

1 AN ACT in relation to vehicles.

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
5 changing Sections 11-907, 11-908, and 12-215 as follows:

6 (625 ILCS 5/11-907) (from Ch. 95 1/2, par. 11-907)

7 Sec. 11-907. Operation of vehicles and streetcars on
8 approach of authorized emergency vehicles.

9 (a) Upon the immediate approach of an authorized
10 emergency vehicle making use of audible and visual signals
11 meeting the requirements of this Code or a police vehicle
12 properly and lawfully making use of an audible or visual
13 signal,

14 (1) the driver of every other vehicle shall yield
15 the right-of-way and shall immediately drive to a
16 position parallel to, and as close as possible to, the
17 right-hand edge or curb of the highway clear of any
18 intersection and shall, if necessary to permit the safe
19 passage of the emergency vehicle, stop and remain in such
20 position until the authorized emergency vehicle has
21 passed, unless otherwise directed by a police officer and

22 (2) the operator of every streetcar shall
23 immediately stop such car clear of any intersection and
24 keep it in such position until the authorized emergency
25 vehicle has passed, unless otherwise directed by a police
26 officer.

27 (b) This Section shall not operate to relieve the driver
28 of an authorized emergency vehicle from the duty to drive
29 with due regard for the safety of all persons using the
30 highway.

31 (c) Upon approaching a stationary authorized emergency

1 vehicle, when the authorized emergency vehicle is giving a
2 signal by displaying alternately flashing red, red and white,
3 blue, or red and blue lights or amber or yellow warning
4 lights, a person who drives an approaching vehicle shall:

5 (1) proceeding with due caution, yield the
6 right-of-way by making a lane change into a lane not
7 adjacent to that of the authorized emergency vehicle, if
8 possible with due regard to safety and traffic
9 conditions, if on a highway having at least 4 lanes with
10 not less than 2 lanes proceeding in the same direction as
11 the approaching vehicle; or

12 (2) proceeding with due caution, reduce the speed
13 of the vehicle, maintaining a safe speed for road
14 conditions, if changing lanes would be impossible or
15 unsafe.

16 As used in this subsection (c), "authorized emergency
17 vehicle" includes any vehicle authorized by law to be
18 equipped with oscillating, rotating, or flashing lights under
19 Section 12-215 of this Code, while the owner or operator of
20 the vehicle is engaged in his or her official duties.

21 (d) A person who violates subsection (c) of this Section
22 commits a business offense punishable by a fine of not more
23 than \$10,000. A person charged with the offense must appear
24 in court to answer the charges. It is a factor in
25 aggravation if the person committed the offense while in
26 violation of Section 11-501 of this Code.

27 (e) If a violation of subsection (c) of this Section
28 results in damage to the property of another person, in
29 addition to any other penalty imposed, the person's driving
30 privileges shall be suspended for a fixed period of not less
31 than 90 days and not more than one year.

32 (f) If a violation of subsection (c) of this Section
33 results in injury to another person, in addition to any other
34 penalty imposed, the person's driving privileges shall be

1 suspended for a fixed period of not less than 180 days and
2 not more than 2 years.

3 (g) If a violation of subsection (c) of this Section
4 results in the death of another person, in addition to any
5 other penalty imposed, the person's driving privileges shall
6 be suspended for 2 years.

7 (h) The Secretary of State shall, upon receiving a
8 record of a judgment entered against a person under
9 subsection (c) of this Section:

10 (1) suspend the person's driving privileges for the
11 mandatory period; or

12 (2) extend the period of an existing suspension by
13 the appropriate mandatory period.

14 (Source: P.A. 92-283, eff. 1-1-02.)

15 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

16 Sec. 11-908. Vehicle approaching or entering a highway
17 construction or maintenance area or zone.

18 (a) The driver of a vehicle shall yield the right of way
19 to any authorized vehicle or pedestrian actually engaged in
20 work upon a highway within any highway construction or
21 maintenance area indicated by official traffic-control
22 devices.

23 (a-1) Upon entering a construction or maintenance zone
24 when workers are present, a person who drives a vehicle
25 shall:

26 (1) proceeding with due caution, make a lane change
27 into a lane not adjacent to that of the workers present,
28 if possible with due regard to safety and traffic
29 conditions, if on a highway having at least 4 lanes with
30 not less than 2 lanes proceeding in the same direction as
31 the approaching vehicle; or

32 (2) proceeding with due caution, reduce the speed
33 of the vehicle, maintaining a safe speed for road

1 conditions, if changing lanes would be impossible or
2 unsafe.

3 (a-2) A person who violates subsection (a-1) of this
4 Section commits a business offense punishable by a fine of
5 not more than \$10,000. A person charged with the offense
6 must appear in court to answer the charges. It is a factor
7 in aggravation if the person committed the offense while in
8 violation of Section 11-501 of this Code.

9 (a-3) If a violation of subsection (a-1) of this Section
10 results in damage to the property of another person, in
11 addition to any other penalty imposed, the person's driving
12 privileges shall be suspended for a fixed period of not less
13 than 90 days and not more than one year.

14 (a-4) If a violation of subsection (a-1) of this Section
15 results in injury to another person, in addition to any other
16 penalty imposed, the person's driving privileges shall be
17 suspended for a fixed period of not less than 180 days and
18 not more than 2 years.

19 (a-5) If a violation of subsection (a-1) of this Section
20 results in the death of another person, in addition to any
21 other penalty imposed, the person's driving privileges shall
22 be suspended for 2 years.

23 (a-6) The Secretary of State shall, upon receiving a
24 record of a judgment entered against a person under
25 subsection (a-1) of this Section:

26 (1) suspend the person's driving privileges for the
27 mandatory period; or

28 (2) extend the period of an existing suspension by
29 the appropriate mandatory period.

30 (b) The driver of a vehicle shall yield the right of way
31 to any authorized vehicle obviously and actually engaged in
32 work upon a highway whenever the vehicle engaged in
33 construction or maintenance work displays flashing lights as
34 provided in Section 12-215 of this Act.

1 (c) The driver of a vehicle shall stop if signaled to do
 2 so by a flagger or a traffic control signal and remain in
 3 such position until signaled to proceed. If a driver of a
 4 vehicle fails to stop when signaled to do so by a flagger,
 5 the flagger is authorized to report such offense to the
 6 State's Attorney or authorized prosecutor. The penalties
 7 imposed for a violation of this subsection (c) shall be in
 8 addition to any penalties imposed for a violation of
 9 subsection (a-1).

10 (Source: P.A. 86-611.)

11 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

12 Sec. 12-215. Oscillating, rotating or flashing lights on
 13 motor vehicles. Except as otherwise provided in this Code:

14 (a) The use of red or white oscillating, rotating or
 15 flashing lights, whether lighted or unlighted, is prohibited
 16 except on:

17 1. Law enforcement vehicles of State, Federal or
 18 local authorities;

19 2. A vehicle operated by a police officer or county
 20 coroner and designated or authorized by local
 21 authorities, in writing, as a law enforcement vehicle;
 22 however, such designation or authorization must be
 23 carried in the vehicle;

24 3. Vehicles of local fire departments and State or
 25 federal firefighting vehicles;

26 4. Vehicles which are designed and used exclusively
 27 as ambulances or rescue vehicles; furthermore, such
 28 lights shall not be lighted except when responding to an
 29 emergency call for and while actually conveying the sick
 30 or injured;

31 5. Tow trucks licensed in a state that requires
 32 such lights; furthermore, such lights shall not be
 33 lighted on any such tow truck while the tow truck is

1 operating in the State of Illinois; and

2 6. Vehicles of the Illinois Emergency Management
3 Agency, and vehicles of the Department of Nuclear Safety.

4 (b) The use of amber oscillating, rotating or flashing
5 lights, whether lighted or unlighted, is prohibited except
6 on:

7 1. Second division vehicles designed and used for
8 towing or hoisting vehicles; furthermore, such lights
9 shall not be lighted except as required in this paragraph
10 1; such lights shall be lighted when such vehicles are
11 actually being used at the scene of an accident or
12 disablement; if the towing vehicle is equipped with a
13 flat bed that supports all wheels of the vehicle being
14 transported, the lights shall not be lighted while the
15 vehicle is engaged in towing on a highway; if the towing
16 vehicle is not equipped with a flat bed that supports all
17 wheels of a vehicle being transported, the lights shall
18 be lighted while the towing vehicle is engaged in towing
19 on a highway during all times when the use of headlights
20 is required under Section 12-201 of this Code;

21 2. Motor vehicles or equipment of the State of
22 Illinois, local authorities and contractors; furthermore,
23 such lights shall not be lighted except while such
24 vehicles are engaged in maintenance or construction
25 operations within the limits of construction projects;

26 3. Vehicles or equipment used by engineering or
27 survey crews; furthermore, such lights shall not be
28 lighted except while such vehicles are actually engaged
29 in work on a highway;

30 4. Vehicles of public utilities, municipalities, or
31 other construction, maintenance or automotive service
32 vehicles except that such lights shall be lighted only as
33 a means for indicating the presence of a vehicular
34 traffic hazard requiring unusual care in approaching,

1 overtaking or passing while such vehicles are engaged in
2 maintenance, service or construction on a highway;

3 5. Oversized vehicle or load; however, such lights
4 shall only be lighted when moving under permit issued by
5 the Department under Section 15-301 of this Code;

6 6. The front and rear of motorized equipment owned
7 and operated by the State of Illinois or any political
8 subdivision thereof, which is designed and used for
9 removal of snow and ice from highways;

10 7. Fleet safety vehicles registered in another
11 state, furthermore, such lights shall not be lighted
12 except as provided for in Section 12-212 of this Code;

13 8. Such other vehicles as may be authorized by
14 local authorities;

15 9. Law enforcement vehicles of State or local
16 authorities when used in combination with red
17 oscillating, rotating or flashing lights;

18 10. Vehicles used for collecting or delivering mail
19 for the United States Postal Service provided that such
20 lights shall not be lighted except when such vehicles are
21 actually being used for such purposes;

22 11. Any vehicle displaying a slow-moving vehicle
23 emblem as provided in Section 12-205.1;

24 12. All trucks equipped with self-compactors or
25 roll-off hoists and roll-on containers for garbage or
26 refuse hauling. Such lights shall not be lighted except
27 when such vehicles are actually being used for such
28 purposes;

29 13. Vehicles used by a security company, alarm
30 responder, or control agency, if the security company,
31 alarm responder, or control agency is bound by a contract
32 with a federal, State, or local government entity to use
33 the lights; and

34 14. Security vehicles of the Department of Human

1 Services; however, the lights shall not be lighted except
2 when being used for security related purposes under the
3 direction of the superintendent of the facility where the
4 vehicle is located; and

5 15. Vehicles of union representatives, except that
6 the lights shall be lighted only while the vehicle is
7 within the limits of a construction project.

8 (c) The use of blue oscillating, rotating or flashing
9 lights, whether lighted or unlighted, is prohibited except
10 on:

- 11 1. Rescue squad vehicles not owned by a fire
- 12 department and vehicles owned or fully operated by a:
- 13 voluntary firefighter;
- 14 paid firefighter;
- 15 part-paid firefighter;
- 16 call firefighter;
- 17 member of the board of trustees of a fire
- 18 protection district;
- 19 paid or unpaid member of a rescue squad; or
- 20 paid or unpaid member of a voluntary ambulance
- 21 unit.

22 However, such lights are not to be lighted except
23 when responding to a bona fide emergency.

24 2. Police department vehicles in cities having a
25 population of 500,000 or more inhabitants.

26 3. Law enforcement vehicles of State or local
27 authorities when used in combination with red
28 oscillating, rotating or flashing lights.

29 4. Vehicles of local fire departments and State or
30 federal firefighting vehicles when used in combination
31 with red oscillating, rotating or flashing lights.

32 5. Vehicles which are designed and used exclusively
33 as ambulances or rescue vehicles when used in combination
34 with red oscillating, rotating or flashing lights;

1 furthermore, such lights shall not be lighted except when
2 responding to an emergency call.

3 6. Vehicles that are equipped and used exclusively
4 as organ transport vehicles when used in combination with
5 red oscillating, rotating, or flashing lights;
6 furthermore, these lights shall only be lighted when the
7 transportation is declared an emergency by a member of
8 the transplant team or a representative of the organ
9 procurement organization.

10 7. Vehicles of the Illinois Emergency Management
11 Agency and vehicles of the Department of Nuclear Safety,
12 when used in combination with red oscillating, rotating,
13 or flashing lights.

14 (c-1) In addition to the blue oscillating, rotating, or
15 flashing lights permitted under subsection (c), and
16 notwithstanding subsection (a), a vehicle operated by a
17 voluntary firefighter, a voluntary member of a rescue squad,
18 or a member of a voluntary ambulance unit may be equipped
19 with flashing white headlights and blue grill lights, which
20 may be used only in responding to an emergency call.

21 (d) The use of a combination of amber and white
22 oscillating, rotating or flashing lights, whether lighted or
23 unlighted, is prohibited except motor vehicles or equipment
24 of the State of Illinois, local authorities, and contractors,
25 and union representatives may be so equipped; furthermore,
26 such lights shall not be lighted on vehicles of the State of
27 Illinois, local authorities, and contractors except while
28 such vehicles are engaged in highway maintenance or
29 construction operations within the limits of highway
30 construction projects, and shall not be lighted on the
31 vehicles of union representatives except when those vehicles
32 are within the limits of a construction project.

33 (e) All oscillating, rotating or flashing lights
34 referred to in this Section shall be of sufficient intensity,

1 when illuminated, to be visible at 500 feet in normal
2 sunlight.

3 (f) Nothing in this Section shall prohibit a
4 manufacturer of oscillating, rotating or flashing lights or
5 his representative from temporarily mounting such lights on a
6 vehicle for demonstration purposes only.

7 (g) Any person violating the provisions of subsections
8 (a), (b), (c) or (d) of this Section who without lawful
9 authority stops or detains or attempts to stop or detain
10 another person shall be guilty of a Class 4 felony.

11 (h) Except as provided in subsection (g) above, any
12 person violating the provisions of subsections (a) or (c) of
13 this Section shall be guilty of a Class A misdemeanor.

14 (Source: P.A. 91-357, eff. 7-29-99; 92-138, eff. 7-24-01;
15 92-407, eff. 8-17-01; revised 9-12-01)

16 Section 10. Severability. The provisions of this Act
17 are severable under Section 1.31 of the Statute on Statutes.