



Adopted in House Comm. on Mar 11, 2009

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1 AMENDMENT TO HOUSE BILL 795

2 AMENDMENT NO. _____. Amend House Bill 795 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-205 as follows:

6 (625 ILCS 5/11-205) (from Ch. 95 1/2, par. 11-205)

7 Sec. 11-205. Public officers and employees to obey
8 Act-Exceptions.

9 (a) The provisions of this Chapter applicable to the
10 drivers of vehicles upon the highways shall apply to the
11 drivers of all vehicles owned or operated by the United States,
12 this State or any county, city, town, district or any other
13 political subdivision of the State, except as provided in this
14 Section and subject to such specific exceptions as set forth in
15 this Chapter with reference to authorized emergency vehicles.

16 (b) The driver of an authorized emergency vehicle, when

1 responding to an emergency call or when in the pursuit of an
2 actual or suspected violator of the law or when responding to
3 but not upon returning from a fire alarm, may exercise the
4 privileges set forth in this Section, but subject to the
5 conditions herein stated.

6 (c) The driver of an authorized emergency vehicle may:

7 1. Park or stand, irrespective of the provisions of
8 this Chapter;

9 2. Proceed past a red or stop signal or stop sign, but
10 only after slowing down as may be required and necessary
11 for safe operation;

12 3. Exceed the maximum speed limits so long as he does
13 not endanger life or property;

14 4. Disregard regulations governing direction of
15 movement or turning in specified directions.

16 (d) The exceptions herein granted to an authorized
17 emergency vehicle, ~~other than a police vehicle,~~ shall apply
18 only when the vehicle is making use of ~~either an audible signal~~
19 ~~when in motion or~~ visual signals meeting the requirements of
20 Section 12-215 of this Act. Audible signals shall be used to
21 warn pedestrians and other drivers of its approach.

22 (d-5) The driver of a police vehicle must:

23 1. activate oscillating, rotating, or flashing lights
24 at all times during an emergency response when the maximum
25 speed limit or other traffic regulations are disregarded in
26 accordance with subsection (c).

1 2. use sirens to warn pedestrians and other persons of
2 his or her approach during an emergency response situation;
3 and when the maximum speed limit or other traffic
4 regulations are disregarded in accordance with subsection
5 (c).

6 3. drive with due regard for the safety of other
7 persons and exercise due care when operating a police
8 vehicle.

9 The driver of a police vehicle may use a covert approach
10 during an emergency response situation when the situation
11 dictates such covert approach, but must comply with all traffic
12 laws if not utilizing lights and sirens as required by this
13 Act.

14 For the purposes of this subsection (d-5):

15 "Emergency response situation" means an incident or
16 call in which the responding officer reasonably believes
17 that the probability of death, personal injury, or the
18 apprehension of suspected offenders exists and a rapid
19 response by a law enforcement officer will reduce the
20 seriousness of the incident.

21 (e) The foregoing provisions do not relieve the driver of
22 an authorized emergency vehicle from the duty of driving with
23 due regard for the safety of all persons, nor do such
24 provisions protect the driver from the consequences of his
25 reckless disregard for the safety of others.

26 (f) Unless specifically made applicable, the provisions of

1 this Chapter, except those contained in Section 11-204 and
2 Articles IV and V of this Chapter, shall not apply to persons,
3 motor vehicles and equipment while actually engaged in work
4 upon a highway but shall apply to such persons and vehicles
5 when traveling to or from such work.

6 (Source: P.A. 89-710, eff. 2-14-97; 90-257, eff. 7-30-97.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".