



Rep. Jay Hoffman

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10200HB3656ham002

LRB102 13852 RAM 25531 a

1 AMENDMENT TO HOUSE BILL 3656

2 AMENDMENT NO. _____. Amend House Bill 3656 by replacing
3 everything after the enacting clause with the following:

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

1 edge or curb of the highway clear of any intersection and
2 shall, if necessary to permit the safe passage of the
3 emergency vehicle, stop and remain in such position until
4 the authorized emergency vehicle has passed, unless
5 otherwise directed by a police officer; and

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

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

13 (c) Upon approaching a stationary authorized emergency
14 vehicle, when the authorized emergency vehicle is giving a
15 signal by displaying alternately flashing red, red and white,
16 blue, or red and blue lights or amber or yellow warning lights,
17 a person who drives an approaching vehicle shall:

18 (1) proceeding with due caution, yield the
19 right-of-way by making a lane change into a lane not
20 adjacent to that of the authorized emergency vehicle, if
21 possible with due regard to safety and traffic conditions,
22 if on a highway having at least 4 lanes with not less than
23 2 lanes proceeding in the same direction as the
24 approaching vehicle; or

25 (2) if changing lanes would be impossible or unsafe,
26 proceeding with due caution, reduce the speed of the

1 vehicle, maintaining a safe speed for road conditions and
2 leaving a safe distance until safely past the stationary
3 emergency vehicles.

4 The visual signal specified under this subsection (c)
5 given by an authorized emergency vehicle is an indication to
6 drivers of approaching vehicles that a hazardous condition is
7 present when circumstances are not immediately clear. Drivers
8 of vehicles approaching a stationary emergency vehicle in any
9 lane shall heed the warning of the signal, reduce the speed of
10 the vehicle, proceed with due caution, maintain a safe speed
11 for road conditions, be prepared to stop, and leave a safe
12 distance until safely passed the stationary emergency vehicle.

13 As used in this subsection (c), "authorized emergency
14 vehicle" includes any vehicle authorized by law to be equipped
15 with oscillating, rotating, or flashing lights under Section
16 12-215 of this Code, while the owner or operator of the vehicle
17 is engaged in his or her official duties.

18 (d) A person who violates subsection (c) of this Section
19 commits a business offense punishable by a fine of not less
20 than \$250 or more than \$10,000 for a first violation, and a
21 fine of not less than \$750 or more than \$10,000 for a second or
22 subsequent violation. It is a factor in aggravation if the
23 person committed the offense while in violation of Section
24 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
25 penalties authorized by this subsection (d) for a violation of
26 subsection (c) of this Section that results in the death of

1 another person does not preclude imposition of appropriate
2 additional civil or criminal penalties. A person who violates
3 subsection (c) and the violation results in damage to another
4 vehicle commits a Class A misdemeanor. A person who violates
5 subsection (c) and the violation results in the injury or
6 death of another person commits a Class 4 felony.

7 (e) If a violation of subsection (c) of this Section
8 results in damage to the property of another person, in
9 addition to any other penalty imposed, the person's driving
10 privileges shall be suspended for a fixed period of not less
11 than 90 days and not more than one year.

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

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

21 (h) The Secretary of State shall, upon receiving a record
22 of a judgment entered against a person under subsection (c) of
23 this Section:

24 (1) suspend the person's driving privileges for the
25 mandatory period; or

26 (2) extend the period of an existing suspension by the

1 appropriate mandatory period.

2 (i) The Scott's Law Fund shall be a special fund in the
3 State treasury. Subject to appropriation by the General
4 Assembly and approval by the Director, the Director of the
5 State Police shall use all moneys in the Scott's Law Fund in
6 the Department's discretion to fund the production of
7 materials to educate drivers on approaching stationary
8 authorized emergency vehicles, to hire off-duty Department of
9 State Police for enforcement of this Section, and for other
10 law enforcement purposes the Director deems necessary in these
11 efforts.

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

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

1 (625 ILCS 5/11-907.2 new)

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

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

7 (b) The Move Over Early Warning Task Force shall study new
8 technologies and early warning systems in cellular phones and
9 vehicles that alert the public to the presence of first
10 responders and road safety hazards.

11 (c) The membership of the Task Force shall consist of the
12 following members:

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

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

16 (3) the Secretary of Transportation or his or her
17 designee;

18 (4) the Illinois Commerce Commission Chair or his or
19 her designee;

20 (5) the Statewide 911 Administrator;

21 (6) the Director of the Illinois Toll Highway
22 Authority or his or her designee;

23 (7) the President of the Illinois Association of
24 Chiefs of Police or his or her designee;

25 (8) the President of the Illinois Sheriffs'
26 Association or his or her designee;

1 (9) the President of the Associated Fire Fighters of
2 Illinois or his or her designee;

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

4 (A) one representative of a statewide trucking
5 association;

6 (B) one representative of a Chicago area motor
7 club;

8 (C) one incumbent local exchange carrier; and

9 (D) two representatives from a large wireless
10 carrier.

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

14 (e) The Task Force shall meet and present its report and
15 recommendations, including legislative recommendations, if
16 any, on how to better enforce the provisions described in
17 subsection (a) and use 21st-century driver communication
18 technology to prevent fatalities and injuries on Illinois
19 roadways, to the General Assembly no later than January 1,
20 2023.

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

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