



Judiciary II - Criminal Law Committee

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09500HB4203ham001

LRB095 15139 RLC 46654 a

1 AMENDMENT TO HOUSE BILL 4203

2 AMENDMENT NO. _____. Amend House Bill 4203 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-907 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 emergency
10 vehicle making use of audible and visual signals meeting the
11 requirements of this Code or a police vehicle properly and
12 lawfully making use of an audible or visual signal,

13 (1) the driver of every other vehicle shall yield the
14 right-of-way and shall immediately drive to a position
15 parallel to, and as close as possible to, the right-hand
16 edge or curb of the highway clear of any intersection and

1 shall, if necessary to permit the safe passage of the
2 emergency vehicle, stop and remain in such position until
3 the authorized emergency vehicle has passed, unless
4 otherwise directed by a police officer and

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

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

12 (c) Upon approaching a stationary authorized emergency
13 vehicle, when the authorized emergency vehicle is giving a
14 signal by displaying alternately flashing red, red and white,
15 blue, or red and blue lights or amber or yellow warning lights,
16 a person who drives an approaching vehicle shall:

17 (1) proceeding with due caution, yield the
18 right-of-way by making a lane change into a lane not
19 adjacent to that of the authorized emergency vehicle, if
20 possible with due regard to safety and traffic conditions,
21 if on a highway having at least 4 lanes with not less than
22 2 lanes proceeding in the same direction as the approaching
23 vehicle; or

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

1 As used in this subsection (c), "authorized emergency
2 vehicle" includes any vehicle authorized by law to be equipped
3 with oscillating, rotating, or flashing lights under Section
4 12-215 of this Code, while the owner or operator of the vehicle
5 is engaged in his or her official duties.

6 (d) A person who violates subsection (c) of this Section
7 commits a business offense punishable by a fine of not less
8 than \$100 or more than \$10,000. It is a factor in aggravation
9 if the person committed the offense while in violation of
10 Section 11-501 of this Code. If a violation of subsection (c)
11 of this Section results in the death of another person, the
12 court may either consider the offense as a business offense
13 punishable by a fine of not less than \$100 nor more than
14 \$10,000 or as a Class A misdemeanor and, in addition to any
15 other penalty imposed, the person's driving privileges shall be
16 suspended for 2 years. Imposition of the penalties authorized
17 by this subsection (d) for a violation of subsection (c) of
18 this Section that results in the death of another person does
19 not preclude imposition of appropriate additional civil or
20 criminal penalties.

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

26 (f) If a violation of subsection (c) of this Section

1 results in injury to another person, in addition to any other
2 penalty imposed, the person's driving privileges shall be
3 suspended for a fixed period of not less than 180 days and not
4 more than 2 years.

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

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

12 (1) suspend the person's driving privileges for the
13 mandatory period; or

14 (2) extend the period of an existing suspension by the
15 appropriate mandatory period.

16 (Source: P.A. 92-283, eff. 1-1-02; 92-872, eff. 6-1-03; 93-173,
17 eff. 7-11-03; 93-705, eff. 7-9-04.)".