

HB4763



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4763

by Rep. Jerry Lee Long

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-701

from Ch. 95 1/2, par. 11-701

Amends the Illinois Vehicle Code. Limits the concurrent exercise of home rule powers with respect to regulating motor vehicles driving on the right side of a roadway in a manner inconsistent with State law.

LRB100 17136 LNS 32288 b

HOME RULE 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 11-701 as follows:

6 (625 ILCS 5/11-701) (from Ch. 95 1/2, par. 11-701)

7 Sec. 11-701. Drive on right side of roadway - exceptions.

8 (a) Upon all roadways of sufficient width a vehicle shall
9 be driven upon the right half of the roadway, except as
10 follows:

11 1. When overtaking and passing another vehicle
12 proceeding in the same direction under the rules governing
13 such movements;

14 2. When an obstruction exists making it necessary to
15 drive to the left of the center of the roadway; provided,
16 any person so doing shall yield the right-of-way to all
17 vehicles traveling in the proper direction upon the
18 unobstructed portion of the roadway within such distance as
19 to constitute an immediate hazard;

20 3. Upon a roadway divided into 3 marked lanes for
21 traffic under the rules applicable thereon;

22 4. Upon a roadway restricted to one way traffic;

23 5. Whenever there is a single track paved road on one

1 side of the public highway and 2 vehicles meet thereon, the
2 driver on whose right is the wider shoulder shall give the
3 right-of-way on such pavement to the other vehicle.

4 (b) Upon a 2 lane roadway, providing for 2-way movement of
5 traffic, a vehicle shall be driven in the right-hand lane
6 available for traffic, or as close as practicable to the right
7 hand curb or edge of the roadway, except when overtaking and
8 passing another vehicle proceeding in the same direction or
9 when preparing for a left turn at an intersection or into a
10 private road or driveway.

11 (c) Upon any roadway having 4 or more lanes for moving
12 traffic and providing for 2-way movement of traffic, no vehicle
13 shall be driven to the left of the center line of the roadway,
14 except when authorized by official traffic-control devices
15 designating certain lanes to the left side of the center of the
16 roadway for use by traffic not otherwise permitted to use such
17 lanes, or except as permitted under Subsection (a) 2. However,
18 this Subsection shall not be construed as prohibiting the
19 crossing of the center line in making a left turn into or from
20 an alley, private road or driveway.

21 (d) Upon an Interstate highway or fully access controlled
22 freeway, a vehicle may not be driven in the left lane, except
23 when overtaking and passing another vehicle.

24 (e) Subsection (d) of this Section does not apply:

25 (1) when no other vehicle is directly behind the
26 vehicle in the left lane;

1 (2) when traffic conditions and congestion make it
2 impractical to drive in the right lane;

3 (3) when snow and other inclement weather conditions
4 make it necessary to drive in the left lane;

5 (4) when obstructions or hazards exist in the right
6 lane;

7 (5) when a vehicle changes lanes to comply with
8 Sections 11-907, 11-907.5, and 11-908 of this Code;

9 (6) when, because of highway design, a vehicle must be
10 driven in the left lane when preparing to exit;

11 (7) on toll highways when necessary to use I-Pass, and
12 on toll and other highways when driving in the left lane is
13 required to comply with an official traffic control device;
14 or

15 (8) to law enforcement vehicles, ambulances, and other
16 emergency vehicles engaged in official duties and vehicles
17 engaged in highway maintenance and construction
18 operations.

19 (f) A home rule unit may not regulate motor vehicles in a
20 manner inconsistent with this Section. This subsection (f) is a
21 limitation under subsection (i) of Section 6 of Article VII of
22 the Illinois Constitution on the concurrent exercise by home
23 rule units of powers and functions exercised by the State.

24 (Source: P.A. 99-681, eff. 1-1-17.)