



Rep. John M. Cabello

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09900HB4615ham002

LRB099 15654 RLC 47615 a

1 AMENDMENT TO HOUSE BILL 4615

2 AMENDMENT NO. _____. Amend House Bill 4615 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Peace
5 Officer Motor Vehicle Pursuit Act.

6 Section 5. Definitions. As used in this Act:

7 "Deadly weapon" means a Category I or Category II weapon as
8 defined in subsection (c) of Section 33A-1 of the Criminal Code
9 of 2012.

10 "Forcible felony" has the meaning ascribed to it in Section
11 2-8 of the Criminal Code of 2012.

12 "Peace officer" has the meaning ascribed to it in Section
13 2-13 of the Criminal Code of 2012.

14 Section 10. Peace officer motor vehicle pursuit.

15 (a) A peace officer may initiate a motor vehicle pursuit

1 when the officer is able to articulate a reason to believe the
2 occupant of a fleeing vehicle:

3 (1) has committed or attempted to commit a forcible
4 felony involving the infliction or threatened infliction
5 of great bodily harm;

6 (2) is attempting to escape by use of a deadly weapon
7 or an object or device that the peace officer reasonably
8 believes to be a deadly weapon;

9 (3) otherwise indicates he or she will endanger human
10 life or inflict great bodily harm unless apprehended
11 immediately; or

12 (4) is or has committed the offense of aggravated
13 fleeing or attempting to elude a peace officer under
14 Section 11-204.1 of the Illinois Vehicle Code or a similar
15 provision of a local ordinance.

16 (b) A peace officer engaged in a motor vehicle pursuit
17 shall:

18 (1) activate both the rotating or flashing lights and
19 the siren of his or her police vehicle;

20 (2) drive with due regard for the safety of others and
21 exercise due care;

22 (3) if driving a police vehicle equipped with a video
23 camera, ensure the camera is activated at all times while
24 engaged in a pursuit or fleeing and eluding incident; and

25 (4) immediately make use of a geographically
26 appropriate radio dispatch system, such as the Illinois

1 State Police Emergency Radio Network or a similar
2 multi-agency law enforcement radio communication system
3 serving the area.

4 (c) The Illinois Law Enforcement Training Standards Board
5 shall develop curriculum and approve training on driving
6 instruction for probationary and permanent police officers
7 that includes:

8 (1) crash avoidance methods;

9 (2) emergency response;

10 (3) precision driving; and

11 (4) pursuit techniques.

12 (d) The Illinois State Police Academy shall provide driving
13 instruction training for State troopers that includes:

14 (1) crash avoidance methods;

15 (2) emergency response;

16 (3) precision driving; and

17 (4) pursuit techniques.

18 (e) The Illinois State Police Academy and the Illinois Law
19 Enforcement Training Standards Board shall each separately
20 develop a model policy consistent with this Act.

21 Section 15. Home rule. A unit of local government,
22 including a home rule unit, may not regulate peace officer
23 motor vehicle pursuits in a manner inconsistent with the
24 regulation by the State of peace officer motor vehicle pursuits
25 under this Act. This Section is a limitation under subsection

1 (i) of Section 6 of Article VII of the Illinois Constitution on
2 the concurrent exercise by home rule units of powers and
3 functions exercised by the State.

4 Section 105. The Department of State Police Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Section 2605-98 as follows:

7 (20 ILCS 2605/2605-98 new)

8 Sec. 2605-98. Training; motor vehicle pursuits.

9 (a) The Illinois State Police Academy shall provide driving
10 instruction training for State troopers that includes:

11 (1) crash avoidance methods;

12 (2) emergency response;

13 (3) precision driving; and

14 (4) pursuit techniques.

15 (b) The Illinois State Police Academy shall develop a model
16 policy concerning driving instruction for State troopers
17 consistent with the Peace Officer Motor Vehicle Pursuit Act.

18 Section 110. The Illinois Police Training Act is amended by
19 changing Section 7.5 as follows:

20 (50 ILCS 705/7.5)

21 Sec. 7.5. Police pursuit guidelines and curriculum.

22 (a) The Board shall annually review police pursuit

1 procedures and make available suggested police pursuit
2 guidelines for law enforcement agencies. This Section does not
3 alter the effect of previously existing law, including the
4 immunities established under the Local Governmental and
5 Governmental Employees Tort Immunity Act.

6 (b) The Board shall develop curriculum and approve training
7 on driving instruction for probationary and permanent police
8 officers that includes:

9 (1) crash avoidance methods;

10 (2) emergency response;

11 (3) precision driving; and

12 (4) pursuit techniques.

13 (c) The Board shall develop a model policy concerning
14 driving instruction for probationary and permanent police
15 officers consistent with the Peace Officer Motor Vehicle
16 Pursuit Act.

17 (Source: P.A. 88-637, eff. 9-9-94.)

18 Section 999. Effective date. This Act takes effect January
19 1, 2017."