



Rep. Daniel V. Beiser

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09700SB1291ham001

LRB097 00007 RLC 55219 a

1 AMENDMENT TO SENATE BILL 1291

2 AMENDMENT NO. _____. Amend Senate Bill 1291 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Criminal Procedure of 1963 is
5 amended by adding Section 107-17 as follows:

6 (725 ILCS 5/107-17 new)

7 Sec. 107-17. Profiling prohibited.

8 (a) Definition. For the purposes of this Section,
9 "commercial motor vehicle" means any commercial motor vehicle
10 as defined in the Illinois Vehicle Code.

11 (b) Offense. No vehicle may be stopped, delayed, or
12 detained based on the race, ethnicity, or sex of the operator
13 or occupants; nor shall any vehicle be stopped, delayed, or
14 detained by virtue of the type or style of the vehicle. A peace
15 officer may not stop, delay, or detain a vehicle unless the
16 stop, delay, or detention of the vehicle is predicated upon

1 reasonable suspicion, probable cause, or any other articulable
2 circumstances that indicate a violation of the law has been or
3 is being committed.

4 (c) Exceptions. Nothing in this Section shall prohibit the
5 enforcement of State or federal commercial vehicle provisions
6 by virtue of static or portable scales; nor shall this Section
7 prohibit any other process or enforcement detail designed to
8 inspect commercial motor vehicles or the qualifications and
9 eligibility of any commercial motor vehicle operator for the
10 purpose of ensuring compliance with Federal Motor Carrier
11 Safety Regulations; ensuring compliance with any State law
12 governing the operation of a commercial motor vehicle; or
13 ensuring compliance with any State or federal regulation
14 pertaining to the transportation of hazardous materials.

15 (d) Permitted stops. Nothing in this Section shall prohibit
16 a peace officer from stopping a vehicle:

17 (1) for the purpose of conducting an investigation;

18 (2) in response to a call or a dispatch indicating that
19 a vehicle or its occupants have or may be involved in
20 committing or attempting to commit an offense; or

21 (3) in circumstances where police have been requested
22 to deliver an emergency notification to a party traveling
23 on the highways of this State."