



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2022-2063

**Type:** Ordinance      **Status:** Introduced

**File created:** 7/20/2022      **In control:** Joint Committee: Finance; Pedestrian and Traffic Safety

**Final action:**

**Title:** Amendment of Municipal Code Titles 2 and 9 by adding new Article XVII entitled "Bus Lane Traffic Enforcement" and modifying various sections concerning automated speed enforcement system violations

**Sponsors:** La Spata, Daniel, Martin, Matthew J.

**Indexes:** Ch. 32 Dept. of Finance, Ch. 100 Admin. Adjudication of Parking, Compliance, Automated Traffic Law Enforcement System or Automated Speed Enforcement System Violations, Ch. 101 Radar Based Mobile Photo Speed Enforcement Program, ILLINOIS, STATE OF

**Attachments:** 1. O2022-2063.pdf

Date	Ver.	Action By	Action	Result
9/16/2022	1	Joint Committee: Finance; Pedestrian and Traffic Safety	Add Co-Sponsor(s)	
7/20/2022	1	City Council	Referred	

Joint Committee on Finance and Pedestrian and Traffic Safety July 20, 2022 City Council Meeting

### ORDINANCE

WHEREAS, Title 9 of the Municipal Code of the City of Chicago establishes various traffic and parking standards, as well as administrative standards for adjudicating penalties for violations of traffic and parking violations; and,

WHEREAS, the City of Chicago operates a Vision Zero commitment to infrastructure design and policy to eliminate fatalities and serious injuries from traffic crashes, noting "The City of Chicago believes that even one life lost in a traffic crash is unacceptable. We all have the right to walk, bike, take public transit, and drive on streets that are safe for everyone, regardless of who we are or where we live"; and,

WHEREAS, the City Council of the City of Chicago ("the City Council") has recognized the importance of Vision Zero commitments, including through infrastructure spending to the Department of Transportation ("the Department").to establish more protected bike lanes and other traffic calming infrastructure, and through the passage of ordinances and hosting of hearings on the Department's Vision Zero policies; and,

WHEREAS, during hearings for Ordinance 2021-1227, which proposes to lift the threshold of automated speed camera enforcement against the recommendation of the Department of Transportation and against the principles of Vision Zero policy, numerous members ofthe City Council argued that automated speed enforcement penalties should proceed in a progressive manner, resulting in greater fines for higher speeds traveled (which correspond to a greater likelihood of death in the result of a crash); and,

WHEREAS, the City of Chicago issued a 2022 Climate Action Plan, which includes numerous strategies that are consistent with Vision Zero policies, including a strategy to "Increase Transit Performance and Encourage Equitable Transit-Oriented Development." This strategy includes numerous actions, such as: expanding the use of commuter benefits by 2024; requiring transportation demand management plans for new development

by 2025; and, increasing Chicago Transit Authority ridership 20% by 2030; and,

WHEREAS, the 2022 Climate Action Plan also includes implementation tables for actions such as: expanding high-quality and low-stress on-street bikeways and off-street trails; increasing Diwy bikes and shared micromobility trips 30% by 2030; and, enabling Chicagoans to walk, bike," take transit, or use shared micromobility for 45% of all trips by 2040; and,

WHEREAS, it is recognized that transportation advocates debate the merits of including "Enforcement" as a pillar of Vision Zero policy, and it is recognized that some aspects of the implementation of traffic calming infrastructure assets across the City of Chicago reflect the City's legacy of segregation and racist disinvestment; and,

WHEREAS, the City can continue to ensure proper enforcement incentives for the most dangerous traffic violations, especially in light of the increased deaths and crashes evident in Chicago since the pandemic, and the City can ensure proper enforcement incentives for the

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implementation of mobility improvements for public transit, pedestrians, bicycle users, and other micromobility users; and,

WHEREAS, by strengthening the City's policies of enforcing; bus lane violations, traffic speed violations, red light violations, and other traffic violations that interfere with the development of safe passage for pedestrians and micromobility users, the City can encourage compliance with these policy goals while proper traffic calming infrastructure improvements are planned and implemented; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. Chapter 2-32 shall be amended by adding a new Article and Section 2-32-1700, "Bus Lane Traffic Enforcement" as follows:

**Article XVII. Bus Lane Traffic Enforcement**

**2-32-1700 Program Administration**

- a) The Comptroller is authorized to administer City-wide municipal code enforcement programs to be conducted by cameras attached to relevant Chicago Transit Authority, Regional Transit Authority, or any other authorized transportation agency vehicle that may legally use a designated bus lane. The Comptroller is authorized to establish specific administrative functions that are necessary to process and verify violations pursuant to this subsection. Once violations are properly verified by the Department of Finance, a relevant person from the Department of Law, or any other appropriate department as designated by the Comptroller, shall represent the City of Chicago in any necessary Administrative Hearings related to violations enforced under this Code.
- b) The Comptroller is authorized to enter necessary intergovernmental agreements specifically for the purposes of procuring necessary cameras and maintenance of cameras for the enforcement of traffic violations pursuant to this section.
- c) All authorized vehicles that participate in the administration of this program shall have cameras that stamp video and still images with the date, time, and relevant bus identification information (such as a route number, bus number, and run number, etc.) to ensure proper enforcement of traffic violations.

SECTION 2 Title 9 of the Municipal Code shall be amended by adding the underlined language and removing the stricken language, as follows:

*(omitted text unaffected by this ordinance)*

**9-101-020 Automated speed enforcement system violation - Speed limit**

(a) The registered owner of record of a vehicle is liable for a violation of this section and a fine when the vehicle is used in violation of Section 9-12-070, 9-12-075 or 9-12-077 and that violation occurred in a safety zone at a time and location where the automated speed enforcement system is authorized to be operational and a recorded image was recorded by an automated speed enforcement system and the recorded speed is ten or more miles per hour in excess of the applicable speed limit.

(b) The Commissioner of the Department of Transportation, or its successor department, shall use available automobile, pedestrian, bicycle, or other crash data; available road speed data; and any other readily available traffic data to establish the location and operations of the automated speed enforcement system to register violations of subsection (a). The Commissioner may collaborate with the Commissioner(s) of any other Department(s) for the purposes of assessing any disproportionate impact of automated enforcement measures on any Community Area in the City, automated speed enforcement system shall be operational and violations of subsection (a) shall be recorded only at the following times:

~~(1) if the safety zone is based upon the property line of any facility, area or land owned by a school district, only on school days and no earlier than 7:00 A.M. and no later than 7:00 P.M., Monday through Friday; and~~

- ~~(2) if the safety zone is based upon the property line of any facility, area of land owned by a park district, during the time the facility, area or land is open to the public or other patrons.~~

**(omitted text unaffected by this ordinance) 9-100-020 Violation -**

**Penalty.**

*(omitted text unaffected by this ordinance)*

(b) The fines listed below shall be imposed for a violation of the following sections of the traffic code:

*(omitted text unaffected by this ordinance)*

Traffic Code Section Fine

9-12-060 \$9&m \$200.00

(omitted text unaffected by this ordinance)

9-64-140 umm \$200.00

*(omitted text unaffected by this ordinance)*

(d) The fines listed below shall be imposed for a violation of the following sections of the traffic code:

*Traffic Code Section Fine*

9-101-020 d)

\$350.00 \$150.00

If the recorded speed is 10 or more miles per hour over the applicable speed limit, but less than 44-15 miles per hour over such speed limit;

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(2)

\$400.00 \$300.00

if the recorded speed is 44-15 or more miles per hour over the applicable speed limit, but less than 20 miles per hour over such speed limits

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\$500.00

if the recorded speed is 20 or more miles per hour over the applicable speed limit. 9-102-020  
\$400.00 \$200.00

*(omitted text unaffected by this ordinance)*

SECTION 3 The City Council approves the Resolution attached as Exhibit A to this ordinance.

Alderman, 4<sup>th</sup> Ward

SECTION 4 This ordinance shall be in full force and effect as of January 1, 2023.

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**EXHIBIT A**

## RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, we, the members of the City Council assembled on this day of July 20, 2022, call on Governor J.B. Pritzker and the Illinois General Assembly to amend Home Rule Authority or Chapter 11 of the Illinois Compiled Statutes to allow for the placement of automated speed enforcement systems within the City of Chicago, as follows:

To allow for the City of Chicago to establish safety zones to implement automated speed enforcement systems according to relevant crash and traffic speed data, as well as Vision Zero Policy, so long as such policy does not unduly or disproportionately impact any particular Community Area; and,

To allow for the City of Chicago to install automated speed enforcement systems in areas other than safety zones based upon the property line of any facility, area or land owned by a school district and safety zones based upon the property line of any facility, area or land owned by a park district (during the time the facility, area or land is open to the public or other patrons).

To allow for the City of Chicago and the Chicago Transit Authority, Regional Transit Authority, or any other subsequent transit agency, to operate automated speed enforcement systems from buses or any other authorized vehicles to deliver transit services to the public.

Daniel La  
Alderman, 1<sup>st</sup> Ward

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