



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4849

Introduced 1/27/2022, by Rep. Jawaharial Williams

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1433 new
725 ILCS 5/108-1

from Ch. 38, par. 108-1

Amends the Illinois Vehicle Code. Provides that a person shall not hold an animal in the person's lap while operating a motor vehicle. Provides that a person who holds an animal in the person's lap while operating a motor vehicle is guilty of a petty offense and is subject to a fine of \$50. Provides that a law enforcement officer shall not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because the driver holds an animal on the lap or is suspected of doing so. Makes corresponding changes in the Illinois Criminal Code.

LRB102 25446 RAM 34732 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 adding
5 Section 11-1433 as follows:

6 (625 ILCS 5/11-1433 new)

7 Sec. 11-1433. Animals in driver's lap.

8 (a) A person shall not hold an animal in the person's lap
9 while operating a motor vehicle. This Section does not apply
10 to the following motor vehicles as defined by this Code:

11 (1) commercial motor vehicles;

12 (2) farm tractors;

13 (3) implements of husbandry; and

14 (4) farm to market agricultural transportation
15 vehicles.

16 (b) A person who violates this Section is guilty of a petty
17 offense and subject to a fine of \$50.

18 (c) A law enforcement officer shall not search or inspect
19 a motor vehicle, its contents, the driver, or a passenger
20 solely because of a violation or suspected violation of this
21 Section.

22 Section 10. The Code of Criminal Procedure of 1963 is

1 amended by changing Section 108-1 as follows:

2 (725 ILCS 5/108-1) (from Ch. 38, par. 108-1)

3 Sec. 108-1. Search without warrant.

4 (1) When a lawful arrest is effected a peace officer may
5 reasonably search the person arrested and the area within such
6 person's immediate presence for the purpose of:

7 (a) protecting the officer from attack; or

8 (b) preventing the person from escaping; or

9 (c) discovering the fruits of the crime; or

10 (d) discovering any instruments, articles, or things
11 which may have been used in the commission of, or which may
12 constitute evidence of, an offense.

13 (2) (Blank).

14 (3) A law enforcement officer may not search or inspect a
15 motor vehicle, its contents, the driver, or a passenger solely
16 because of a violation of Section 12-603.1 of the Illinois
17 Vehicle Code.

18 (4) A law enforcement officer may not search a motor
19 vehicle, its contents, the driver, or a passenger solely
20 because of a violation or suspected violation of Section
21 11-1433 of the Illinois Vehicle Code.

22 (Source: P.A. 93-99, eff. 7-3-03.)