



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/5/2004, by John J. Cullerton

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-401

from Ch. 95 1/2, par. 11-401

Amends the Illinois Vehicle Code. Makes a technical change in a provision concerning leaving the scene of an accident involving personal injury.

LRB093 20888 DRH 46843 b

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 11-401 as follows:

6 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

7 Sec. 11-401. Motor vehicle accidents involving death or
8 personal injuries.

9 (a) The driver of any vehicle involved in a motor vehicle
10 accident resulting in personal injury to or death of any person
11 shall immediately stop the ~~such~~ vehicle at the scene of the
12 ~~such~~ accident, or as close thereto as possible and shall then
13 forthwith return to, and in every event shall remain at the
14 scene of the accident until the requirements of Section 11-403
15 have been fulfilled. Every such stop shall be made without
16 obstructing traffic more than is necessary.

17 (b) Any person who has failed to stop or to comply with the
18 requirements of paragraph (a) shall, as soon as possible but in
19 no case later than one hour after such motor vehicle accident,
20 or, if hospitalized and incapacitated from reporting at any
21 time during such period, as soon as possible but in no case
22 later than one hour after being discharged from the hospital,
23 report the place of the accident, the date, the approximate
24 time, the driver's name and address, the registration number of
25 the vehicle driven, and the names of all other occupants of
26 such vehicle, at a police station or sheriff's office near the
27 place where such accident occurred. No report made as required
28 under this paragraph shall be used, directly or indirectly, as
29 a basis for the prosecution of any violation of paragraph (a).

30 For purposes of this Section, personal injury shall mean
31 any injury requiring immediate professional treatment in a
32 medical facility or doctor's office.

1 (c) Any person failing to comply with paragraph (a) shall
2 be guilty of a Class A misdemeanor.

3 (d) Any person failing to comply with paragraph (b) is
4 guilty of a Class 4 felony if the motor vehicle accident does
5 not result in the death of any person. Any person failing to
6 comply with paragraph (b) when the accident results in the
7 death of any person is guilty of a Class 2 felony, for which
8 the person, if sentenced to a term of imprisonment, shall be
9 sentenced to a term of not less than 3 years and not more than
10 14 years.

11 (e) The Secretary of State shall revoke the driving
12 privilege of any person convicted of a violation of this
13 Section.

14 (Source: P.A. 90-543, eff. 12-1-97.)