



Rep. Sidney H. Mathias

Filed: 2/28/2006

09400HB3127ham001

LRB094 08510 DRH 56406 a

1 AMENDMENT TO HOUSE BILL 3127

2 AMENDMENT NO. _____. Amend House Bill 3127 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-1425 as follows:

6 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

7 Sec. 11-1425. Stop when traffic obstructed.

8 (a) No driver shall enter an intersection or a marked
9 crosswalk or drive onto any railroad grade crossing unless
10 there is sufficient space on the other side of the
11 intersection, crosswalk or railroad grade crossing to
12 accommodate the vehicle he is operating without obstructing the
13 passage of other vehicles, pedestrians or railroad trains
14 notwithstanding any traffic-control signal indication to
15 proceed.

16 (b) No driver shall enter a highway rail grade crossing
17 unless there is sufficient space on the other side of the
18 highway rail grade crossing to accommodate the vehicle being
19 operated without obstructing the passage of a train or other
20 railroad equipment using the rails, notwithstanding any
21 traffic-control signal indication to proceed. ~~Any person found~~
22 ~~in violation of subsection (b) shall be subject to a mandatory~~
23 ~~fine of \$500 or 50 hours of community service.~~

24 (c) (Blank). ~~Local authorities shall impose fines as~~

1 ~~established in subsection (b) for persons found in violation of~~
2 ~~this Section or any similar local ordinance.~~

3 (d) Beginning with the effective date of this amendatory
4 Act of the 94th General Assembly, the Secretary of State shall
5 suspend for a period of one month the driving privileges of any
6 person convicted of a violation of this Section or a similar
7 provision of a local ordinance; the Secretary shall suspend for
8 a period of 3 months the driving privileges of any person
9 convicted of a second or subsequent violation of this Section
10 or a similar provision of a local ordinance if the second or
11 subsequent violation occurs within 5 years of a prior
12 conviction for the same offense. In addition to the suspensions
13 authorized by this Section, any person convicted of violating
14 this Section or a similar provision of a local ordinance shall
15 be subject to a mandatory fine of \$500 or 50 hours of community
16 service. Upon a second or subsequent violation, in addition to
17 the suspensions authorized by this Section, the person shall be
18 subject to a mandatory fine of \$500 and 50 hours community
19 service. The Secretary may also grant, for the duration of any
20 suspension issued under this subsection, a restricted driving
21 permit granting the privilege of driving a motor vehicle
22 between the driver's residence and place of employment or
23 within other proper limits that the Secretary of State shall
24 find necessary to avoid any undue hardship. A restricted
25 driving permit issued hereunder shall be subject to
26 cancellation, revocation and suspension by the Secretary of
27 State in like manner and for like cause as a driver's license
28 may be cancelled, revoked or suspended; except that a
29 conviction upon one or more offenses against laws or ordinances
30 regulating the movement of traffic shall be deemed sufficient
31 cause for the revocation, suspension or cancellation of the
32 restricted driving permit. The Secretary of State may, as a
33 condition to the issuance of a restricted driving permit,
34 require the applicant to participate in a designated driver

1 remedial or rehabilitative program. Any conviction for a
2 violation of this subsection shall be included as an offense
3 for the purposes of determining suspension action under any
4 other provision of this Code, provided however, that the
5 penalties provided under this subsection shall be imposed
6 unless those penalties imposed under other applicable
7 provisions are greater.

8 The owner of any vehicle alleged to have violated this
9 Section shall, upon appropriate demand by the State's Attorney
10 or other authorized prosecutor acting in response to a signed
11 complaint, provide a written statement or deposition
12 identifying the operator of the vehicle if such operator was
13 not the owner at the time of the alleged violation. Failure to
14 supply such information shall be construed to be the same as a
15 violation of this Section and shall be subject to the same
16 penalties herein provided. In the event the owner has assigned
17 control for the use of the vehicle to another, the person to
18 whom control was assigned shall comply with the provisions of
19 this paragraph and be subject to the same penalties as herein
20 provided.

21 (Source: P.A. 91-532, eff. 1-1-00.)".