

HB3020



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3020

Introduced 2/19/2021, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-907

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

Amends the Illinois Vehicle Code. Provides that if a person violates provisions requiring the exercise of due care when approaching a stationary authorized emergency vehicle displaying a warning signal and the violation results in a severe injury or death of a police animal, service animal, accelerant detection dog, or search and rescue dog, the person is guilty of a Class 4 felony.

LRB102 16419 RAM 21810 b

CORRECTIONAL
BUDGET AND
IMPACT 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
5 changing 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
3 of an authorized emergency vehicle from the duty to drive with
4 due 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 lights or amber or yellow warning lights,
9 a person who drives an approaching vehicle shall:

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

17 (2) if changing lanes would be impossible or unsafe,
18 proceeding with due caution, reduce the speed of the
19 vehicle, maintaining a safe speed for road conditions and
20 leaving a safe distance until safely past the stationary
21 vehicles.

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

1 (d) A person who violates subsection (c) of this Section
2 commits a business offense punishable by a fine of not less
3 than \$250 or more than \$10,000 for a first violation, and a
4 fine of not less than \$750 or more than \$10,000 for a second or
5 subsequent violation. It is a factor in aggravation if the
6 person committed the offense while in violation of Section
7 11-501 of this Code. Imposition of the penalties authorized by
8 this subsection (d) for a violation of subsection (c) of this
9 Section that results in the death of another person does not
10 preclude imposition of appropriate additional civil or
11 criminal penalties. A person who violates subsection (c) and
12 the violation results in damage to another vehicle commits a
13 Class A misdemeanor. A person who violates subsection (c) is
14 guilty of a Class 4 felony if ~~and~~ the violation results in (i)
15 the injury or death of another person; or (ii) a severe injury
16 or death of a police animal, service animal, accelerant
17 detection dog, or search and rescue dog ~~commits a Class 4~~
18 felony.

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

24 (f) If a violation of subsection (c) of this Section
25 results in injury to another person, in addition to any other
26 penalty imposed, the person's driving privileges shall be

1 suspended for a fixed period of not less than 180 days and not
2 more than 2 years.

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

7 (h) The Secretary of State shall, upon receiving a record
8 of a judgment entered against a person under subsection (c) of
9 this Section:

10 (1) suspend the person's driving privileges for the
11 mandatory period; or

12 (2) extend the period of an existing suspension by the
13 appropriate mandatory period.

14 (i) The Scott's Law Fund shall be a special fund in the
15 State treasury. Subject to appropriation by the General
16 Assembly and approval by the Director, the Director of the
17 State Police shall use all moneys in the Scott's Law Fund in
18 the Department's discretion to fund the production of
19 materials to educate drivers on approaching stationary
20 authorized emergency vehicles, to hire off-duty Department of
21 State Police for enforcement of this Section, and for other
22 law enforcement purposes the Director deems necessary in these
23 efforts.

24 (j) For violations of this Section issued by a county or
25 municipal police officer, the assessment shall be deposited
26 into the county's or municipality's Transportation Safety

1 Highway Hire-back Fund. The county shall use the moneys in its
2 Transportation Safety Highway Hire-back Fund to hire off-duty
3 county police officers to monitor construction or maintenance
4 zones in that county on highways other than interstate
5 highways. The county, in its discretion, may also use a
6 portion of the moneys in its Transportation Safety Highway
7 Hire-back Fund to purchase equipment for county law
8 enforcement and fund the production of materials to educate
9 drivers on construction zone safe driving habits and
10 approaching stationary authorized emergency vehicles.

11 (Source: P.A. 100-201, eff. 8-18-17; 101-173, eff. 1-1-20.)