



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1661

Introduced 2/8/2023, by Sen. Andrew S. Chesney

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1408.1 new

Amends the Illinois Vehicle Code. Restricts a tow truck operator from allowing passengers to occupy the trailer, semitrailer, farm wagon, or any other vehicle being carried by a flatbed tow truck upon a public highway, unless: (i) the number of people that need to be transported exceeds the seating capacity of the tow truck or a person needing to be transported has a disability that limits that person's ability to enter the tow truck; (ii) there is a way for the passenger in the carried vehicle to immediately communicate, either verbally, audibly, or visually, with the tow truck operator in case of an emergency; and (iii) if the passenger is under 16 years of age, the passenger is accompanied by an adult riding in the same vehicle. Requires that no passenger of a carried vehicle may exit the carried vehicle, ride outside of the passenger compartment of the carried vehicle, or exhibit dangerous or distracting behaviors while the carried vehicle is upon a public highway.

LRB103 27263 MXP 53634 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 1408.1 as follows:

6 (625 ILCS 5/1408.1 new)

7 Sec. 1408.1. Vehicles carried on a flatbed tow truck. A
8 tow truck operator shall not allow a passenger to occupy the
9 trailer, semitrailer, farm wagon, or any other vehicle being
10 carried by a flatbed tow truck upon a public highway, unless:

11 (1) the number of people that need to be transported
12 exceeds the seating capacity of the tow truck or a person
13 needing to be transported has a disability that limits that
14 person's ability to enter the tow truck;

15 (2) there is a way for the passenger in the carried vehicle
16 to immediately communicate, either verbally, audibly, or
17 visually, with the tow truck operator in case of an emergency;
18 and

19 (3) if the passenger is under 16 years of age, the
20 passenger is accompanied by an adult riding in the same
21 vehicle.

22 No passenger of a carried vehicle may exit the carried
23 vehicle, ride outside of the passenger compartment of the

1 carried vehicle, or exhibit dangerous or distracting behaviors
2 while the carried vehicle is upon a public highway.