

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 11-1414, 12-215, and 12-805 as follows:

6 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

7 Sec. 11-1414. Approaching, overtaking, and passing
8 school bus.

9 (a) The driver of a vehicle shall stop such vehicle
10 before meeting or overtaking, from either direction, any
11 school bus stopped for the purpose of receiving or
12 discharging pupils on a highway, on a roadway on school
13 property, or upon a private road within an area that is
14 covered by a contract or agreement executed pursuant to
15 Section 11-209.1 of this Code. Such stop is required before
16 reaching the school bus when there is in operation on the
17 school bus the visual signals as specified in Sections 12-803
18 and 12-805 of this Code. The driver of the vehicle shall not
19 proceed until the school bus resumes motion or the driver of
20 the vehicle is signaled by the school bus driver to proceed
21 or the visual signals are no longer actuated.

22 (b) The stop signal arm required by Section 12-803 of
23 this Code shall be extended after the school bus has come to
24 a complete stop for the purpose of loading or discharging
25 pupils and shall be closed before the school bus is placed in
26 motion again. The stop signal arm shall not be extended at
27 any other time.

28 (c) The alternately flashing red signal lamps of an
29 8-lamp flashing signal system required by Section 12-805 of
30 this Code shall be actuated after the school bus has come to
31 a complete stop for the purpose of loading or discharging

1 pupils and shall be turned off before the school bus is
2 placed in motion again. The red signal lamps shall not be
3 actuated at any other time except as provided in paragraph
4 (d) of this Section.

5 (d) The alternately flashing amber signal lamps of an
6 8-lamp flashing signal system required by Section 12-805 of
7 this Code shall be actuated continuously during not less than
8 the last 100 feet traveled by the school bus before stopping
9 for the purpose of loading or discharging pupils within an
10 urban area and during not less than the last 200 feet
11 traveled by the school bus outside an urban area. The amber
12 signal lamps shall remain actuated until the school bus is
13 stopped. The amber signal lamps shall not be actuated at any
14 other time.

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

19 (e) The driver of a vehicle upon a highway having 4 or
20 more lanes which permits at least 2 lanes of traffic to
21 travel in opposite directions need not stop such vehicle upon
22 meeting a school bus which is stopped in the opposing
23 roadway; and need not stop such vehicle when driving upon a
24 controlled access highway when passing a school bus traveling
25 in either direction that is stopped in a loading zone
26 adjacent to the surfaced or improved part of the controlled
27 access highway where pedestrians are not permitted to cross.

28 (f) Beginning with the effective date of this amendatory
29 Act of 1985, the Secretary of State shall suspend for a
30 period of 3 months the driving privileges of any person
31 convicted of a violation of subsection (a) of this Section or
32 a similar provision of a local ordinance; the Secretary shall
33 suspend for a period of one year the driving privileges of
34 any person convicted of a second or subsequent violation of

1 subsection (a) of this Section or a similar provision of a
2 local ordinance if the second or subsequent violation occurs
3 within 5 years of a prior conviction for the same offense. In
4 addition to the suspensions authorized by this Section, any
5 person convicted of violating this Section or a similar
6 provision of a local ordinance shall be subject to a
7 mandatory fine of \$150 or, upon a second or subsequent
8 violation, \$500. The Secretary may also grant, for the
9 duration of any suspension issued under this subsection, a
10 restricted driving permit granting the privilege of driving a
11 motor vehicle between the driver's residence and place of
12 employment or within other proper limits that the Secretary
13 of State shall find necessary to avoid any undue hardship. A
14 restricted driving permit issued hereunder shall be subject
15 to cancellation, revocation and suspension by the Secretary
16 of State in like manner and for like cause as a driver's
17 license may be cancelled, revoked or suspended; except that a
18 conviction upon one or more offenses against laws or
19 ordinances regulating the movement of traffic shall be deemed
20 sufficient cause for the revocation, suspension or
21 cancellation of the restricted driving permit. The Secretary
22 of State may, as a condition to the issuance of a restricted
23 driving permit, require the applicant to participate in a
24 designated driver remedial or rehabilitative program. Any
25 conviction for a violation of this subsection shall be
26 included as an offense for the purposes of determining
27 suspension action under any other provision of this Code,
28 provided however, that the penalties provided under this
29 subsection shall be imposed unless those penalties imposed
30 under other applicable provisions are greater.

31 The owner of any vehicle alleged to have violated
32 paragraph (a) of this Section shall, upon appropriate demand
33 by the State's Attorney or other authorized prosecutor acting
34 in response to a signed complaint, provide a written

1 statement or deposition identifying the operator of the
2 vehicle if such operator was not the owner at the time of the
3 alleged violation. Failure to supply such information shall
4 be construed to be the same as a violation of paragraph (a)
5 and shall be subject to the same penalties herein provided.
6 In the event the owner has assigned control for the use of
7 the vehicle to another, the person to whom control was
8 assigned shall comply with the provisions of this paragraph
9 and be subject to the same penalties as herein provided.
10 (Source: P.A. 91-260, eff. 1-1-00.)

11 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

12 Sec. 12-215. Oscillating, rotating or flashing lights on
13 motor vehicles. Except as otherwise provided in this Code:

14 (a) The use of red or white oscillating, rotating or
15 flashing lights, whether lighted or unlighted, is prohibited
16 except on:

17 1. Law enforcement vehicles of State, Federal or
18 local authorities;

19 2. A vehicle operated by a police officer or county
20 coroner and designated or authorized by local
21 authorities, in writing, as a law enforcement vehicle;
22 however, such designation or authorization must be
23 carried in the vehicle;

24 3. Vehicles of local fire departments and State or
25 federal firefighting vehicles;

26 4. Vehicles which are designed and used exclusively
27 as ambulances or rescue vehicles; furthermore, such
28 lights shall not be lighted except when responding to an
29 emergency call for and while actually conveying the sick
30 or injured;

31 5. Tow trucks licensed in a state that requires
32 such lights; furthermore, such lights shall not be
33 lighted on any such tow truck while the tow truck is

1 operating in the State of Illinois;

2 6. Vehicles of the Illinois Emergency Management
3 Agency, and vehicles of the Department of Nuclear Safety;
4 and

5 7. Vehicles operated by a local or county emergency
6 management services agency as defined in the Illinois
7 Emergency Management Agency Act; and-

8 8. School buses operating alternately flashing head
9 lamps as permitted under Section 12-805 of this Code.

10 (b) The use of amber oscillating, rotating or flashing
11 lights, whether lighted or unlighted, is prohibited except
12 on:

13 1. Second division vehicles designed and used for
14 towing or hoisting vehicles; furthermore, such lights
15 shall not be lighted except as required in this paragraph
16 1; such lights shall be lighted when such vehicles are
17 actually being used at the scene of an accident or
18 disablement; if the towing vehicle is equipped with a
19 flat bed that supports all wheels of the vehicle being
20 transported, the lights shall not be lighted while the
21 vehicle is engaged in towing on a highway; if the towing
22 vehicle is not equipped with a flat bed that supports all
23 wheels of a vehicle being transported, the lights shall
24 be lighted while the towing vehicle is engaged in towing
25 on a highway during all times when the use of headlights
26 is required under Section 12-201 of this Code;

27 2. Motor vehicles or equipment of the State of
28 Illinois, local authorities and contractors; furthermore,
29 such lights shall not be lighted except while such
30 vehicles are engaged in maintenance or construction
31 operations within the limits of construction projects;

32 3. Vehicles or equipment used by engineering or
33 survey crews; furthermore, such lights shall not be
34 lighted except while such vehicles are actually engaged

1 in work on a highway;

2 4. Vehicles of public utilities, municipalities, or
3 other construction, maintenance or automotive service
4 vehicles except that such lights shall be lighted only as
5 a means for indicating the presence of a vehicular
6 traffic hazard requiring unusual care in approaching,
7 overtaking or passing while such vehicles are engaged in
8 maintenance, service or construction on a highway;

9 5. Oversized vehicle or load; however, such lights
10 shall only be lighted when moving under permit issued by
11 the Department under Section 15-301 of this Code;

12 6. The front and rear of motorized equipment owned
13 and operated by the State of Illinois or any political
14 subdivision thereof, which is designed and used for
15 removal of snow and ice from highways;

16 7. Fleet safety vehicles registered in another
17 state, furthermore, such lights shall not be lighted
18 except as provided for in Section 12-212 of this Code;

19 8. Such other vehicles as may be authorized by
20 local authorities;

21 9. Law enforcement vehicles of State or local
22 authorities when used in combination with red
23 oscillating, rotating or flashing lights;

24 9.5. Propane delivery trucks;

25 10. Vehicles used for collecting or delivering mail
26 for the United States Postal Service provided that such
27 lights shall not be lighted except when such vehicles are
28 actually being used for such purposes;

29 11. Any vehicle displaying a slow-moving vehicle
30 emblem as provided in Section 12-205.1;

31 12. All trucks equipped with self-compactors or
32 roll-off hoists and roll-on containers for garbage or
33 refuse hauling. Such lights shall not be lighted except
34 when such vehicles are actually being used for such

1 purposes;

2 13. Vehicles used by a security company, alarm
3 responder, or control agency;

4 14. Security vehicles of the Department of Human
5 Services; however, the lights shall not be lighted except
6 when being used for security related purposes under the
7 direction of the superintendent of the facility where the
8 vehicle is located; and

9 15. Vehicles of union representatives, except that
10 the lights shall be lighted only while the vehicle is
11 within the limits of a construction project.

12 (c) The use of blue oscillating, rotating or flashing
13 lights, whether lighted or unlighted, is prohibited except
14 on:

15 1. Rescue squad vehicles not owned by a fire
16 department and vehicles owned or fully operated by a:

17 voluntary firefighter;

18 paid firefighter;

19 part-paid firefighter;

20 call firefighter;

21 member of the board of trustees of a fire
22 protection district;

23 paid or unpaid member of a rescue squad;

24 paid or unpaid member of a voluntary ambulance
25 unit; or

26 paid or unpaid members of a local or county
27 emergency management services agency as defined in
28 the Illinois Emergency Management Agency Act,
29 designated or authorized by local authorities, in
30 writing, and carrying that designation or
31 authorization in the vehicle.

32 However, such lights are not to be lighted except
33 when responding to a bona fide emergency.

34 2. Police department vehicles in cities having a

1 population of 500,000 or more inhabitants.

2 3. Law enforcement vehicles of State or local
3 authorities when used in combination with red
4 oscillating, rotating or flashing lights.

5 4. Vehicles of local fire departments and State or
6 federal firefighting vehicles when used in combination
7 with red oscillating, rotating or flashing lights.

8 5. Vehicles which are designed and used exclusively
9 as ambulances or rescue vehicles when used in combination
10 with red oscillating, rotating or flashing lights;
11 furthermore, such lights shall not be lighted except when
12 responding to an emergency call.

13 6. Vehicles that are equipped and used exclusively
14 as organ transport vehicles when used in combination with
15 red oscillating, rotating, or flashing lights;
16 furthermore, these lights shall only be lighted when the
17 transportation is declared an emergency by a member of
18 the transplant team or a representative of the organ
19 procurement organization.

20 7. Vehicles of the Illinois Emergency Management
21 Agency and vehicles of the Department of Nuclear Safety,
22 when used in combination with red oscillating, rotating,
23 or flashing lights.

24 8. Vehicles operated by a local or county emergency
25 management services agency as defined in the Illinois
26 Emergency Management Agency Act, when used in combination
27 with red oscillating, rotating, or flashing lights.

28 (c-1) In addition to the blue oscillating, rotating, or
29 flashing lights permitted under subsection (c), and
30 notwithstanding subsection (a), a vehicle operated by a
31 voluntary firefighter, a voluntary member of a rescue squad,
32 or a member of a voluntary ambulance unit may be equipped
33 with flashing white headlights and blue grill lights, which
34 may be used only in responding to an emergency call.

1 (c-2) In addition to the blue oscillating, rotating, or
2 flashing lights permitted under subsection (c), and
3 notwithstanding subsection (a), a vehicle operated by a paid
4 or unpaid member of a local or county emergency management
5 services agency as defined in the Illinois Emergency
6 Management Agency Act, may be equipped with white
7 oscillating, rotating, or flashing lights to be used in
8 combination with blue oscillating, rotating, or flashing
9 lights, if authorization by local authorities is in writing
10 and carried in the vehicle.

11 (d) The use of a combination of amber and white
12 oscillating, rotating or flashing lights, whether lighted or
13 unlighted, is prohibited except motor vehicles or equipment
14 of the State of Illinois, local authorities, contractors, and
15 union representatives may be so equipped; furthermore, such
16 lights shall not be lighted on vehicles of the State of
17 Illinois, local authorities, and contractors except while
18 such vehicles are engaged in highway maintenance or
19 construction operations within the limits of highway
20 construction projects, and shall not be lighted on the
21 vehicles of union representatives except when those vehicles
22 are within the limits of a construction project.

23 (e) All oscillating, rotating or flashing lights
24 referred to in this Section shall be of sufficient intensity,
25 when illuminated, to be visible at 500 feet in normal
26 sunlight.

27 (f) Nothing in this Section shall prohibit a
28 manufacturer of oscillating, rotating or flashing lights or
29 his representative from temporarily mounting such lights on a
30 vehicle for demonstration purposes only.

31 (g) Any person violating the provisions of subsections
32 (a), (b), (c) or (d) of this Section who without lawful
33 authority stops or detains or attempts to stop or detain
34 another person shall be guilty of a Class 4 felony.

1 (h) Except as provided in subsection (g) above, any
2 person violating the provisions of subsections (a) or (c) of
3 this Section shall be guilty of a Class A misdemeanor.

4 (Source: P.A. 91-357, eff. 7-29-99; 92-138, eff. 7-24-01;
5 92-407, eff. 8-17-01; 92-651, eff. 7-11-02; 92-782, eff.
6 8-6-02; 92-820, eff. 8-21-02; 92-872, eff. 6-1-03; revised
7 1-10-03.)

8 (625 ILCS 5/12-805) (from Ch. 95 1/2, par. 12-805)

9 Sec. 12-805. Special lighting equipment.

10 Each school bus purchased as a new vehicle after December
11 31, 1975 shall be equipped with an 8-lamp flashing signal
12 system. Until December 31, 1978, all other school buses shall
13 be equipped with either a 4-lamp or an 8-lamp flashing signal
14 system. After December 31, 1978, all school buses shall be
15 equipped with an 8-lamp flashing signal system.

16 A 4-lamp flashing signal system shall have 2 alternately
17 flashing red lamps mounted as high and as widely spaced
18 laterally on the same level as practicable at the front of
19 the school bus and 2 such lamps mounted in the same manner at
20 the rear.

21 An 8-lamp flashing signal system shall have, in addition
22 to a 4-lamp system, 4 alternately flashing amber lamps. Each
23 amber lamp shall be mounted next to a red lamp and at the
24 same level but closer to the centerline of the school bus.

25 Each signal lamp shall be a sealed beam at least 5 1/2
26 inches in diameter and shall have sufficient intensity to be
27 visible at 500 feet in normal sunlight. Both the 4-lamp and
28 8-lamp system shall be actuated only by means of a manual
29 switch. There shall be a device for indicating to the driver
30 that the system is operating properly or is inoperative.

31 A school bus may also be equipped with alternately
32 flashing head lamps, which may be operated in conjunction
33 with the 8-lamp flashing signal system.

1 (Source: P.A. 79-1400.)