

**SB1582**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB1582**

Introduced 2/20/2015, by Sen. Chris Nybo

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/18b-108

from Ch. 95 1/2, par. 18b-108

Amends the Illinois Vehicle Code. Provides that a driver who willfully violates regulations pertaining to motor carrier drivers' hours of service shall be guilty of a Class 3 felony when the violation was a proximate cause of great bodily harm or death to another person. Provides that any person other than the driver who willfully violates regulations pertaining to motor carrier drivers' hours of service shall be guilty of a Class 2 felony when the violation was a proximate cause of great bodily harm or death to another person.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

**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 18b-108 as follows:

6 (625 ILCS 5/18b-108) (from Ch. 95 1/2, par. 18b-108)

7 Sec. 18b-108. Violations; Criminal penalties.

8 (a) The provisions of Chapter 16 shall be applicable to  
9 acts committed by a driver of a motor vehicle that violate this  
10 Chapter or any rule or regulation issued under this Chapter.

11 (b) Except as provided in subsection (d) of this Section,  
12 any ~~Any~~ driver who willfully violates any provision of this  
13 Chapter or any rule or regulation issued under this Chapter is  
14 guilty of a Class 4 felony. In addition to any other penalties  
15 prescribed by law, the maximum fine for each offense is  
16 \$10,000. Such violation shall be prosecuted by the State's  
17 Attorney or the Attorney General.

18 (c) Except as provided in subsection (e) of this Section,  
19 any ~~Any~~ person, other than a driver, who willfully violates or  
20 causes another to violate any provision of this Chapter or any  
21 rule or regulation issued under this Chapter is guilty of a  
22 Class 3 felony. In addition to any other penalties prescribed  
23 by law, the maximum fine for each offense is \$25,000. Such

1 violation shall be prosecuted at the request of the Department  
2 by the State's Attorney or the Attorney General.

3 (d) Any driver who willfully violates Part 395 of Title 49  
4 of the Code of Federal Regulations, as adopted by reference in  
5 Section 18b-105 of this Chapter, is guilty of a Class 3 felony  
6 when the violation was a proximate cause of great bodily harm  
7 or death to another person.

8 (e) Any person, other than the driver, who willfully  
9 violates or causes another to violate Part 395 of Title 49 of  
10 the Code of Federal Regulations, as adopted by reference in  
11 Section 18b-105 of this Chapter, is guilty of a Class 2 felony  
12 when the violation was a proximate cause of great bodily harm  
13 or death to another person.

14 (Source: P.A. 88-476; 89-179, eff. 1-1-96.)