

HB3710



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3710

by Rep. Raymond Poe

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1414

from Ch. 95 1/2, par. 11-1414

Amends the Illinois Vehicle Code. Provides that a person convicted of violating the required procedures when approaching, overtaking, or passing a school bus is guilty of a Class 4 felony if the offense causes the death of another or severe injury to another person.

LRB098 13349 MLW 47869 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 11-1414 as follows:

6 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

7 Sec. 11-1414. Approaching, overtaking, and passing school
8 bus.

9 (a) The driver of a vehicle shall stop such vehicle before
10 meeting or overtaking, from either direction, any school bus
11 stopped at any location for the purpose of receiving or
12 discharging pupils. Such stop is required before reaching the
13 school bus when there is in operation on the school bus the
14 visual signals as specified in Sections 12-803 and 12-805 of
15 this Code. The driver of the vehicle shall not proceed until
16 the school bus resumes motion or the driver of the vehicle is
17 signaled by the school bus driver to proceed or the visual
18 signals are no longer actuated.

19 (b) The stop signal arm required by Section 12-803 of this
20 Code shall be extended after the school bus has come to a
21 complete stop for the purpose of loading or discharging pupils
22 and shall be closed before the school bus is placed in motion
23 again. The stop signal arm shall not be extended at any other

1 time.

2 (c) The alternately flashing red signal lamps of an 8-lamp
3 flashing signal system required by Section 12-805 of this Code
4 shall be actuated after the school bus has come to a complete
5 stop for the purpose of loading or discharging pupils and shall
6 be turned off before the school bus is placed in motion again.
7 The red signal lamps shall not be actuated at any other time
8 except as provided in paragraph (d) of this Section.

9 (d) The alternately flashing amber signal lamps of an
10 8-lamp flashing signal system required by Section 12-805 of
11 this Code shall be actuated continuously during not less than
12 the last 100 feet traveled by the school bus before stopping
13 for the purpose of loading or discharging pupils within an
14 urban area and during not less than the last 200 feet traveled
15 by the school bus outside an urban area. The amber signal lamps
16 shall remain actuated until the school bus is stopped. The
17 amber signal lamps shall not be actuated at any other time.

18 (d-5) The alternately flashing head lamps permitted by
19 Section 12-805 of this Code may be operated while the
20 alternately flashing red or amber signal lamps required by that
21 Section are actuated.

22 (e) The driver of a vehicle upon a highway having 4 or more
23 lanes which permits at least 2 lanes of traffic to travel in
24 opposite directions need not stop such vehicle upon meeting a
25 school bus which is stopped in the opposing roadway; and need
26 not stop such vehicle when driving upon a controlled access

1 highway when passing a school bus traveling in either direction
2 that is stopped in a loading zone adjacent to the surfaced or
3 improved part of the controlled access highway where
4 pedestrians are not permitted to cross.

5 (f) Beginning with the effective date of this amendatory
6 Act of 1985, the Secretary of State shall suspend for a period
7 of 3 months the driving privileges of any person convicted of a
8 violation of subsection (a) of this Section or a similar
9 provision of a local ordinance; the Secretary shall suspend for
10 a period of one year the driving privileges of any person
11 convicted of a second or subsequent violation of subsection (a)
12 of this Section or a similar provision of a local ordinance if
13 the second or subsequent violation occurs within 5 years of a
14 prior conviction for the same offense. In addition to the
15 suspensions authorized by this Section, any person convicted of
16 violating this Section or a similar provision of a local
17 ordinance shall be subject to a mandatory fine of \$150 or, upon
18 a second or subsequent violation, \$500. The Secretary may also
19 grant, for the duration of any suspension issued under this
20 subsection, a restricted driving permit granting the privilege
21 of driving a motor vehicle between the driver's residence and
22 place of employment or within other proper limits that the
23 Secretary of State shall find necessary to avoid any undue
24 hardship. A restricted driving permit issued hereunder shall be
25 subject to cancellation, revocation and suspension by the
26 Secretary of State in like manner and for like cause as a

1 driver's license may be cancelled, revoked or suspended; except
2 that a conviction upon one or more offenses against laws or
3 ordinances regulating the movement of traffic shall be deemed
4 sufficient cause for the revocation, suspension or
5 cancellation of the restricted driving permit. The Secretary of
6 State may, as a condition to the issuance of a restricted
7 driving permit, require the applicant to participate in a
8 designated driver remedial or rehabilitative program. Any
9 conviction for a violation of this subsection shall be included
10 as an offense for the purposes of determining suspension action
11 under any other provision of this Code, provided however, that
12 the penalties provided under this subsection shall be imposed
13 unless those penalties imposed under other applicable
14 provisions are greater.

15 The owner of any vehicle alleged to have violated paragraph
16 (a) of this Section shall, upon appropriate demand by the
17 State's Attorney or other designated person acting in response
18 to a signed complaint, provide a written statement or
19 deposition identifying the operator of the vehicle if such
20 operator was not the owner at the time of the alleged
21 violation. Failure to supply such information shall result in
22 the suspension of the vehicle registration of the vehicle for a
23 period of 3 months. In the event the owner has assigned control
24 for the use of the vehicle to another, the person to whom
25 control was assigned shall comply with the provisions of this
26 paragraph and be subject to the same penalties as herein

1 provided.

2 (g) A person convicted of violating subsection (a) of this
3 Section is guilty of a Class 4 felony if the offense causes the
4 death of another or a type A injury to another person. A "type
5 A injury" includes severely bleeding wounds, distorted
6 extremities, and injuries that require the injured party to be
7 carried from the scene.

8 (Source: P.A. 95-105, eff. 1-1-08; 95-331, eff. 8-21-07.)