

1 AN ACT in relation to vehicles.

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 12-301 as follows:

6 (625 ILCS 5/12-301) (from Ch. 95 1/2, par. 12-301)  
7 Sec. 12-301. Brakes.

8 (a) Brake equipment required.

9 1. Every motor vehicle, other than a motor-driven  
10 cycle and an antique vehicle displaying an antique plate,  
11 when operated upon a highway shall be equipped with  
12 brakes adequate to control the movement of and to stop  
13 and hold such vehicle, including 2 separate means of  
14 applying the brakes, each of which means shall be  
15 effective to apply the brakes to at least one wheel on a  
16 motorcycle and at least 2 wheels on all other first  
17 division and second division vehicles. If these 2  
18 separate means of applying the brakes are connected in  
19 any way, they shall be so constructed that failure of any  
20 one part of the operating mechanism shall not leave the  
21 motor vehicle without brakes.

22 2. Every motor-driven cycle when operated upon a  
23 highway shall be equipped with at least one brake which  
24 may be operated by hand or foot.

25 3. Every antique vehicle shall be equipped with the  
26 brakes of the same type originally installed by the  
27 manufacturer as original equipment and in working order.

28 4. Except as provided in paragraph 4.1, every  
29 trailer or semitrailer of a gross weight of over 3,000  
30 pounds, when operated upon a highway must be equipped  
31 with brakes adequate to control the movement of, to stop

1 and to hold such vehicle, and designed so as to be  
2 operable by the driver of the towing vehicle from its  
3 cab. Such brakes must be so designed and connected that  
4 in case of an accidental breakaway of a towed vehicle  
5 over 5,000 pounds, the brakes are automatically applied.

6 4.1. Every boat trailer of a gross weight of over  
7 3,000 pounds, when operated upon a highway, must be  
8 equipped with brakes adequate to control the movement of,  
9 to stop, and to hold that boat trailer. The brakes must  
10 be designed to ensure that, in case of an accidental  
11 breakaway of a towed boat trailer over 5,000 pounds, the  
12 brakes are automatically applied.

13 5. Every motor vehicle, trailer, pole trailer or  
14 semitrailer, sold in this State or operated upon the  
15 highways shall be equipped with service brakes upon all  
16 wheels of every such vehicle, except any motor-driven  
17 cycle, and except that any trailer, pole trailer or  
18 semitrailer 3,000 pounds gross weight or less need not be  
19 equipped with brakes, and except that any trailer or  
20 semitrailer with gross weight over 3,000 pounds but under  
21 5,001 pounds need be equipped with brakes on only one  
22 wheel on each side of the vehicle. Any motor vehicle and  
23 truck tractor having 3 or more axles and manufactured  
24 prior to July 25, 1980 need not have brakes on the front  
25 wheels, except when such vehicles are equipped with at  
26 least 2 steerable axles, the wheels of one such axle need  
27 not be equipped with brakes. However, a vehicle that is  
28 more than 30 years of age and which is driven on the  
29 highways only in going to and returning from an antique  
30 auto show or for servicing or for a demonstration need be  
31 equipped with 2 wheel brakes only.

32 (b) Performance ability of brakes.

33 1. The service brakes upon any motor vehicle or  
34 combination of vehicles operating on a level surface

1 shall be adequate to stop such vehicle or vehicles when  
2 traveling 20 miles per hour within a distance of 30 feet  
3 when upon dry asphalt or concrete pavement surface free  
4 from loose material.

5 2. Under the above conditions the hand brake shall  
6 be adequate to stop such vehicle or vehicles, except any  
7 motorcycle, within a distance of 55 feet and the hand  
8 brake shall be adequate to hold such vehicle or vehicles  
9 stationary on any grade upon which operated.

10 3. Under the above conditions the service brakes  
11 upon an antique vehicle shall be adequate to stop the  
12 vehicle within a distance of 40 feet and the hand brake  
13 adequate to stop the vehicle within a distance of 55  
14 feet.

15 4. All braking distances specified in this Section  
16 apply to all vehicles mentioned, whether such vehicles  
17 are unloaded or are loaded to the maximum capacity  
18 permitted under this Act.

19 5. All brakes shall be maintained in good working  
20 order and shall be so adjusted as to operate as equally  
21 as practicable with respect to the wheels on opposite  
22 sides of the vehicle.

23 6. Brake assembly requirements for mobile homes  
24 shall be the standards required by the United States  
25 Department of Housing and Urban Development adopted under  
26 Title VI of the Housing and Community Development Act of  
27 1974.

28 (c) For purposes of this Section, a custom vehicle or  
29 street rod is considered to be in compliance with all brake  
30 equipment requirements if it has passed the approved vehicle  
31 safety inspection provided for in Section 3-804.1 or 3-804.2.  
32 (Source: P.A. 92-668, eff. 1-1-03.)