

SB3272



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3272

Introduced 2/9/2010, by Sen. Edward D. Maloney

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-603.1

from Ch. 95 1/2, par. 12-603.1

Amends the Illinois Vehicle Code. Requires the driver of a motor vehicle transporting a passenger who is unable, due to infirmity, illness, or age, to properly adjust and fasten a seat safety belt and is not exempted from wearing a seat safety belt to secure the passenger in a properly adjusted and fastened seat safety belt. Effective January 1, 2010.

LRB096 14099 WGH 28887 b

A BILL FOR

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 Section 12-603.1 as follows:

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; except that, a
12 child less than 8 years of age shall be protected as required
13 pursuant to the Child Passenger Protection Act. Each driver
14 under the age of 18 years and each of the driver's passengers
15 under the age of 19 years of a motor vehicle operated on a
16 street or highway in this State shall wear a properly adjusted
17 and fastened seat safety belt. Every passenger under the age of
18 19 in a vehicle being driven by a person over the age of 18 who
19 committed an offense against traffic regulations governing the
20 movement of vehicles or any violation of this Section or
21 Section 6-107 of this Code within 6 months prior to the
22 driver's 18th birthday and was subsequently convicted of the
23 violation, shall wear a properly adjusted and fastened seat

1 safety belt, until such time as a period of 6 consecutive
2 months has elapsed without the driver receiving an additional
3 violation and subsequent conviction of 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. Each
6 driver of a motor vehicle transporting a child 8 years of age
7 or more, but less than 16 years of age, shall secure the child
8 in a properly adjusted and fastened seat safety belt as
9 required under the Child Passenger Protection Act. Each driver
10 of a motor vehicle transporting a passenger who is unable, due
11 to infirmity, illness, or age, to properly adjust and fasten a
12 seat safety belt and is not exempted from wearing a seat safety
13 belt under subsection (b) shall secure the passenger in a
14 properly adjusted and fastened seat safety belt as required
15 under this Section.

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

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

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

24 3. A driver or passenger possessing an official
25 certificate or license endorsement issued by the
26 appropriate agency in another state or country indicating

1 that the driver is unable for medical, physical, or other
2 valid reasons to wear a seat safety belt.

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

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

5 6. A motorcycle or motor driven cycle.

6 7. A motorized pedalcycle.

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

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

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

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

19 (e) (Blank).

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

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

25 Section 99. Effective date. This Act takes effect January
26 1, 2010.