

1 AN ACT in relation to vehicles.

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 11-204 and 11-204.1 as follows:

6 (625 ILCS 5/11-204) (from Ch. 95 1/2, par. 11-204)

7 Sec. 11-204. Fleeing or attempting to elude peace ~~police~~  
8 officer.

9 (a) Any driver or operator of a motor vehicle who,  
10 having been given a visual or audible signal by a peace  
11 officer directing such driver or operator to bring his  
12 vehicle to a stop, wilfully fails or refuses to obey such  
13 direction, increases his speed, extinguishes his lights, or  
14 otherwise flees or attempts to elude the officer, is guilty  
15 of a Class 4 felony ~~A-misdemeanor~~. The signal given by the  
16 peace officer may be by hand, voice, siren, red or blue  
17 light. Provided, the officer giving such signal shall be in  
18 police uniform, and, if driving a vehicle, such vehicle shall  
19 display illuminated oscillating, rotating or flashing red or  
20 blue lights which when used in conjunction with an audible  
21 horn or siren would indicate the vehicle to be an official  
22 police vehicle. Such requirement shall not preclude the use  
23 of amber or white oscillating, rotating or flashing lights in  
24 conjunction with red or blue oscillating, rotating or  
25 flashing lights as required in Section 12-215 of Chapter 12.

26 (a-1) For purposes of subsection (a) of this Section,  
27 the termination of a pursuit of a fleeing vehicle by a peace  
28 officer for safety reasons shall be considered fresh pursuit  
29 of the driver or operator of a motor vehicle if a peace  
30 officer resumes the pursuit of the driver or operator of the  
31 motor vehicle within 24 hours after the officer terminated

1 the pursuit for safety reasons.

2 (b) Upon receiving notice of such conviction the  
3 Secretary of State shall suspend the drivers license of the  
4 person so convicted for a period of not more than 6 months  
5 for a first conviction and not more than 12 months for a  
6 second conviction.

7 (c) A third or subsequent violation of this Section is a  
8 Class 3 4 felony.

9 (Source: P.A. 90-134, eff. 7-22-97.)

10 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)

11 Sec. 11-204.1. Aggravated fleeing or attempt to elude a  
12 peace ~~police~~ officer.

13 (a) The offense of aggravated fleeing or attempting to  
14 elude a police officer is committed by any driver or operator  
15 of a motor vehicle who flees or attempts to elude a peace  
16 ~~police~~ officer, after being given a visual or audible signal  
17 by a peace ~~police~~ officer in the manner prescribed in  
18 subsection (a) of Section 11-204 of this Code, and such  
19 flight or attempt to elude:

20 (1) is at a rate of speed at least 21 miles per  
21 hour over the legal speed limit;

22 (2) causes bodily injury to any individual; or

23 (3) causes damage in excess of \$300 to property.

24 (a-1) For purposes of subsection (a) of this Section,  
25 the termination of a pursuit of a fleeing vehicle by a peace  
26 officer for safety reasons shall be considered fresh pursuit  
27 of the driver or operator of a motor vehicle if a peace  
28 officer resumes the pursuit of the driver or operator of the  
29 motor vehicle within 24 hours after the officer terminated  
30 the pursuit for safety reasons.

31 (b) Any person convicted of a first violation of this  
32 Section shall be guilty of a Class 3 4 felony. Upon notice  
33 of such a conviction the Secretary of State shall forthwith

1 revoke the driver's license of the person so convicted, as  
2 provided in Section 6-205 of this Code. Any person convicted  
3 of a second or subsequent violation of this Section shall be  
4 guilty of a Class 2 3 felony, and upon notice of such a  
5 conviction the Secretary of State shall forthwith revoke the  
6 driver's license of the person convicted, as provided in  
7 Section 6-205 of the Code.

8 (c) The motor vehicle used in a violation of this  
9 Section is subject to seizure and forfeiture as provided in  
10 Sections 36-1 and 36-2 of the Criminal Code of 1961.

11 (Source: P.A. 90-134, eff. 7-22-97.)