

HB3914



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3914

by Rep. Litesa E. Wallace

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1414

from Ch. 95 1/2, par. 11-1414

Amends the Illinois Vehicle Code. Provides that in addition to suspension of driving privileges, a person convicted of failing to stop his or her vehicle before meeting or overtaking a school bus stopped on a highway, roadway, private road, parking lot, school property, or at any other location shall be subject to a mandatory fine of \$300 (rather \$150) for a first violation and \$1,000 (rather than \$500) for a second or subsequent violation.

LRB100 11055 AXK 21294 b

FISCAL NOTE ACT
MAY APPLY

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 11-1414 as follows:

6 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

7 Sec. 11-1414. Approaching, overtaking, and passing school
8 bus.

9 (a) The driver of a vehicle shall stop such vehicle before
10 meeting or overtaking, from either direction, any school bus
11 stopped on a highway, roadway, private road, parking lot,
12 school property, or at any other location, including, without
13 limitation, a location that is not a highway or roadway for the
14 purpose of receiving or discharging pupils. Such stop is
15 required before reaching the school bus when there is in
16 operation on the school bus the visual signals as specified in
17 Sections 12-803 and 12-805 of this Code. The driver of the
18 vehicle shall not proceed until the school bus resumes motion
19 or the driver of the vehicle is signaled by the school bus
20 driver to proceed or the visual signals are no longer actuated.

21 (b) The stop signal arm required by Section 12-803 of this
22 Code shall be extended after the school bus has come to a
23 complete stop for the purpose of loading or discharging pupils

1 and shall be closed before the school bus is placed in motion
2 again. The stop signal arm shall not be extended at any other
3 time.

4 (c) The alternately flashing red signal lamps of an 8-lamp
5 flashing signal system required by Section 12-805 of this Code
6 shall be actuated after the school bus has come to a complete
7 stop for the purpose of loading or discharging pupils and shall
8 be turned off before the school bus is placed in motion again.
9 The red signal lamps shall not be actuated at any other time
10 except as provided in paragraph (d) of this Section.

11 (d) The alternately flashing amber signal lamps of an
12 8-lamp flashing signal system required by Section 12-805 of
13 this Code shall be actuated continuously during not less than
14 the last 100 feet traveled by the school bus before stopping
15 for the purpose of loading or discharging pupils within an
16 urban area and during not less than the last 200 feet traveled
17 by the school bus outside an urban area. The amber signal lamps
18 shall remain actuated until the school bus is stopped. The
19 amber signal lamps shall not be actuated at any other time.

20 (d-5) The alternately flashing head lamps permitted by
21 Section 12-805 of this Code may be operated while the
22 alternately flashing red or amber signal lamps required by that
23 Section are actuated.

24 (e) The driver of a vehicle upon a highway having 4 or more
25 lanes which permits at least 2 lanes of traffic to travel in
26 opposite directions need not stop such vehicle upon meeting a

1 school bus which is stopped in the opposing roadway; and need
2 not stop such vehicle when driving upon a controlled access
3 highway when passing a school bus traveling in either direction
4 that is stopped in a loading zone adjacent to the surfaced or
5 improved part of the controlled access highway where
6 pedestrians are not permitted to cross.

7 (f) Beginning with the effective date of this amendatory
8 Act of 1985, the Secretary of State shall suspend for a period
9 of 3 months the driving privileges of any person convicted of a
10 violation of subsection (a) of this Section or a similar
11 provision of a local ordinance; the Secretary shall suspend for
12 a period of one year the driving privileges of any person
13 convicted of a second or subsequent violation of subsection (a)
14 of this Section or a similar provision of a local ordinance if
15 the second or subsequent violation occurs within 5 years of a
16 prior conviction for the same offense. In addition to the
17 suspensions authorized by this Section, any person convicted of
18 violating this Section or a similar provision of a local
19 ordinance shall be subject to a mandatory fine of \$300 ~~\$150~~ or,
20 upon a second or subsequent violation, \$1,000 ~~\$500~~. The
21 Secretary may also grant, for the duration of any suspension
22 issued under this subsection, a restricted driving permit
23 granting the privilege of driving a motor vehicle between the
24 driver's residence and place of employment or within other
25 proper limits that the Secretary of State shall find necessary
26 to avoid any undue hardship. A restricted driving permit issued

1 hereunder shall be subject to cancellation, revocation and
2 suspension by the Secretary of State in like manner and for
3 like cause as a driver's license may be cancelled, revoked or
4 suspended; except that a conviction upon one or more offenses
5 against laws or ordinances regulating the movement of traffic
6 shall be deemed sufficient cause for the revocation, suspension
7 or cancellation of the restricted driving permit. The Secretary
8 of State may, as a condition to the issuance of a restricted
9 driving permit, require the applicant to participate in a
10 designated driver remedial or rehabilitative program. Any
11 conviction for a violation of this subsection shall be included
12 as an offense for the purposes of determining suspension action
13 under any other provision of this Code, provided however, that
14 the penalties provided under this subsection shall be imposed
15 unless those penalties imposed under other applicable
16 provisions are greater.

17 The owner of any vehicle alleged to have violated paragraph
18 (a) of this Section shall, upon appropriate demand by the
19 State's Attorney or other designated person acting in response
20 to a signed complaint, provide a written statement or
21 deposition identifying the operator of the vehicle if such
22 operator was not the owner at the time of the alleged
23 violation. Failure to supply such information shall result in
24 the suspension of the vehicle registration of the vehicle for a
25 period of 3 months. In the event the owner has assigned control
26 for the use of the vehicle to another, the person to whom

1 control was assigned shall comply with the provisions of this
2 paragraph and be subject to the same penalties as herein
3 provided.

4 (Source: P.A. 99-740, eff. 1-1-17.)