

HB0219



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0219

Introduced 01/21/11, by

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-603.1

from Ch. 95 1/2, par. 12-603.1

Amends the Illinois Vehicle Code. Provides that every driver and passenger (rather than every driver, front seat passengers, and certain passengers under the age of 19) of a motor vehicle operated on a street or highway of this State must wear a properly adjusted safety belt, with specified exceptions.

LRB097 05398 HEP 45456 b

A BILL FOR

1 AN ACT concerning transportation.

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 changing
5 Section 12-603.1 as follows:

6 (625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

7 Sec. 12-603.1. Driver and passenger required to use safety
8 belts, exceptions and penalty.

9 (a) Each driver and ~~front seat~~ passenger of a motor vehicle
10 operated on a street or highway in this State shall wear a
11 properly adjusted and fastened seat safety belt. A ~~, except~~
12 ~~that, a~~ child less than 8 years of age shall be protected as
13 required pursuant to the Child Passenger Protection Act. ~~Each~~
14 ~~driver under the age of 18 years and each of the driver's~~
15 ~~passengers under the age of 19 years of a motor vehicle~~
16 ~~operated on a street or highway in this State shall wear a~~
17 ~~properly adjusted and fastened seat safety belt. Every~~
18 ~~passenger under the age of 19 in a vehicle being driven by a~~
19 ~~person over the age of 18 who committed an offense against~~
20 ~~traffic regulations governing the movement of vehicles or any~~
21 ~~violation of this Section or Section 6-107 of this Code within~~
22 ~~6 months prior to the driver's 18th birthday and was~~
23 ~~subsequently convicted of the violation, shall wear a properly~~

1 ~~adjusted and fastened seat safety belt, until such time as a~~
2 ~~period of 6 consecutive months has elapsed without the driver~~
3 ~~receiving an additional violation and subsequent conviction of~~
4 ~~an offense against traffic regulations governing the movement~~
5 ~~of vehicles or any violation of this Section or Section 6-107~~
6 ~~of this Code.~~ Each driver of a motor vehicle transporting a
7 child 8 years of age or more, but less than 16 years of age,
8 shall secure the child in a properly adjusted and fastened seat
9 safety belt as required under the Child Passenger Protection
10 Act. Each driver of a motor vehicle transporting a passenger
11 who is unable, due to infirmity, illness, or age, to properly
12 adjust and fasten a seat safety belt and is not exempted from
13 wearing a seat safety belt under subsection (b) shall secure
14 the passenger in a properly adjusted and fastened seat safety
15 belt as required under this Section.

16 (b) Paragraph (a) shall not apply to any of the following:

17 1. A driver or passenger frequently stopping and
18 leaving the vehicle or delivering property from the
19 vehicle, if the speed of the vehicle between stops does not
20 exceed 15 miles per hour.

21 2. A driver or passenger possessing a written statement
22 from a physician that such person is unable, for medical or
23 physical reasons, to wear a seat safety belt.

24 3. A driver or passenger possessing an official
25 certificate or license endorsement issued by the
26 appropriate agency in another state or country indicating

1 that the driver is unable for medical, physical, or other
2 valid reasons to wear a seat safety belt.

3 4. A driver operating a motor vehicle in reverse.

4 5. A motor vehicle with a model year prior to 1965.

5 6. A motorcycle or motor driven cycle.

6 7. A moped.

7 8. A motor vehicle which is not required to be equipped
8 with seat safety belts under federal law.

9 9. A motor vehicle operated by a rural letter carrier
10 of the United States postal service while performing duties
11 as a rural letter carrier.

12 (c) Failure to wear a seat safety belt in violation of this
13 Section shall not be considered evidence of negligence, shall
14 not limit the liability of an insurer, and shall not diminish
15 any recovery for damages arising out of the ownership,
16 maintenance, or operation of a motor vehicle.

17 (d) A violation of this Section shall be a petty offense
18 and subject to a fine not to exceed \$25.

19 (e) (Blank).

20 (f) A law enforcement officer may not search or inspect a
21 motor vehicle, its contents, the driver, or a passenger solely
22 because of a violation of this Section.

23 (Source: P.A. 95-310, eff. 1-1-08; 95-331, eff. 8-21-07;
24 96-554, eff. 1-1-10; 96-991, eff. 1-1-11; revised 7-22-10.)