

**SB1819**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB1819**

Introduced 2/5/2025, by Sen. Laura M. Murphy

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/12-603.1

from Ch. 95 1/2, par. 12-603.1

Amends the Illinois Vehicle Code. Provides that the failure to wear a seat safety belt or the misuse of a seat safety belt by a driver or passenger of a motor vehicle may be considered evidence of negligence and may diminish any recovery from damages, but shall not limit the liability of an insurer.

LRB104 09907 LNS 19977 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  
5           changing Section 12-603.1 as follows:

6           (625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

7           Sec. 12-603.1. Driver and passenger required to use safety  
8           belts, exceptions and penalty.

9           (a) Each driver and passenger of a motor vehicle operated  
10          on a street or highway in this State shall wear a properly  
11          adjusted and fastened seat safety belt. A child less than 8  
12          years of age shall be protected as required pursuant to the  
13          Child Passenger Protection Act. Each driver of a motor vehicle  
14          transporting a child 8 years of age or more, but less than 16  
15          years of age, shall secure the child in a properly adjusted and  
16          fastened seat safety belt as required under the Child  
17          Passenger Protection Act. Each driver of a motor vehicle  
18          transporting a passenger who is unable, due to infirmity,  
19          illness, or age, to properly adjust and fasten a seat safety belt  
20          and is not exempted from wearing a seat safety belt under  
21          subsection (b) shall secure the passenger in a properly  
22          adjusted and fastened seat safety belt as required under this  
23          Section.

(b) Paragraph (a) shall not apply to any of the following:

1. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour.

2. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.

3. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt.

4. A driver operating a motor vehicle in reverse.

5. A motor vehicle with a model year prior to 1965.

6. A motorcycle or motor driven cycle.

7. A moped.

8. A motor vehicle which is not required to be equipped with seat safety belts under federal law.

9. A motor vehicle operated by a rural letter carrier of the United States postal service while performing duties as a rural letter carrier.

10. A driver or passenger of an authorized emergency vehicle, except this exception does not apply to vehicles of the fire department; vehicles of the Office of the State Fire Marshal; or ambulances, unless the delivery of

1       life-saving measures prohibits the use of a seat safety  
2       belt.

3           11. A back seat passenger of a taxicab.

4           (c) Failure to wear a seat safety belt in violation of this  
5       Section or the misuse of a seat safety belt by a driver or  
6       passenger of a motor vehicle may ~~shall not~~ be considered  
7       evidence of negligence, ~~shall not~~ limit the liability of an  
8       insurer, and may ~~shall not~~ diminish any recovery for damages  
9       arising out of the ownership, maintenance, or operation of a  
10      motor vehicle but shall not limit the liability of an insurer.

11           (d) A violation of this Section shall be a petty offense  
12      and subject to a fine not to exceed \$25.

13           (e) (Blank).

14           (f) A law enforcement officer may not search or inspect a  
15      motor vehicle, its contents, the driver, or a passenger solely  
16      because of a violation of this Section.

17           (Source: P.A. 97-16, eff. 1-1-12; 97-333, eff. 8-12-11;  
18      98-451, eff. 8-16-13.)