

HB3478



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3478

by Rep. Margo McDermed

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-187.001
625 ILCS 5/11-601.5

Amends the Illinois Vehicle Code. Provides that the court has the discretion to determine that a violation of driving at a speed that is 26 or 35 miles per hour or more in excess of the applicable maximum speed limit is not a serious traffic violation and order the clerk of the court to report the finding to the Secretary of State. Makes corresponding changes.

LRB099 10155 RJF 30378 b

A BILL FOR

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 1-187.001 and 11-601.5 as follows:

6 (625 ILCS 5/1-187.001)

7 Sec. 1-187.001. Serious traffic violation.

8 (a) A conviction when operating a motor vehicle for:

9 (1) a violation of subsection (a) of Section 11-402,
10 relating to a motor vehicle accident involving damage to a
11 vehicle;

12 (2) a violation of Section 11-403, relating to failure
13 to stop and exchange information after a motor vehicle
14 collision, property damage only;

15 (3) a violation of subsection (a) of Section 11-502,
16 relating to illegal transportation, possession, or
17 carrying of alcoholic liquor within the passenger area of
18 any vehicle;

19 (4) a violation of Section 6-101 relating to operating
20 a motor vehicle without a valid license or permit;

21 (5) a violation of Section 11-403, relating to failure
22 to stop and exchange information or give aid after a motor
23 vehicle collision involving personal injury or death;

1 (6) Except as provided in subsection (c) of Section
2 11-601.5, a violation relating to excessive speeding,
3 involving a single speeding charge of 26 miles per hour or
4 more above the legal speed limit;

5 (7) a violation relating to reckless driving;

6 (8) a violation of subsection (d) of Section 11-707,
7 relating to passing in a no-passing zone;

8 (9) a violation of subsection (b) of Section 11-1402,
9 relating to limitations on backing upon a controlled access
10 highway;

11 (10) a violation of subsection (b) of Section 11-707,
12 relating to driving on the left side of a roadway in a
13 no-passing zone;

14 (11) a violation of subsection (e) of Section 11-1002,
15 relating to failure to yield the right-of-way to a
16 pedestrian at an intersection;

17 (12) a violation of Section 11-1008, relating to
18 failure to yield to a pedestrian on a sidewalk; or

19 (13) a violation of Section 11-1201, relating to
20 failure to stop for an approaching railroad train or
21 railroad track equipment or signals; or

22 (b) Any other similar violation of a law or local ordinance
23 of any state relating to motor vehicle traffic control, other
24 than a parking violation.

25 (c) A violation of any of these defined serious traffic
26 offenses shall not preclude the defendant from being eligible

1 to receive an order of court supervision under Section 5-6-1 of
2 the Unified Code of Corrections.

3 (Source: P.A. 98-511, eff. 1-1-14.)

4 (625 ILCS 5/11-601.5)

5 Sec. 11-601.5. Driving 26 miles per hour or more in excess
6 of applicable limit.

7 (a) A person who drives a vehicle upon any highway of this
8 State at a speed that is 26 miles per hour or more but less than
9 35 miles per hour in excess of the applicable maximum speed
10 limit established under this Chapter or a local ordinance
11 commits a Class B misdemeanor.

12 (b) A person who drives a vehicle upon any highway of this
13 State at a speed that is 35 miles per hour or more in excess of
14 the applicable maximum speed limit established under this
15 Chapter or a local ordinance commits a Class A misdemeanor.

16 (c) The court has the discretion to determine that a
17 violation of this Section is not a serious traffic violation
18 and order the clerk of the court to report the finding to the
19 Secretary of State.

20 (Source: P.A. 98-511, eff. 1-1-14.)