



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0342

Introduced 2/2/2023, 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.

LRB103 26217 MXP 52576 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 Illinois
26 ~~Department of~~ State Police for enforcement of this Section,

1 and for other law enforcement purposes the Director deems
2 necessary in these 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.)