



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3205

Introduced 2/18/2025, by Rep. Jason R. Bunting

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-908

from Ch. 95 1/2, par. 11-908

Amends the Illinois Vehicle Code. Requires the driver of a vehicle to yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within any agricultural work zone. Sets the penalties as follows: failing to yield is a business offense punishable by a fine of not less than \$100 and not more than \$25,000; failing to yield that results in damage to property, in addition to the business offense penalty and any other imposed penalty, shall have the person's driving privileges suspended for not less than 90 days and not more than one year; failing to yield that results in injury to another person, in addition to the business offense penalty and any other imposed penalty, shall have the person's driving privileges suspended for not less than 180 days and not more than 2 years; and for failing to yield that results in the death of another person, in addition to the business offense penalty and any other imposed penalty, shall have the person's driving privileges suspended for 2 years.

LRB104 10036 LNS 20107 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
5 changing Section 11-908 as follows:

6 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

7 Sec. 11-908. Vehicle approaching or entering a highway
8 construction or maintenance area or zone or agricultural work
9 zone.

10 (a) The driver of a vehicle shall yield the right-of-way
11 to any authorized vehicle or pedestrian actually engaged in
12 work upon a highway within any highway construction or
13 maintenance area or agricultural work zone indicated by
14 official traffic-control devices.

15 (a-1) Upon entering a construction, ~~or~~ maintenance, or
16 agricultural work zone when workers are present, a person who
17 drives a vehicle shall:

18 (1) proceeding with due caution, yield the
19 right-of-way by making a lane change into a lane not
20 adjacent to that of the workers present, if possible with
21 due regard to safety and traffic conditions, if on a
22 highway having at least 4 lanes with not less than 2 lanes
23 proceeding in the same direction as the approaching

1 vehicle, and reduce the speed of the vehicle to a speed
2 that is reasonable and proper with regard to traffic
3 conditions and the use of the highway to avoid a collision
4 and leaving a safe distance until safely past the
5 construction, ~~or~~ maintenance, or agricultural work zone;
6 or

7 (2) proceeding with due caution, reduce the speed of
8 the vehicle to a speed that is reasonable and proper with
9 regard to traffic conditions and the use of the highway to
10 avoid a collision until safely past the construction, ~~or~~
11 maintenance, or agricultural work zone, maintaining a safe
12 speed for road conditions, if changing lanes would be
13 impossible or unsafe.

14 (a-2) A person who violates subsection (a-1) of this
15 Section commits a business offense punishable by a fine of not
16 less than \$100 and not more than \$25,000. It is a factor in
17 aggravation if the person committed the offense while in
18 violation of Section 11-501 of this Code.

19 (a-3) If a violation of subsection (a-1) of this Section
20 results in damage to the property of another person, in
21 addition to any other penalty imposed, the person's driving
22 privileges shall be suspended for a fixed period of not less
23 than 90 days and not more than one year.

24 (a-4) If a violation of subsection (a-1) of this Section
25 results in injury to another person, in addition to any other
26 penalty imposed, the person's driving privileges shall be

1 suspended for a fixed period of not less than 180 days and not
2 more than 2 years.

3 (a-5) If a violation of subsection (a-1) of this Section
4 results in the death of another person, in addition to any
5 other penalty imposed, the person's driving privileges shall
6 be suspended for 2 years.

7 (a-6) The Secretary of State shall, upon receiving a
8 record of a judgment entered against a person under subsection
9 (a-1) of this Section:

10 (1) suspend the person's driving privileges for the
11 mandatory period; or

12 (2) extend the period of an existing suspension by the
13 appropriate mandatory period.

14 (b) The driver of a vehicle shall yield the right-of-way
15 to any authorized vehicle obviously and actually engaged in
16 work upon a highway whenever the vehicle engaged in
17 construction, ~~or~~ maintenance, or agricultural work displays
18 flashing lights as provided in Section 12-215 of this Act.

19 (c) The driver of a vehicle shall stop if signaled to do so
20 by a flagger or a traffic control signal and remain in such
21 position until signaled to proceed. If a driver of a vehicle
22 fails to stop when signaled to do so by a flagger, the flagger
23 is authorized to report such offense to the State's Attorney
24 or authorized prosecutor. The penalties imposed for a
25 violation of this subsection (c) shall be in addition to any
26 penalties imposed for a violation of subsection (a-1).

1 (Source: P.A. 103-711, eff. 1-1-25.)