleet, and
18 maintains records for each fleet in different places, the
19 "base jurisdiction" for a fleet shall be the jurisdiction
20 where an established place of business is maintained, where
21 records of the operation of that fleet are maintained and
22 where mileage is accrued by that fleet.

23 "Operational Records" means documents supporting miles
24 traveled in each jurisdiction and total miles traveled, such
25 as fuel reports, trip leases, and logs.

26 "Owner" means a person who holds legal title of a motor

1 vehicle, or in the event a motor vehicle is the subject of an
2 agreement for the conditional sale or lease thereof with the
3 right of purchase upon performance of the conditions stated in
4 the agreement and with an immediate right of possession vested
5 in the conditional vendee or lessee with right of purchase, or
6 in the event a mortgagor of such motor vehicle is entitled to
7 possession, or in the event a lessee of such motor vehicle is
8 entitled to possession or control, then such conditional
9 vendee or lessee with right of purchase or mortgagor or lessee
10 is considered to be the owner for the purpose of this Act.

11 "Registration plate or digital registration plate cover"
12 means any tinted, colored, painted, marked, clear, or
13 illuminated object that is designed to (i) cover any of the
14 characters of a motor vehicle's registration plate or digital
15 registration plate; or (ii) distort a recorded image of any of
16 the characters of a motor vehicle's registration plate or
17 digital registration plate recorded by an automated
18 enforcement system as defined in Section 11-208.6, 11-208.8,
19 or 11-1201.1 of this Code or recorded by an automated traffic
20 control system as defined in Section 5 of the Highway Work Zone
21 Safety Act. ~~15 of the Automated Traffic Control Systems in~~
22 ~~Highway Construction or Maintenance Zones Act.~~

23 "Rental Owner" means an owner principally engaged, with
24 respect to one or more rental fleets, in renting to others or
25 offering for rental the vehicles of such fleets, without
26 drivers.

1 "Restricted Plates" shall include, but is not limited to,
2 dealer, manufacturer, transporter, farm, reposessor, and
3 permanently mounted type plates. Vehicles displaying any of
4 these type plates from a foreign jurisdiction that is a member
5 of the International Registration Plan shall be granted
6 reciprocity but shall be subject to the same limitations as
7 similar plated Illinois registered vehicles.

8 (Source: P.A. 101-395, eff. 8-16-19.)

9 (625 ILCS 5/11-605.1)

10 Sec. 11-605.1. Special limit while traveling through a
11 highway construction or maintenance speed zone.

12 (a) A person may not operate a motor vehicle in a
13 construction or maintenance speed zone at a speed in excess of
14 the posted speed limit when workers are present.

15 (a-5) A person may not operate a motor vehicle in a
16 construction or maintenance speed zone at a speed in excess of
17 the posted speed limit when workers are not present.

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

1 (c) As used in this Section, a "construction or
2 maintenance speed zone" is an area in which the Department,
3 Toll Highway Authority, or local agency has posted signage
4 advising drivers that a construction or maintenance speed zone
5 is being approached, or in which the Department, Authority, or
6 local agency has posted a lower speed limit with a highway
7 construction or maintenance speed zone special speed limit
8 sign after determining that the preexisting established speed
9 limit through a highway construction or maintenance project is
10 greater than is reasonable or safe with respect to the
11 conditions expected to exist in the construction or
12 maintenance speed zone.

13 If it is determined that the preexisting established speed
14 limit is safe with respect to the conditions expected to exist
15 in the construction or maintenance speed zone, additional
16 speed limit signs which conform to the requirements of this
17 subsection (c) shall be posted.

18 Highway construction or maintenance speed zone special
19 speed limit signs shall be of a design approved by the
20 Department. The signs must give proper due warning that a
21 construction or maintenance speed zone is being approached and
22 must indicate the maximum speed limit in effect. The signs
23 also must state that higher fines apply ~~the amount of the~~
24 ~~minimum fine~~ for a violation.

25 (d) Except as provided under subsection (d-5), a person
26 who violates this Section is guilty of a petty offense.

1 Violations of this Section are punishable with a minimum fine
2 of \$250 for the first violation and a minimum fine of \$750 for
3 the second or subsequent violation.

4 (d-5) A person committing a violation of this Section is
5 guilty of aggravated special speed limit while traveling
6 through a highway construction or maintenance speed zone when
7 he or she drives a motor vehicle at a speed that is:

8 (1) 26 miles per hour or more but less than 35 miles
9 per hour in excess of the applicable special speed limit
10 established under this Section or a similar provision of a
11 local ordinance and is guilty of a Class B misdemeanor; or

12 (2) 35 miles per hour or more in excess of the
13 applicable special speed limit established under this
14 Section or a similar provision of a local ordinance and is
15 guilty of a Class A misdemeanor.

16 (e) (Blank).

17 (e-5) The Illinois State Police and the local county
18 police department have concurrent jurisdiction over any
19 violation of this Section that occurs on an interstate
20 highway.

21 (f) The Transportation Safety Highway Hire-back Fund,
22 which was created by Public Act 92-619, shall continue to be a
23 special fund in the State treasury. Subject to appropriation
24 by the General Assembly and approval by the Secretary, the
25 Secretary of Transportation shall use all moneys in the
26 Transportation Safety Highway Hire-back Fund to hire off-duty

1 Illinois State Police officers to monitor construction or
2 maintenance zones.

3 (f-5) Each county shall create a Transportation Safety
4 Highway Hire-back Fund. The county shall use the moneys in its
5 Transportation Safety Highway Hire-back Fund to hire off-duty
6 county police officers to monitor construction or maintenance
7 zones in that county on highways other than interstate
8 highways. The county, in its discretion, may also use a
9 portion of the moneys in its Transportation Safety Highway
10 Hire-back Fund to purchase equipment for county law
11 enforcement and fund the production of materials to educate
12 drivers on construction zone safe driving habits.

13 (g) For a second or subsequent violation of this Section
14 within 2 years of the date of the previous violation, the
15 Secretary of State shall suspend the driver's license of the
16 violator for a period of 90 days. This suspension shall only be
17 imposed if the current violation of this Section and at least
18 one prior violation of this Section occurred during a period
19 when workers were present in the construction or maintenance
20 zone.

21 (Source: P.A. 102-538, eff. 8-20-21.)

22 (625 ILCS 5/11-612)

23 Sec. 11-612. Certain systems to record vehicle speeds
24 prohibited. Except as authorized in the Highway Work Zone
25 Safety Act ~~Automated Traffic Control Systems in Highway~~

1 ~~Construction or Maintenance Zones Act~~ and Section 11-208.8 of
2 this Code, no photographic, video, or other imaging system may
3 be used in this State to record vehicle speeds for the purpose
4 of enforcing any law or ordinance regarding a maximum or
5 minimum speed limit unless a law enforcement officer is
6 present at the scene and witnesses the event. No State or local
7 governmental entity, including a home rule county or
8 municipality, may use such a system in a way that is prohibited
9 by this Section. The regulation of the use of such systems is
10 an exclusive power and function of the State. This Section is a
11 denial and limitation of home rule powers and functions under
12 subsection (h) of Section 6 of Article VII of the Illinois
13 Constitution.

14 (Source: P.A. 97-672, eff. 7-1-12.)

15 (625 ILCS 7/Act rep.)

16 Section 910. The Automated Traffic Control Systems in
17 Highway Construction or Maintenance Zones Act is repealed.

18 Section 999. Effective date. This Act takes effect upon
19 becoming law, except that Section 910 take effect January 1,
20 2027."