



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2560

Introduced 02/18/05, by Rep. Patricia Bailey

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1414	from Ch. 95 1/2, par. 11-1414
625 ILCS 5/11-1415	from Ch. 95 1/2, par. 11-1415
625 ILCS 5/12-806 rep.	

Amends the Illinois Vehicle Code. Provide that a vehicle approaching, overtaking, or passing a stopped school bus must remain stopped while the vehicle is loading or discharging passengers (rather than pupils). Repeals provision providing that the "SCHOOL BUS" signs and stop signals of a school bus shall be covered or concealed and inoperable except when the school bus is transporting passengers in connection with an activity of the school or religious organization that owns the school bus.

LRB094 08255 DRH 38443 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 changing
5 Sections 11-1414 and 11-1415 as follows:

6 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

7 Sec. 11-1414. Approaching, overtaking, and passing school
8 bus.

9 (a) The driver of a vehicle shall stop such vehicle before
10 meeting or overtaking, from either direction, any school bus
11 stopped at any location for the purpose of receiving or
12 discharging passengers ~~pupils~~. Such stop is required before
13 reaching the school bus when there is in operation on the
14 school bus the visual signals as specified in Sections 12-803
15 and 12-805 of this Code. The driver of the vehicle shall not
16 proceed until the school bus resumes motion or the driver of
17 the vehicle is signaled by the school bus driver to proceed or
18 the visual signals are no longer actuated.

19 (b) The stop signal arm required by Section 12-803 of this
20 Code shall be extended after the school bus has come to a
21 complete stop for the purpose of loading or discharging
22 passengers ~~pupils~~ and shall be closed before the school bus is
23 placed in motion again. The stop signal arm shall not be
24 extended at any other time.

25 (c) The alternately flashing red signal lamps of an 8-lamp
26 flashing signal system required by Section 12-805 of this Code
27 shall be actuated after the school bus has come to a complete
28 stop for the purpose of loading or discharging passengers
29 ~~pupils~~ and shall be turned off before the school bus is placed
30 in motion again. The red signal lamps shall not be actuated at
31 any other time except as provided in paragraph (d) of this
32 Section.

1 (d) The alternately flashing amber signal lamps of an
2 8-lamp flashing signal system required by Section 12-805 of
3 this Code shall be actuated continuously during not less than
4 the last 100 feet traveled by the school bus before stopping
5 for the purpose of loading or discharging passengers ~~pupils~~
6 within an urban area and during not less than the last 200 feet
7 traveled by the school bus outside an urban area. The amber
8 signal lamps shall remain actuated until the school bus is
9 stopped. The amber signal lamps shall not be actuated at any
10 other time.

11 (d-5) The alternately flashing head lamps permitted by
12 Section 12-805 of this Code may be operated while the
13 alternately flashing red or amber signal lamps required by that
14 Section are actuated.

15 (e) The driver of a vehicle upon a highway having 4 or more
16 lanes which permits at least 2 lanes of traffic to travel in
17 opposite directions need not stop such vehicle upon meeting a
18 school bus which is stopped in the opposing roadway; and need
19 not stop such vehicle when driving upon a controlled access
20 highway when passing a school bus traveling in either direction
21 that is stopped in a loading zone adjacent to the surfaced or
22 improved part of the controlled access highway where
23 pedestrians are not permitted to cross.

24 (f) Beginning with the effective date of this amendatory
25 Act of 1985, the Secretary of State shall suspend for a period
26 of 3 months the driving privileges of any person convicted of a
27 violation of subsection (a) of this Section or a similar
28 provision of a local ordinance; the Secretary shall suspend for
29 a period of one year the driving privileges of any person
30 convicted of a second or subsequent violation of subsection (a)
31 of this Section or a similar provision of a local ordinance if
32 the second or subsequent violation occurs within 5 years of a
33 prior conviction for the same offense. In addition to the
34 suspensions authorized by this Section, any person convicted of
35 violating this Section or a similar provision of a local
36 ordinance shall be subject to a mandatory fine of \$150 or, upon

1 a second or subsequent violation, \$500. The Secretary may also
2 grant, for the duration of any suspension issued under this
3 subsection, a restricted driving permit granting the privilege
4 of driving a motor vehicle between the driver's residence and
5 place of employment or within other proper limits that the
6 Secretary of State shall find necessary to avoid any undue
7 hardship. A restricted driving permit issued hereunder shall be
8 subject to cancellation, revocation and suspension by the
9 Secretary of State in like manner and for like cause as a
10 driver's license may be cancelled, revoked or suspended; except
11 that a conviction upon one or more offenses against laws or
12 ordinances regulating the movement of traffic shall be deemed
13 sufficient cause for the revocation, suspension or
14 cancellation of the restricted driving permit. The Secretary of
15 State may, as a condition to the issuance of a restricted
16 driving permit, require the applicant to participate in a
17 designated driver remedial or rehabilitative program. Any
18 conviction for a violation of this subsection shall be included
19 as an offense for the purposes of determining suspension action
20 under any other provision of this Code, provided however, that
21 the penalties provided under this subsection shall be imposed
22 unless those penalties imposed under other applicable
23 provisions are greater.

24 The owner of any vehicle alleged to have violated paragraph
25 (a) of this Section shall, upon appropriate demand by the
26 State's Attorney or other authorized prosecutor acting in
27 response to a signed complaint, provide a written statement or
28 deposition identifying the operator of the vehicle if such
29 operator was not the owner at the time of the alleged
30 violation. Failure to supply such information shall be
31 construed to be the same as a violation of paragraph (a) and
32 shall be subject to the same penalties herein provided. In the
33 event the owner has assigned control for the use of the vehicle
34 to another, the person to whom control was assigned shall
35 comply with the provisions of this paragraph and be subject to
36 the same penalties as herein provided.

1 (Source: P.A. 93-180, eff. 7-11-03; 93-181, eff. 1-1-04;
2 revised 8-12-03.)

3 (625 ILCS 5/11-1415) (from Ch. 95 1/2, par. 11-1415)

4 Sec. 11-1415. School buses stopping, loading and
5 discharging passengers on one-way roadways on highways having 4
6 or more lanes. (a) A school bus traveling on a one-way roadway
7 or a highway having 4 or more lanes for vehicular traffic shall
8 stop for the loading or discharging of passengers only on the
9 right side of the highway. If the highway has 4 or more lanes
10 and permits traffic to operate in both directions, the school
11 bus shall load or discharge only those passengers whose
12 residences are located to the right of the highway. The routes
13 of school buses shall be so arranged that no person ~~child~~ shall
14 be required to cross a highway of 4 or more lanes to board a
15 school bus or to reach such person's ~~child's~~ residence after
16 leaving the school bus. A school child in an urban area shall
17 cross a highway only at a crossing for pedestrians, except as
18 provided in paragraph (b) of this Section.

19 (b) With respect to school children crossing a highway at
20 other than a pedestrian crossing, this Section shall not apply
21 when children are escorted or controlled by competent persons
22 designated by the school authorities or by police officers.

23 (Source: P.A. 83-905.)

24 (625 ILCS 5/12-806 rep.)

25 Section 10. The Illinois Vehicle Code is amended by
26 repealing Section 12-806.