

104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3204

Introduced 2/18/2025, by Rep. Jason R. Bunting

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-907

Amends the Illinois Vehicle Code. Provides that when a construction vehicle or farm vehicle properly and lawfully making use of an audible or visual approaches any other vehicle: (1) the driver of the other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway clear of any intersection and shall, if necessary to permit the safe passage of the construction vehicle or farm vehicle, stop and remain in such position until the construction vehicle or farm vehicle has passed; and (2) the operator of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the construction vehicle or farm vehicle has passed. Provides that approaching a stationary construction vehicle or farm vehicle, when the stationary construction vehicle or farm vehicle is making use of an audible or visual signal, a person who drives an approaching vehicle shall: (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the construction vehicle or farm vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the approaching vehicle and reduce the speed of the vehicle to a speed that is reasonable and proper with regard to traffic conditions and the use of the highway to avoid a collision and leaving a safe distance until safely past the stationary emergency vehicle; or (2) if changing lanes would be impossible or unsafe, proceeding with due caution, reduce the speed of the vehicle to a speed that is reasonable and proper with regard to traffic conditions and the use of the highway to avoid a collision, maintaining a safe speed for road conditions and leaving a safe distance until safely past the stationary construction vehicles or farm vehicles. Makes conforming changes.

LRB104 08900 LNS 18955 b

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
5 changing Section 11-907 as follows:

6 (625 ILCS 5/11-907)

7 Sec. 11-907. Operation of vehicles and streetcars on
8 approach of authorized emergency vehicles, construction
9 vehicles, and farm vehicles.

10 (a) Upon the immediate approach of an authorized emergency
11 vehicle making use of audible and visual signals meeting the
12 requirements of this Code or a police vehicle construction
13 vehicle, or farm vehicle properly and lawfully making use of
14 an audible or visual signal:

15 (1) the driver of every other vehicle shall yield the
16 right-of-way and shall immediately drive to a position
17 parallel to, and as close as possible to, the right-hand
18 edge or curb of the highway clear of any intersection and
19 shall, if necessary to permit the safe passage of the
20 authorized emergency vehicle, police vehicle, construction
21 vehicle, or farm vehicle, stop and remain in such position
22 until the authorized emergency vehicle, police vehicle,
23 construction vehicle, or farm vehicle has passed, unless

1 otherwise directed by a police officer; and

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

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

12 (c) Upon approaching a stationary authorized emergency
13 vehicle, police vehicle, construction vehicle, or farm vehicle
14 or emergency scene, when the stationary authorized emergency
15 vehicle is giving a visual signal by displaying oscillating,
16 rotating, or flashing lights as authorized under Section
17 12-215 of this Code or the stationary police vehicle,
18 construction vehicle, or farm vehicle is making use of an
19 audible or visual signal, a person who drives an approaching
20 vehicle shall:

21 (1) proceeding with due caution, yield the
22 right-of-way by making a lane change into a lane not
23 adjacent to that of the authorized emergency vehicle,
24 police vehicle, construction vehicle, or farm vehicle, if
25 possible with due regard to safety and traffic conditions,
26 if on a highway having at least 4 lanes with not less than

1 2 lanes proceeding in the same direction as the
2 approaching vehicle and reduce the speed of the vehicle to
3 a speed that is reasonable and proper with regard to
4 traffic conditions and the use of the highway to avoid a
5 collision and leaving a safe distance until safely past
6 the stationary emergency vehicle; or

7 (2) if changing lanes would be impossible or unsafe,
8 proceeding with due caution, reduce the speed of the
9 vehicle to a speed that is reasonable and proper with
10 regard to traffic conditions and the use of the highway to
11 avoid a collision, maintaining a safe speed for road
12 conditions and leaving a safe distance until safely past
13 the stationary emergency vehicles, police vehicles,
14 construction vehicles, or farm vehicles.

15 The visual signal specified under this subsection (c)
16 given by a stationary authorized emergency vehicle, police
17 vehicle, construction vehicle, or farm vehicle is an
18 indication to drivers of approaching vehicles that a hazardous
19 condition is present when circumstances are not immediately
20 clear. Drivers of vehicles approaching a stationary authorized
21 emergency vehicle, police vehicle, construction vehicle, or
22 farm vehicle in any lane shall heed the warning of the signal,
23 reduce the speed of the vehicle, proceed with due caution,
24 maintain a safe speed for road conditions, be prepared to
25 stop, and leave a safe distance until safely passed the
26 stationary emergency vehicle, police vehicle, construction

1 vehicle, or farm vehicle.

2 As used in this subsection (c), "authorized emergency
3 vehicle" includes any vehicle authorized by law to be equipped
4 with oscillating, rotating, or flashing lights under Section
5 12-215 of this Code, while the owner or operator of the vehicle
6 is engaged in his or her official duties. As used in this
7 subsection (c), "emergency scene" means a location where a
8 stationary authorized emergency vehicle as defined by herein
9 is present and has activated its oscillating, rotating, or
10 flashing lights.

11 (d) A person who violates subsection (c) of this Section
12 commits a business offense punishable by a fine of not less
13 than \$250 or more than \$10,000 for a first violation, and a
14 fine of not less than \$750 or more than \$10,000 for a second or
15 subsequent violation. It is a factor in aggravation if the
16 person committed the offense while in violation of Section
17 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
18 penalties authorized by this subsection (d) for a violation of
19 subsection (c) of this Section that results in the death of
20 another person does not preclude imposition of appropriate
21 additional civil or criminal penalties. A person who violates
22 subsection (c) and the violation results in damage to another
23 vehicle commits a Class A misdemeanor. A person who violates
24 subsection (c) and the violation results in the injury or
25 death of another person commits a Class 4 felony.

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

1 results in damage to the property of another person, in
2 addition to any other penalty imposed, the person's driving
3 privileges shall be suspended for a fixed period of not less
4 than 90 days and not more than one year.

5 (f) If a violation of subsection (c) of this Section
6 results in injury to another person, in addition to any other
7 penalty imposed, the person's driving privileges shall be
8 suspended for a fixed period of not less than 180 days and not
9 more than 2 years.

10 (g) If a violation of subsection (c) of this Section
11 results in the death of another person, in addition to any
12 other penalty imposed, the person's driving privileges shall
13 be suspended for 2 years.

14 (h) The Secretary of State shall, upon receiving a record
15 of a judgment entered against a person under subsection (c) of
16 this Section:

17 (1) suspend the person's driving privileges for the
18 mandatory period; or

19 (2) extend the period of an existing suspension by the
20 appropriate mandatory period.

21 (i) The Scott's Law Fund shall be a special fund in the
22 State treasury. Subject to appropriation by the General
23 Assembly and approval by the Director, the Director of the
24 State Police shall use all moneys in the Scott's Law Fund in
25 the Department's discretion to fund the production of
26 materials to educate drivers on approaching stationary

1 authorized emergency vehicles, police vehicle, construction
2 vehicle, or farm vehicle, to hire off-duty Illinois State
3 Police for enforcement of this Section, and for other law
4 enforcement purposes the Director deems necessary in these
5 efforts.

6 (j) For violations of this Section issued by a county or
7 municipal police officer, the assessment shall be deposited
8 into the county's or municipality's Transportation Safety
9 Highway Hire-back Fund. The county shall use the moneys in its
10 Transportation Safety Highway Hire-back Fund to hire off-duty
11 county police officers to monitor construction or maintenance
12 zones in that county on highways other than interstate
13 highways. The county, in its discretion, may also use a
14 portion of the moneys in its Transportation Safety Highway
15 Hire-back Fund to purchase equipment for county law
16 enforcement and fund the production of materials to educate
17 drivers on construction zone safe driving habits and
18 approaching stationary authorized emergency vehicles, police
19 vehicle, construction vehicle, or farm vehicle.

20 (k) In addition to other penalties imposed by this
21 Section, the court may order a person convicted of a violation
22 of subsection (c) to perform community service as determined
23 by the court.

24 (Source: P.A. 102-336, eff. 1-1-22; 102-338, eff. 1-1-22;
25 102-813, eff. 5-13-22; 103-667, eff. 1-1-25; 103-711, eff.
26 1-1-25; revised 11-26-24.)