



Rep. John M. Cabello

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09900HB4615ham001

LRB099 15654 RLC 47154 a

1 AMENDMENT TO HOUSE BILL 4615

2 AMENDMENT NO. _____. Amend House Bill 4615 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Peace
5 Officer Motor Vehicle Pursuit Act.

6 Section 5. Definitions. As used in this Act:

7 "Deadly weapon" means a Category I or Category II weapon as
8 defined in subsection (c) of Section 33A-1 of the Criminal Code
9 of 2012.

10 "Forcible felony" has the meaning ascribed to it in Section
11 2-8 of the Criminal Code of 2012.

12 "Peace officer" has the meaning ascribed to it in Section
13 2-13 of the Criminal Code of 2012.

14 Section 10. Peace officer motor vehicle pursuit.

15 (a) A peace officer may initiate a motor vehicle pursuit

1 when the officer is able to articulate a reason to believe the
2 occupant of a fleeing vehicle:

3 (1) has committed or attempted to commit a forcible
4 felony involving the infliction or threatened infliction
5 of great bodily harm;

6 (2) is attempting to escape by use of a deadly weapon
7 or an object or device that the peace officer reasonably
8 believes to be a deadly weapon; or

9 (3) otherwise indicates he or she will endanger human
10 life or inflict great bodily harm unless apprehended
11 immediately.

12 (b) A peace officer engaged in a motor vehicle pursuit
13 shall:

14 (1) activate both the rotating or flashing lights and
15 the siren of his or her police vehicle;

16 (2) drive with due regard for the safety of others and
17 exercise due care;

18 (3) if driving a police vehicle equipped with a video
19 camera, ensure the camera is activated at all times while
20 engaged in a pursuit or fleeing and eluding incident; and

21 (4) immediately make use of a geographically
22 appropriate radio dispatch system, such as the Illinois
23 State Police Emergency Radio Network or a similar
24 multi-agency law enforcement radio communication system
25 serving the area.

26 (c) The Illinois Law Enforcement Training Standards Board

1 shall develop curriculum and approve training on driving
2 instruction for probationary and permanent police officers
3 that includes:

4 (1) crash avoidance methods;

5 (2) emergency response;

6 (3) precision driving; and

7 (4) pursuit techniques.

8 (d) The Illinois State Police Academy shall provide driving
9 instruction training for State troopers that includes:

10 (1) crash avoidance methods;

11 (2) emergency response;

12 (3) precision driving; and

13 (4) pursuit techniques.

14 (e) The Illinois State Police Academy and the Illinois Law
15 Enforcement Training Standards Board shall each separately
16 develop a model policy consistent with this Act.

17 Section 15. Home rule. A unit of local government,
18 including a home rule unit, may not regulate peace officer
19 motor vehicle pursuits in a manner inconsistent with the
20 regulation by the State of peace officer motor vehicle pursuits
21 under this Act. This Section is a limitation under subsection
22 (i) of Section 6 of Article VII of the Illinois Constitution on
23 the concurrent exercise by home rule units of powers and
24 functions exercised by the State.

1 Section 105. The Department of State Police Law of the
2 Civil Administrative Code of Illinois is amended by adding
3 Section 2605-98 as follows:

4 (20 ILCS 2605/2605-98 new)

5 Sec. 2605-98. Training; motor vehicle pursuits.

6 (a) The Illinois State Police Academy shall provide driving
7 instruction training for State troopers that includes:

8 (1) crash avoidance methods;

9 (2) emergency response;

10 (3) precision driving; and

11 (4) pursuit techniques.

12 (b) The Illinois State Police Academy shall develop a model
13 policy concerning driving instruction for State troopers
14 consistent with the Peace Officer Motor Vehicle Pursuit Act.

15 Section 110. The Illinois Police Training Act is amended by
16 changing Section 7.5 as follows:

17 (50 ILCS 705/7.5)

18 Sec. 7.5. Police pursuit guidelines and curriculum.

19 (a) The Board shall annually review police pursuit
20 procedures and make available suggested police pursuit
21 guidelines for law enforcement agencies. This Section does not
22 alter the effect of previously existing law, including the
23 immunities established under the Local Governmental and

1 Governmental Employees Tort Immunity Act.

2 (b) The Board shall develop curriculum and approve training
3 on driving instruction for probationary and permanent police
4 officers that includes:

5 (1) crash avoidance methods;

6 (2) emergency response;

7 (3) precision driving; and

8 (4) pursuit techniques.

9 (c) The Board shall develop a model policy concerning
10 driving instruction for probationary and permanent police
11 officers consistent with the Peace Officer Motor Vehicle
12 Pursuit Act.

13 (Source: P.A. 88-637, eff. 9-9-94.)

14 Section 999. Effective date. This Act takes effect January
15 1, 2017."