

SB2835



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2835

Introduced 2/17/2016, by Sen. Andy Manar

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-126.1
625 ILCS 5/11-1414

from Ch. 95 1/2, par. 11-1414

Amends the Illinois Vehicle Code. Includes highways on public school property in the classification of non-designated highways. Requires vehicles to stop before meeting or overtaking, from either direction, any school bus stopped on a public school highway.

LRB099 16340 AXK 40672 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 1-126.1 and 11-1414 as follows:

6 (625 ILCS 5/1-126.1)

7 Sec. 1-126.1. Highway Designations. The Department of
8 Transportation may designate streets or highways in the system
9 of State highways as follows:

10 (a) Class I highways include interstate highways,
11 expressways, tollways, and other highways deemed
12 appropriate by the department.

13 (b) Class II highways include major arterials not built
14 to interstate highway standards that have at least 11 feet
15 lane widths.

16 (c) Class III highways include those State highways
17 that have lane widths of less than 11 feet.

18 (d) Non-designated highways are highways in the system
19 of State highways not designated as Class I, II, or III, or
20 local highways which are part of any county, township,
21 municipal, or district road system, including highways on
22 public school property. Local authorities also may
23 designate Class II or Class III highways within their

1 systems of highways.

2 (Source: P.A. 92-417, eff. 1-1-02.)

3 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

4 Sec. 11-1414. Approaching, overtaking, and passing school
5 bus.

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

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

23 (c) The alternately flashing red signal lamps of an 8-lamp
24 flashing signal system required by Section 12-805 of this Code
25 shall be actuated after the school bus has come to a complete

1 stop for the purpose of loading or discharging pupils and shall
2 be turned off before the school bus is placed in motion again.
3 The red signal lamps shall not be actuated at any other time
4 except as provided in paragraph (d) of this Section.

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

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

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

1 (f) Beginning with the effective date of this amendatory
2 Act of 1985, the Secretary of State shall suspend for a period
3 of 3 months the driving privileges of any person convicted of a
4 violation of subsection (a) of this Section or a similar
5 provision of a local ordinance; the Secretary shall suspend for
6 a period of one year the driving privileges of any person
7 convicted of a second or subsequent violation of subsection (a)
8 of this Section or a similar provision of a local ordinance if
9 the second or subsequent violation occurs within 5 years of a
10 prior conviction for the same offense. In addition to the
11 suspensions authorized by this Section, any person convicted of
12 violating this Section or a similar provision of a local
13 ordinance shall be subject to a mandatory fine of \$150 or, upon
14 a second or subsequent violation, \$500. The Secretary may also
15 grant, for the duration of any suspension issued under this
16 subsection, a restricted driving permit granting the privilege
17 of driving a motor vehicle between the driver's residence and
18 place of employment or within other proper limits that the
19 Secretary of State shall find necessary to avoid any undue
20 hardship. A restricted driving permit issued hereunder shall be
21 subject to cancellation, revocation and suspension by the
22 Secretary of State in like manner and for like cause as a
23 driver's license may be cancelled, revoked or suspended; except
24 that a conviction upon one or more offenses against laws or
25 ordinances regulating the movement of traffic shall be deemed
26 sufficient cause for the revocation, suspension or

1 cancellation of the restricted driving permit. The Secretary of
2 State may, as a condition to the issuance of a restricted
3 driving permit, require the applicant to participate in a
4 designated driver remedial or rehabilitative program. Any
5 conviction for a violation of this subsection shall be included
6 as an offense for the purposes of determining suspension action
7 under any other provision of this Code, provided however, that
8 the penalties provided under this subsection shall be imposed
9 unless those penalties imposed under other applicable
10 provisions are greater.

11 The owner of any vehicle alleged to have violated paragraph
12 (a) of this Section shall, upon appropriate demand by the
13 State's Attorney or other designated person acting in response
14 to a signed complaint, provide a written statement or
15 deposition identifying the operator of the vehicle if such
16 operator was not the owner at the time of the alleged
17 violation. Failure to supply such information shall result in
18 the suspension of the vehicle registration of the vehicle for a
19 period of 3 months. In the event the owner has assigned control
20 for the use of the vehicle to another, the person to whom
21 control was assigned shall comply with the provisions of this
22 paragraph and be subject to the same penalties as herein
23 provided.

24 (Source: P.A. 95-105, eff. 1-1-08; 95-331, eff. 8-21-07.)