



Rep. Daniel V. Beiser

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09800HB1581ham002

LRB098 05513 MLW 43916 a

1 AMENDMENT TO HOUSE BILL 1581

2 AMENDMENT NO. _____. Amend House Bill 1581, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by adding
6 Section 11-1432 as follows:

7 (625 ILCS 5/11-1432 new)

8 Sec. 11-1432. Unrestrained domestic animals in motor
9 vehicles.

10 (a) For purposes of this Section, "animal restraint system"
11 means a device which humanely restricts the movement of a
12 domestic animal and keeps the animal secured within a motor
13 vehicle's passenger area during transport. These devices
14 include, but are not limited to: animal safety harnesses,
15 modified seat belts, tethers, and crates.

16 (b) A driver may not operate a motor vehicle that contains

1 a domestic animal unless that animal is secured and protected
2 by an animal restraint system. This Section shall not apply to
3 the following motor vehicles as defined by this Code:

4 (1) commercial motor vehicles;

5 (2) farm tractors;

6 (3) implements of husbandry; and

7 (4) farm to market agricultural transportation.

8 (c) Failure to secure and protect a domestic animal by an
9 animal restraint system shall not be considered evidence of
10 negligence, shall not limit the liability of an insurer, and
11 shall not diminish any recovery for damages arising out of the
12 ownership, maintenance, or operation of a motor vehicle.

13 (d) A person who violates this Section is guilty of a petty
14 offense. First time offenders shall be issued a warning, but
15 for any second or subsequent offense violators shall be subject
16 to a fine not to exceed \$25.

17 (e) A law enforcement officer may not search a motor
18 vehicle, its contents, the driver, or a passenger solely
19 because of a violation or suspected violation of this Section.

20 Section 10. The Code of Criminal Procedure of 1963 is
21 amended by changing Section 108-1 as follows:

22 (725 ILCS 5/108-1) (from Ch. 38, par. 108-1)

23 Sec. 108-1. Search without warrant.

24 (1) When a lawful arrest is effected a peace officer may

1 reasonably search the person arrested and the area within such
2 person's immediate presence for the purpose of:

3 (a) protecting the officer from attack; or

4 (b) preventing the person from escaping; or

5 (c) discovering the fruits of the crime; or

6 (d) discovering any instruments, articles, or things
7 which may have been used in the commission of, or which may
8 constitute evidence of, an offense.

9 (2) (Blank).

10 (3) A law enforcement officer may not search or inspect a
11 motor vehicle, its contents, the driver, or a passenger solely
12 because of a violation of Section 12-603.1 of the Illinois
13 Vehicle Code.

14 (4) A law enforcement officer may not search a motor
15 vehicle, its contents, the driver, or a passenger solely
16 because of a violation or suspected violation of Section
17 11-1432 of the Illinois Vehicle Code.

18 (Source: P.A. 93-99, eff. 7-3-03.)".