

HB0801



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0801

by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-907

from Ch. 95 1/2, par. 11-907

Amends the Illinois Vehicle Code. Allows the use of red, blue, and white oscillating lights on tow trucks.

LRB100 00282 AXK 10286 b

A BILL FOR

1 AN ACT concerning transportation.

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 changing
5 Section 11-907 as follows:

6 (625 ILCS 5/11-907) (from Ch. 95 1/2, par. 11-907)

7 Sec. 11-907. Operation of vehicles and streetcars on
8 approach of authorized emergency vehicles.

9 (a) Upon the immediate approach of an authorized emergency
10 vehicle making use of audible and visual signals meeting the
11 requirements of this Code or a police vehicle properly and
12 lawfully making use of an audible or visual signal,

13 (1) the driver of every other vehicle shall yield the
14 right-of-way and shall immediately drive to a position
15 parallel to, and as close as possible to, the right-hand
16 edge or curb of the highway clear of any intersection and
17 shall, if necessary to permit the safe passage of the
18 emergency vehicle, stop and remain in such position until
19 the authorized emergency vehicle has passed, unless
20 otherwise directed by a police officer and

21 (2) the operator of every streetcar shall immediately
22 stop such car clear of any intersection and keep it in such
23 position until the authorized emergency vehicle has

1 passed, unless otherwise directed by a police officer.

2 (b) This Section shall not operate to relieve the driver of
3 an authorized emergency vehicle from the duty to drive with due
4 regard for the safety of all persons using the highway.

5 (c) Upon approaching a stationary authorized emergency
6 vehicle, when the authorized emergency vehicle is giving a
7 signal by displaying alternately flashing red, red and white,
8 blue, ~~or red and blue~~, or red, blue, and white lights or amber
9 or yellow warning lights, a person who drives an approaching
10 vehicle shall:

11 (1) proceeding with due caution, yield the
12 right-of-way by making a lane change into a lane not
13 adjacent to that of the authorized emergency vehicle, if
14 possible with due regard to safety and traffic conditions,
15 if on a highway having at least 4 lanes with not less than
16 2 lanes proceeding in the same direction as the approaching
17 vehicle; or

18 (2) proceeding with due caution, reduce the speed of
19 the vehicle, maintaining a safe speed for road conditions,
20 if changing lanes would be impossible or unsafe.

21 As used in this subsection (c), "authorized emergency
22 vehicle" includes any vehicle authorized by law to be equipped
23 with oscillating, rotating, or flashing lights under Section
24 12-215 of this Code, while the owner or operator of the vehicle
25 is engaged in his or her official duties.

26 (d) A person who violates subsection (c) of this Section

1 commits a business offense punishable by a fine of not less
2 than \$100 or more than \$10,000. It is a factor in aggravation
3 if the person committed the offense while in violation of
4 Section 11-501 of this Code. Imposition of the penalties
5 authorized by this subsection (d) for a violation of subsection
6 (c) of this Section that results in the death of another person
7 does not preclude imposition of appropriate additional civil or
8 criminal penalties.

9 (e) If a violation of subsection (c) of this Section
10 results in damage to the property of another person, in
11 addition to any other penalty imposed, the person's driving
12 privileges shall be suspended for a fixed period of not less
13 than 90 days and not more than one year.

14 (f) If a violation of subsection (c) of this Section
15 results in injury to another person, in addition to any other
16 penalty imposed, the person's driving privileges shall be
17 suspended for a fixed period of not less than 180 days and not
18 more than 2 years.

19 (g) If a violation of subsection (c) of this Section
20 results in the death of another person, in addition to any
21 other penalty imposed, the person's driving privileges shall be
22 suspended for 2 years.

23 (h) The Secretary of State shall, upon receiving a record
24 of a judgment entered against a person under subsection (c) of
25 this Section:

26 (1) suspend the person's driving privileges for the

1 mandatory period; or

2 (2) extend the period of an existing suspension by the

3 appropriate mandatory period.

4 (Source: P.A. 95-884, eff. 1-1-09.)