

HB2383



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2383

by Rep. Lindsay Parkhurst

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-909 new

625 ILCS 5/11-1002

625 ILCS 5/11-1002.5

from Ch. 95 1/2, par. 11-1002

Amends the Illinois Vehicle Code. Provides that any person who fails to yield a right-of-way and causes an accident causing great bodily harm to or the death of any person shall have his or her driver's license suspended for a period of one year. Effective immediately.

LRB101 10722 TAE 55834 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 Sections 11-1002 and 11-1002.5 and by adding Section 11-909 as
6 follows:

7 (625 ILCS 5/11-909 new)

8 Sec. 11-909. Failure to yield a right-of-way causing bodily
9 harm or death. Any person who violates a provision of this
10 Article shall have his or her driver's license suspended for a
11 period of one year if the violation results in an accident
12 causing great bodily harm to or the death of any person.

13 (625 ILCS 5/11-1002) (from Ch. 95 1/2, par. 11-1002)

14 Sec. 11-1002. Pedestrians' right-of-way at crosswalks.

15 (a) When traffic control signals are not in place or not in
16 operation the driver of a vehicle shall stop and yield the
17 right-of-way to a pedestrian crossing the roadway within a
18 crosswalk when the pedestrian is upon the half of the roadway
19 upon which the vehicle is traveling, or when the pedestrian is
20 approaching so closely from the opposite half of the roadway as
21 to be in danger.

22 (b) No pedestrian shall suddenly leave a curb or other

1 place of safety and walk or run into the path of a moving
2 vehicle which is so close as to constitute an immediate hazard.

3 (c) Paragraph (a) shall not apply under the condition
4 stated in Section 11-1003(b).

5 (d) Whenever any vehicle is stopped at a marked crosswalk
6 or at any unmarked crosswalk at an intersection to permit a
7 pedestrian to cross the roadway, the driver of any other
8 vehicle approaching from the rear shall not overtake and pass
9 such stopped vehicle.

10 (e) Whenever stop signs or flashing red signals are in
11 place at an intersection or at a plainly marked crosswalk
12 between intersections, drivers shall yield right-of-way to
13 pedestrians as set forth in Section 11-904 of this Chapter.

14 (f) Any person who violates a provision of this Section
15 shall have his or her driver's license suspended for a period
16 of one year if the violation results in an accident causing
17 great bodily harm to or the death of any person.

18 (Source: P.A. 96-1165, eff. 7-22-10.)

19 (625 ILCS 5/11-1002.5)

20 (Text of Section before amendment by P.A. 100-987)

21 Sec. 11-1002.5. Pedestrians' right-of-way at crosswalks;
22 school zones.

23 (a) For the purpose of this Section, "school" has the
24 meaning ascribed to that term in Section 11-605.

25 On a school day when school children are present and so

1 close thereto that a potential hazard exists because of the
2 close proximity of the motorized traffic and when traffic
3 control signals are not in place or not in operation, the
4 driver of a vehicle shall stop and yield the right-of-way to a
5 pedestrian crossing the roadway within a crosswalk when the
6 pedestrian is upon the half of the roadway upon which the
7 vehicle is traveling, or when the pedestrian is approaching so
8 closely from the opposite half of the roadway as to be in
9 danger.

10 For the purpose of this Section, a school day shall begin
11 at seven ante meridian and shall conclude at four post
12 meridian.

13 This Section shall not be applicable unless appropriate
14 signs are posted in accordance with Section 11-605.

15 (b) A first violation of this Section is a petty offense
16 with a minimum fine of \$150. A second or subsequent violation
17 of this Section is a petty offense with a minimum fine of \$300.

18 (c) When a fine for a violation of subsection (a) is \$150
19 or greater, the person who violates subsection (a) shall be
20 charged an additional \$50 to be paid to the unit school
21 district where the violation occurred for school safety
22 purposes. If the violation occurred in a dual school district,
23 \$25 of the surcharge shall be paid to the elementary school
24 district for school safety purposes and \$25 of the surcharge
25 shall be paid to the high school district for school safety
26 purposes. Notwithstanding any other provision of law, the

1 entire \$50 surcharge shall be paid to the appropriate school
2 district or districts.

3 For purposes of this subsection (c), "school safety
4 purposes" has the meaning ascribed to that term in Section
5 11-605.

6 (d) Any person who violates a provision of this Section
7 shall have his or her driver's license suspended for a period
8 of one year if the violation results in an accident causing
9 great bodily harm to or the death of any person.

10 (Source: P.A. 95-302, eff. 1-1-08; 96-1165, eff. 7-22-10.)

11 (Text of Section after amendment by P.A. 100-987)

12 Sec. 11-1002.5. Pedestrians' right-of-way at crosswalks;
13 school zones.

14 (a) For the purpose of this Section, "school" has the
15 meaning ascribed to that term in Section 11-605.

16 On a school day when school children are present and so
17 close thereto that a potential hazard exists because of the
18 close proximity of the motorized traffic and when traffic
19 control signals are not in place or not in operation, the
20 driver of a vehicle shall stop and yield the right-of-way to a
21 pedestrian crossing the roadway within a crosswalk when the
22 pedestrian is upon the half of the roadway upon which the
23 vehicle is traveling, or when the pedestrian is approaching so
24 closely from the opposite half of the roadway as to be in
25 danger.

1 For the purpose of this Section, a school day shall begin
2 at seven ante meridian and shall conclude at four post
3 meridian.

4 This Section shall not be applicable unless appropriate
5 signs are posted in accordance with Section 11-605.

6 (b) A first violation of this Section is a petty offense
7 with a minimum fine of \$150. A second or subsequent violation
8 of this Section is a petty offense with a minimum fine of \$300.

9 (c) (Blank).

10 (d) Any person who violates a provision of this Section
11 shall have his or her driver's license suspended for a period
12 of one year if the violation results in an accident causing
13 great bodily harm to or the death of any person.

14 (Source: P.A. 100-987, eff. 7-1-19.)

15 Section 95. No acceleration or delay. Where this Act makes
16 changes in a statute that is represented in this Act by text
17 that is not yet or no longer in effect (for example, a Section
18 represented by multiple versions), the use of that text does
19 not accelerate or delay the taking effect of (i) the changes
20 made by this Act or (ii) provisions derived from any other
21 Public Act.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.