



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4225

Introduced 11/14/2022, by Sen. Christopher Belt

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-907

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

Amends the Illinois Vehicle Code. Provides that upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights or amber or yellow warning lights, on a highway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the approaching vehicle, a person who drives an approaching vehicle in a lane not immediately adjacent to that of the stationary authorized emergency vehicle shall: (1) reduce the speed of the vehicle, maintaining a safe speed for road conditions, and if possible, with due regard to safety and traffic conditions, yield the right-of-way to an approaching vehicle in the lane immediately adjacent to that of the authorized emergency vehicle that has activated an electric turn signal device indicating the intention of the driver to change out of the lane immediately adjacent to that of the authorized emergency vehicle into a lane farther from the stationary authorized emergency vehicle; or (2) proceeding with due caution and due regard to safety and traffic conditions, make a lane change into a lane farther from the stationary authorized emergency vehicle, if on a highway having at least 4 lanes with not less than 3 lanes proceeding in the same direction as the approaching vehicle.

LRB102 28804 NLB 40692 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  
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 emergency vehicles.

22 The visual signal specified under this subsection (c)  
23 given by an authorized emergency vehicle is an indication to  
24 drivers of approaching vehicles that a hazardous condition is  
25 present when circumstances are not immediately clear. Drivers  
26 of vehicles approaching a stationary emergency vehicle in any

1 lane shall heed the warning of the signal, reduce the speed of  
2 the vehicle, proceed with due caution, maintain a safe speed  
3 for road conditions, be prepared to stop, and leave a safe  
4 distance until safely passed the stationary emergency vehicle.

5 As used in this subsection (c), "authorized emergency  
6 vehicle" includes any vehicle authorized by law to be equipped  
7 with oscillating, rotating, or flashing lights under Section  
8 12-215 of this Code, while the owner or operator of the vehicle  
9 is engaged in his or her official duties.

10 (c-5) Upon approaching a stationary authorized emergency  
11 vehicle, when the authorized emergency vehicle is giving a  
12 signal by displaying alternately flashing red, red and white,  
13 blue, or red and blue lights or amber or yellow warning lights,  
14 on a highway having at least 4 lanes with not less than 2 lanes  
15 proceeding in the same direction as the approaching vehicle, a  
16 person who drives an approaching vehicle in a lane not  
17 immediately adjacent to that of the stationary authorized  
18 emergency vehicle shall:

19 (1) reduce the speed of the vehicle, maintaining a  
20 safe speed for road conditions, and if possible, with due  
21 regard to safety and traffic conditions, yield the  
22 right-of-way to an approaching vehicle in the lane  
23 immediately adjacent to that of the authorized emergency  
24 vehicle that has activated an electric turn signal device  
25 indicating the intention of the driver to change out of  
26 the lane immediately adjacent to that of the authorized

1 emergency vehicle into a lane farther from the stationary  
2 authorized emergency vehicle; or

3 (2) proceeding with due caution and due regard to  
4 safety and traffic conditions, make a lane change into a  
5 lane farther from the stationary authorized emergency  
6 vehicle, if on a highway having at least 4 lanes with not  
7 less than 3 lanes proceeding in the same direction as the  
8 approaching vehicle.

9 (d) A person who violates subsection (c) of this Section  
10 commits a business offense punishable by a fine of not less  
11 than \$250 or more than \$10,000 for a first violation, and a  
12 fine of not less than \$750 or more than \$10,000 for a second or  
13 subsequent violation. It is a factor in aggravation if the  
14 person committed the offense while in violation of Section  
15 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the  
16 penalties authorized by this subsection (d) for a violation of  
17 subsection (c) of this Section that results in the death of  
18 another person does not preclude imposition of appropriate  
19 additional civil or criminal penalties. A person who violates  
20 subsection (c) and the violation results in damage to another  
21 vehicle commits a Class A misdemeanor. A person who violates  
22 subsection (c) and the violation results in the injury or  
23 death of another person commits a Class 4 felony.

24 (e) If a violation of subsection (c) of this Section  
25 results in damage to the property of another person, in  
26 addition to any other penalty imposed, the person's driving

1 privileges shall be suspended for a fixed period of not less  
2 than 90 days and not more than one year.

3 (f) If a violation of subsection (c) of this Section  
4 results in injury to another person, in addition to any other  
5 penalty imposed, the person's driving privileges shall be  
6 suspended for a fixed period of not less than 180 days and not  
7 more than 2 years.

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

12 (h) The Secretary of State shall, upon receiving a record  
13 of a judgment entered against a person under subsection (c) of  
14 this Section:

15 (1) suspend the person's driving privileges for the  
16 mandatory period; or

17 (2) extend the period of an existing suspension by the  
18 appropriate mandatory period.

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

1 law enforcement purposes the Director deems necessary in these  
2 efforts.

3 (j) For violations of this Section issued by a county or  
4 municipal police officer, the assessment shall be deposited  
5 into the county's or municipality's Transportation Safety  
6 Highway Hire-back Fund. The county shall use the moneys in its  
7 Transportation Safety Highway Hire-back Fund to hire off-duty  
8 county police officers to monitor construction or maintenance  
9 zones in that county on highways other than interstate  
10 highways. The county, in its discretion, may also use a  
11 portion of the moneys in its Transportation Safety Highway  
12 Hire-back Fund to purchase equipment for county law  
13 enforcement and fund the production of materials to educate  
14 drivers on construction zone safe driving habits and  
15 approaching stationary authorized emergency vehicles.

16 (k) In addition to other penalties imposed by this  
17 Section, the court may order a person convicted of a violation  
18 of subsection (c) to perform community service as determined  
19 by the court.

20 (Source: P.A. 101-173, eff. 1-1-20; 102-336, eff. 1-1-22;  
21 102-338, eff. 1-1-22; 102-813, eff. 5-13-22.)