



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB2340

Introduced 2/10/2023, by Sen. Doris Turner

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1414  
625 ILCS 5/12-803

from Ch. 95 1/2, par. 11-1414  
from Ch. 95 1/2, par. 12-803

Amends the Illinois Vehicle Code. Provides that any person convicted of violating provisions related to approaching, overtaking, or passing a school bus, or similar provisions of a local ordinance, shall be subject to a mandatory fine of \$500 (rather than \$300) for a first violation. Provides that a person who observes a violation related to approaching, overtaking, or passing a school bus or making contact with a stopped school bus may file a written or oral complaint with the county sheriff's office, and at the sheriff's discretion, the report may be transferred to the Illinois State Police or municipal police department. Requires the report to be investigated by a peace officer, and the investigating officer to contact the reporting party within 30 days to provide an update on the status or outcome of the investigation. Requires that no later than July 1, 2024, a school bus must be equipped with an extended stop arm that partially obstructs the roadway if the school bus has a route that includes a bus stop which requires a school child to cross a roadway. Establishes that each extended stop arm must be equipped with additional flashing red lights. Provides that the side extension arm must be capable of extending up to 72 inches, measured from the side of the bus to furthest part of the extension arm, and at a height not less than 36 inches from the ground. Provides that the rear extension arm must meet the same specification as the side extension arm, except that it may not extend more than 32 inches from the side of the school bus. Prohibits a driver of a motor vehicle from making contact with any portion of a stopped school bus or with a school child within 30 feet of the school bus, and the violation of such is a misdemeanor and punishable by a fine of not more than \$500. Makes other changes. Effective immediately.

LRB103 30820 MXP 57318 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 Sections 11-1414 and 12-803 as follows:

6 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)  
7 Sec. 11-1414. Approaching, overtaking, and passing school  
8 bus.

9 (a) The driver of a vehicle shall stop such vehicle before  
10 meeting or overtaking, from either direction, any school bus  
11 stopped on a highway, roadway, private road, parking lot,  
12 school property, or at any other location, including, without  
13 limitation, a location that is not a highway or roadway, for  
14 the purpose of receiving or discharging pupils. Such stop is  
15 required before reaching the school bus when there is in  
16 operation on the school bus the visual signals as specified in  
17 Sections 12-803 and 12-805 of this Code. The driver of the  
18 vehicle shall not proceed until the school bus resumes motion  
19 or the driver of the vehicle is signaled by the school bus  
20 driver to proceed or the visual signals are no longer  
21 actuated.

22 (b) The stop signal arm required by Section 12-803 of this  
23 Code shall be extended after the school bus has come to a

1 complete stop for the purpose of loading or discharging pupils  
2 and shall be closed before the school bus is placed in motion  
3 again. The stop signal arm shall not be extended at any other  
4 time.

5 (c) The alternately flashing red signal lamps of an 8-lamp  
6 flashing signal system required by Section 12-805 of this Code  
7 shall be actuated after the school bus has come to a complete  
8 stop for the purpose of loading or discharging pupils and  
9 shall be turned off before the school bus is placed in motion  
10 again. The red signal lamps shall not be actuated at any other  
11 time except as provided in paragraph (d) of this Section.

12 (d) The alternately flashing amber signal lamps of an  
13 8-lamp flashing signal system required by Section 12-805 of  
14 this Code shall be actuated continuously during not less than  
15 the last 100 feet traveled by the school bus before stopping  
16 for the purpose of loading or discharging pupils within an  
17 urban area and during not less than the last 200 feet traveled  
18 by the school bus outside an urban area. The amber signal lamps  
19 shall remain actuated until the school bus is stopped. The  
20 amber signal lamps shall not be actuated at any other time.

21 (d-5) The alternately flashing head lamps permitted by  
22 Section 12-805 of this Code may be operated while the  
23 alternately flashing red or amber signal lamps required by  
24 that Section are actuated.

25 (e) The driver of a vehicle upon a highway having 4 or more  
26 lanes which permits at least 2 lanes of traffic to travel in

1 opposite directions need not stop such vehicle upon meeting a  
2 school bus which is stopped in the opposing roadway; and need  
3 not stop such vehicle when driving upon a controlled access  
4 highway when passing a school bus traveling in either  
5 direction that is stopped in a loading zone adjacent to the  
6 surfaced or improved part of the controlled access highway  
7 where pedestrians are not permitted to cross.

8 (f) Beginning with the effective date of this amendatory  
9 Act of 1985, the Secretary of State shall suspend for a period  
10 of 3 months the driving privileges of any person convicted of a  
11 violation of subsection (a) of this Section or a similar  
12 provision of a local ordinance; the Secretary shall suspend  
13 for a period of one year the driving privileges of any person  
14 convicted of a second or subsequent violation of subsection  
15 (a) of this Section or a similar provision of a local ordinance  
16 if the second or subsequent violation occurs within 5 years of  
17 a prior conviction for the same offense. In addition to the  
18 suspensions authorized by this Section, any person convicted  
19 of violating this Section or a similar provision of a local  
20 ordinance shall be subject to a mandatory fine of \$500 ~~\$300~~ or,  
21 upon a second or subsequent violation, \$1,000, and community  
22 service in an amount set by the court. The Secretary may also  
23 grant, for the duration of any suspension issued under this  
24 subsection, a restricted driving permit granting the privilege  
25 of driving a motor vehicle between the driver's residence and  
26 place of employment or within other proper limits that the

1 Secretary of State shall find necessary to avoid any undue  
2 hardship. A restricted driving permit issued hereunder shall  
3 be subject to cancellation, revocation, and suspension by the  
4 Secretary of State in like manner and for like cause as a  
5 driver's license may be cancelled, revoked, or suspended;  
6 except that a conviction upon one or more offenses against  
7 laws or ordinances regulating the movement of traffic shall be  
8 deemed sufficient cause for the revocation, suspension, or  
9 cancellation of the restricted driving permit. The Secretary  
10 of State may, as a condition to the issuance of a restricted  
11 driving permit, require the applicant to participate in a  
12 designated driver remedial or rehabilitative program. Any  
13 conviction for a violation of this subsection shall be  
14 included as an offense for the purposes of determining  
15 suspension action under any other provision of this Code,  
16 provided however, that the penalties provided under this  
17 subsection shall be imposed unless those penalties imposed  
18 under other applicable provisions are greater.

19 The owner of any vehicle alleged to have violated  
20 subsection ~~paragraph~~ (a) of this Section shall, upon  
21 appropriate demand by the State's Attorney or other designated  
22 person acting in response to a signed complaint, provide a  
23 written statement or deposition identifying the operator of  
24 the vehicle if such operator was not the owner at the time of  
25 the alleged violation. Failure to supply such information  
26 shall result in the suspension of the vehicle registration of

1 the vehicle for a period of 3 months. In the event the owner  
2 has assigned control for the use of the vehicle to another, the  
3 person to whom control was assigned shall comply with the  
4 provisions of this paragraph and be subject to the same  
5 penalties as herein provided.

6 (g) A person who observes a violation of this Section or  
7 subsection (f) of Section 12-803 may file a written or oral  
8 complaint with the county sheriff's office. At the sheriff's  
9 discretion, the report may be transferred to the Illinois  
10 State Police or municipal police department. The report must  
11 be investigated by a peace officer, and the investigating  
12 officer shall contact the reporting party within 30 days to  
13 provide an update on the status or outcome of the  
14 investigation.

15 (Source: P.A. 101-55, eff. 1-1-20; 102-859, eff. 1-1-23.)

16 (625 ILCS 5/12-803) (from Ch. 95 1/2, par. 12-803)

17 Sec. 12-803. (a) Each school bus shall be equipped with a  
18 stop signal arm on the driver's side of the school bus that may  
19 be operated either manually or mechanically. Each ~~For each~~  
20 school bus ~~manufactured on and after September 1, 1992,~~ the  
21 stop signal arm shall be an octagon shaped semaphore that  
22 conforms to 49 C.F.R. 571.131, "SCHOOL BUS PEDESTRIAN SAFETY  
23 DEVICES", S5.1 through S5.5.

24 (b) Each school bus manufactured prior to September 1,  
25 1992 shall be equipped with a stop signal arm that conforms to

1 standards promulgated by the Department.

2 (c) A school bus may be equipped with an extended stop arm  
3 that partially obstructs the roadway if the school bus has a  
4 route that includes a bus stop which requires a school child to  
5 cross a roadway. A school bus may be equipped with an extended  
6 stop arm regardless of whether a school child has to cross a  
7 roadway.

8 (d) No later than July 1, 2024, a school bus must be  
9 equipped with an extended stop arm that partially obstructs  
10 the roadway if the school bus has a route that includes a bus  
11 stop which requires a school child to cross a roadway. The  
12 extended stop arm must be installed on both the driver's side  
13 and rear of the school bus. A school child may not cross a  
14 roadway to enter or exit from a school bus unless the roadway  
15 has been partially obstructed by the extended stop arm.

16 (e) In addition to the lighting systems required under  
17 Section 12-805, each extended stop arm must be equipped with a  
18 system of flashing red lights. The side extension arm must  
19 extend no more than 72 inches, measured from the side of the  
20 bus to furthest part of the extension arm, and at a height not  
21 less than 36 inches from the ground. The rear extension must  
22 meet the same specification as the side extension arm except  
23 that it may not extend more than 32 inches, measured from the  
24 side of the bus to the furthest part of the extension arm.

25 (f) If the school bus experiences a mechanical problem or  
26 emergency that requires the school bus to stop at a

1 non-designated bus stop is not subject to the requirements of  
2 this Section.

3 (g) No driver of a motor vehicle may make contact with any  
4 portion of a stopped school bus, including an extended stop  
5 arm, or make contact with a school child within 30 feet of the  
6 school bus. A violation of this subsection is a misdemeanor  
7 and punishable by a fine of not more than \$500.

8 (Source: P.A. 88-415.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.