



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0043

Introduced 1/14/2009, by Rep. Luis Arroyo

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1002
625 ILCS 5/11-1002.5

from Ch. 95 1/2, par. 11-1002

Amends the Illinois Vehicle Code. Provides that that where traffic signals are not in place, vehicles must stop and yield to a pedestrian in a crosswalk rather than yielding the right-of-way by slowing down or stopping if need be. Provides that on a school day when children are present and so close that a potential hazard exists because of the close proximity of the motorized traffic and when traffic signals are not in place or in operation, vehicles must stop and yield to a pedestrian in a crosswalk rather than yielding the right-of-way by slowing down or stopping if need be to so yield. Effective immediately.

LRB096 03462 AJT 13486 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 changing
5 Sections 11-1002 and 11-1002.5 as follows:

6 (625 ILCS 5/11-1002) (from Ch. 95 1/2, par. 11-1002)

7 Sec. 11-1002. Pedestrians' right-of-way at crosswalks. (a)
8 When traffic control signals are not in place or not in
9 operation the driver of a vehicle shall stop and yield the
10 right-of-way, ~~slowing down or stopping if need be to so yield,~~
11 to a pedestrian crossing the roadway within a crosswalk when
12 the pedestrian is upon the half of the roadway upon which the
13 vehicle is traveling, or when the pedestrian is approaching so
14 closely from the opposite half of the roadway as to be in
15 danger.

16 (b) No pedestrian shall suddenly leave a curb or other
17 place of safety and walk or run into the path of a moving
18 vehicle which is so close as to constitute an immediate hazard.

19 (c) Paragraph (a) shall not apply under the condition
20 stated in Section 11-1003 (b).

21 (d) Whenever any vehicle is stopped at a marked crosswalk
22 or at any unmarked crosswalk at an intersection to permit a
23 pedestrian to cross the roadway, the driver of any other

1 vehicle approaching from the rear shall not overtake and pass
2 such stopped vehicle.

3 (e) Whenever stop signs or flashing red signals are in
4 place at an intersection or at a plainly marked crosswalk
5 between intersections, drivers shall yield right-of-way to
6 pedestrians as set forth in Section 11-904 of this Chapter.

7 (Source: P.A. 79-857.)

8 (625 ILCS 5/11-1002.5)

9 Sec. 11-1002.5. Pedestrians' right-of-way at crosswalks;
10 school zones.

11 (a) For the purpose of this Section, "school" has the
12 meaning ascribed to that term in Section 11-605.

13 On a school day when school children are present and so
14 close thereto that a potential hazard exists because of the
15 close proximity of the motorized traffic and when traffic
16 control signals are not in place or not in operation, the
17 driver of a vehicle shall stop and yield the right-of-way,
18 ~~slowing down or stopping if need be to so yield,~~ to a
19 pedestrian crossing the roadway within a crosswalk when the
20 pedestrian is upon the half of the roadway upon which the
21 vehicle is traveling, or when the pedestrian is approaching so
22 closely from the opposite half of the roadway as to be in
23 danger.

24 For the purpose of this Section, a school day shall begin
25 at seven ante meridian and shall conclude at four post

1 meridian.

2 This Section shall not be applicable unless appropriate
3 signs are posted in accordance with Section 11-605.

4 (b) A first violation of this Section is a petty offense
5 with a minimum fine of \$150. A second or subsequent violation
6 of this Section is a petty offense with a minimum fine of \$300.

7 (c) When a fine for a violation of subsection (a) is \$150
8 or greater, the person who violates subsection (a) shall be
9 charged an additional \$50 to be paid to the unit school
10 district where the violation occurred for school safety
11 purposes. If the violation occurred in a dual school district,
12 \$25 of the surcharge shall be paid to the elementary school
13 district for school safety purposes and \$25 of the surcharge
14 shall be paid to the high school district for school safety
15 purposes. Notwithstanding any other provision of law, the
16 entire \$50 surcharge shall be paid to the appropriate school
17 district or districts.

18 For purposes of this subsection (c), "school safety
19 purposes" has the meaning ascribed to that term in Section
20 11-605.

21 (Source: P.A. 95-302, eff. 1-1-08.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.