



Sen. Randall M. Hultgren

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09600HB4048sam001

LRB096 05846 AJT 26326 a

1 AMENDMENT TO HOUSE BILL 4048

2 AMENDMENT NO. _____. Amend House Bill 4048 on page 1, by
3 replacing line 5 with "Sections 3-405 and 12-603.1 as
4 follows:"; and

5 on page 4, by inserting below line 12 the following:

6 "(625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)
7 Sec. 12-603.1. Driver and passenger required to use safety
8 belts, exceptions and penalty.

9 (a) Each driver and ~~front seat~~ passenger of a motor vehicle
10 operated on a street or highway in this State shall wear a
11 properly adjusted and fastened seat safety belt. A ~~except~~
12 ~~that,~~ a child less than 8 years of age shall be protected as
13 required pursuant to the Child Passenger Protection Act. ~~Each~~
14 ~~driver under the age of 18 years and each of the driver's~~
15 ~~passengers under the age of 19 years of a motor vehicle~~
16 ~~operated on a street or highway in this State shall wear a~~

1 ~~properly adjusted and fastened seat safety belt. Every~~
2 ~~passenger under the age of 19 in a vehicle being driven by a~~
3 ~~person over the age of 18 who committed an offense against~~
4 ~~traffic regulations governing the movement of vehicles or any~~
5 ~~violation of this Section or Section 6-107 of this Code within~~
6 ~~6 months prior to the driver's 18th birthday and was~~
7 ~~subsequently convicted of the violation, shall wear a properly~~
8 ~~adjusted and fastened seat safety belt, until such time as a~~
9 ~~period of 6 consecutive months has elapsed without the driver~~
10 ~~receiving an additional violation and subsequent conviction of~~
11 ~~an offense against traffic regulations governing the movement~~
12 ~~of vehicles or any violation of this Section or Section 6-107~~
13 ~~of this Code.~~ Each driver of a motor vehicle transporting a
14 child 8 years of age or more, but less than 16 years of age,
15 shall secure the child in a properly adjusted and fastened seat
16 safety belt as required under the Child Passenger Protection
17 Act.

18 (b) Paragraph (a) shall not apply to any of the following:

19 1. A driver or passenger frequently stopping and
20 leaving the vehicle or delivering property from the
21 vehicle, if the speed of the vehicle between stops does not
22 exceed 15 miles per hour.

23 2. A driver or passenger possessing a written statement
24 from a physician that such person is unable, for medical or
25 physical reasons, to wear a seat safety belt.

26 3. A driver or passenger possessing an official

1 certificate or license endorsement issued by the
2 appropriate agency in another state or country indicating
3 that the driver is unable for medical, physical, or other
4 valid reasons to wear a seat safety belt.

5 4. A driver operating a motor vehicle in reverse.

6 5. A motor vehicle with a model year prior to 1965.

7 6. A motorcycle or motor driven cycle.

8 7. A motorized pedalcycle.

9 8. A motor vehicle which is not required to be equipped
10 with seat safety belts under federal law.

11 9. A motor vehicle operated by a rural letter carrier
12 of the United States postal service while performing duties
13 as a rural letter carrier.

14 (c) Failure to wear a seat safety belt in violation of this
15 Section shall not be considered evidence of negligence, shall
16 not limit the liability of an insurer, and shall not diminish
17 any recovery for damages arising out of the ownership,
18 maintenance, or operation of a motor vehicle.

19 (d) A violation of this Section shall be a petty offense
20 and subject to a fine not to exceed \$25.

21 (e) (Blank).

22 (f) A law enforcement officer may not search or inspect a
23 motor vehicle, its contents, the driver, or a passenger solely
24 because of a violation of this Section.

25 (Source: P.A. 94-239, eff. 1-1-06; 94-241, eff. 1-1-06; 95-310,
26 eff. 1-1-08; 95-331, eff. 8-21-07.)".