

1 AN ACT concerning government.

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 and by adding Section 11-907.2 as
6 follows:

7 (625 ILCS 5/11-907) (from Ch. 95 1/2, par. 11-907)

8 Sec. 11-907. Operation of vehicles and streetcars on
9 approach of authorized emergency 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 properly and
13 lawfully making use of an audible or visual signal:

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

22 (2) the operator of every streetcar shall immediately
23 stop such car clear of any intersection and keep it in such

1 position until the authorized emergency vehicle has
2 passed, unless otherwise directed by a police officer.

3 (b) This Section shall not operate to relieve the driver
4 of an authorized emergency vehicle from the duty to drive with
5 due regard for the safety of all persons using the highway.

6 (c) Upon approaching a stationary authorized emergency
7 vehicle, when the authorized emergency vehicle is giving a
8 signal by displaying alternately flashing red, red and white,
9 blue, or red and blue lights or amber or yellow warning lights,
10 a person who drives an approaching vehicle shall:

11 (1) proceeding with due caution, yield the
12 right-of-way by making a lane change into a lane not
13 adjacent to that of the authorized emergency vehicle, if
14 possible with due regard to safety and traffic conditions,
15 if on a highway having at least 4 lanes with not less than
16 2 lanes proceeding in the same direction as the
17 approaching vehicle; or

18 (2) if changing lanes would be impossible or unsafe,
19 proceeding with due caution, reduce the speed of the
20 vehicle, maintaining a safe speed for road conditions and
21 leaving a safe distance until safely past the stationary
22 emergency vehicles.

23 The visual signal specified under this subsection (c)
24 given by an authorized emergency vehicle is an indication to
25 drivers of approaching vehicles that a hazardous condition is
26 present when circumstances are not immediately clear. Drivers

1 of vehicles approaching a stationary emergency vehicle in any
2 lane shall heed the warning of the signal, reduce the speed of
3 the vehicle, proceed with due caution, maintain a safe speed
4 for road conditions, be prepared to stop, and leave a safe
5 distance until safely passed the stationary emergency vehicle.

6 As used in this subsection (c), "authorized emergency
7 vehicle" includes any vehicle authorized by law to be equipped
8 with oscillating, rotating, or flashing lights under Section
9 12-215 of this Code, while the owner or operator of the vehicle
10 is engaged in his or her official duties.

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, to hire off-duty Department of
2 State Police for enforcement of this Section, and for other
3 law enforcement purposes the Director deems necessary in these
4 efforts.

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

18 (Source: P.A. 100-201, eff. 8-18-17; 101-173, eff. 1-1-20.)

19 (625 ILCS 5/11-907.2 new)

20 Sec. 11-907.2. Move Over Early Warning Task Force.

21 (a) The Move Over Early Warning Task Force is created to
22 study the issue of violations of Sections 11-907, 11-907.5,
23 and 11-908 with attention to the causes of violations and ways
24 to protect law enforcement and emergency responders.

25 (b) The Move Over Early Warning Task Force shall study new

1 technologies and early warning systems in cellular phones and
2 vehicles that alert the public to the presence of first
3 responders and road safety hazards.

4 (c) The membership of the Task Force shall consist of the
5 following members:

6 (1) the Director of State Police or his or her
7 designee, who shall serve as chair;

8 (2) the Secretary of State or his or her designee;

9 (3) the Secretary of Transportation or his or her
10 designee;

11 (4) the Illinois Commerce Commission Chair or his or
12 her designee;

13 (5) the Statewide 911 Administrator;

14 (6) the Director of the Illinois Toll Highway
15 Authority or his or her designee;

16 (7) the President of the Illinois Association of
17 Chiefs of Police or his or her designee;

18 (8) the President of the Illinois Sheriffs'
19 Association or his or her designee;

20 (9) the President of the Associated Fire Fighters of
21 Illinois or his or her designee;

22 (10) the following persons appointed by the Governor:

23 (A) one representative of a statewide trucking
24 association;

25 (B) one representative of a Chicago area motor
26 club;

1 (C) one incumbent local exchange carrier; and

2 (D) two representatives from a large wireless
3 carrier.

4 (d) The members of the Task Force shall serve without
5 compensation and may meet remotely via telephone or live video
6 conference platforms.

7 (e) The Task Force shall meet and present its report and
8 recommendations, including legislative recommendations, if
9 any, on how to better enforce the provisions described in
10 subsection (a) and use 21st-century driver communication
11 technology to prevent fatalities and injuries on Illinois
12 roadways, to the General Assembly no later than January 1,
13 2023.

14 (f) The Illinois State Police shall provide administrative
15 support to the Task Force as needed.

16 (g) This Section is repealed on January 1, 2024.