

SB1922



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1922

Introduced 2/6/2025, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-907

Amends the Right-of-Way Article of the Illinois Vehicle Code. Provides that the driver of a vehicle shall yield the right-of-way to any authorized emergency vehicle obviously and actually engaged in work upon a highway, whether stationary or not, and displaying flashing lights as provided in the Act. Provides that the driver of a vehicle shall yield the right-of-way to an emergency worker obviously and actually engaged in work upon a highway at an emergency scene, and the driver of a vehicle shall yield the right-of-way to any pedestrian upon a highway directly involved in the emergency scene. Makes corresponding changes to penalty provisions.

LRB104 08405 LNS 18456 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 11-907 as follows:

6 (625 ILCS 5/11-907)

7 Sec. 11-907. Operation of vehicles and streetcars on
8 approach of authorized emergency vehicles.

9 (a) Upon the immediate approach of an authorized emergency
10 vehicle making use of audible and visual signals meeting the
11 requirements of this Code or a police vehicle properly and
12 lawfully making use of an audible or visual signal:

13 (1) the driver of every other vehicle shall yield the
14 right-of-way and shall immediately drive to a position
15 parallel to, and as close as possible to, the right-hand
16 edge or curb of the highway clear of any intersection and
17 shall, if necessary to permit the safe passage of the
18 emergency vehicle, stop and remain in such position until
19 the authorized emergency vehicle has passed, unless
20 otherwise directed by a police officer; and

21 (2) the operator of every streetcar shall immediately
22 stop such car clear of any intersection and keep it in such
23 position until the authorized emergency vehicle has

1 passed, unless otherwise directed by a police officer.

2 (b) This Section shall not operate to relieve the driver
3 of an authorized emergency vehicle from the duty to drive with
4 due regard for the safety of all persons using the highway.

5 (c) Upon approaching a stationary authorized emergency
6 vehicle or emergency scene, when the stationary authorized
7 emergency vehicle is giving a visual signal by displaying
8 oscillating, rotating, or flashing lights as authorized under
9 Section 12-215 of this Code, a person who drives an
10 approaching vehicle shall:

11 (1) proceeding with due caution, yield the
12 right-of-way by making a lane change into a lane not
13 adjacent to that of the authorized emergency vehicle, if
14 possible with due regard to safety and traffic conditions,
15 if on a highway having at least 4 lanes with not less than
16 2 lanes proceeding in the same direction as the
17 approaching vehicle and reduce the speed of the vehicle to
18 a speed that is reasonable and proper with regard to
19 traffic conditions and the use of the highway to avoid a
20 collision and leaving a safe distance until safely past
21 the stationary emergency vehicle; or

22 (2) if changing lanes would be impossible or unsafe,
23 proceeding with due caution, reduce the speed of the
24 vehicle to a speed that is reasonable and proper with
25 regard to traffic conditions and the use of the highway to
26 avoid a collision, maintaining a safe speed for road

1 conditions and leaving a safe distance until safely past
2 the stationary emergency vehicles.

3 The visual signal specified under this subsection (c)
4 given by a stationary authorized emergency vehicle is an
5 indication to drivers of approaching vehicles that a hazardous
6 condition is present when circumstances are not immediately
7 clear. Drivers of vehicles approaching a stationary authorized
8 emergency vehicle in any lane shall heed the warning of the
9 signal, reduce the speed of the vehicle, proceed with due
10 caution, maintain a safe speed for road conditions, be
11 prepared to stop, and leave a safe distance until safely
12 passed the stationary emergency vehicle.

13 As used in this subsection (c), "authorized emergency
14 vehicle" includes any vehicle authorized by law to be equipped
15 with oscillating, rotating, or flashing lights under Section
16 12-215 of this Code, while the owner or operator of the vehicle
17 is engaged in his or her official duties. As used in this
18 subsection (c), "emergency scene" means a location where a
19 stationary authorized emergency vehicle as defined by herein
20 is present and has activated its oscillating, rotating, or
21 flashing lights.

22 (c-5) The driver of a vehicle shall yield the right-of-way
23 to any authorized emergency vehicle obviously and actually
24 engaged in work upon a highway, whether stationary or not, and
25 displaying flashing lights as provided in Section 12-215 of
26 this Act.

1 (c-10) The driver of a vehicle shall yield the
2 right-of-way to an emergency worker obviously and actually
3 engaged in work upon a highway at an emergency scene. The
4 driver of a vehicle shall yield the right-of-way to any
5 pedestrian upon a highway directly involved in the emergency
6 scene.

7 (d) A person who violates subsection (c), (c-5), or
8 (c-10), of this Section commits a business offense punishable
9 by a fine of not less than \$250 or more than \$10,000 for a
10 first violation, and a fine of not less than \$750 or more than
11 \$10,000 for a second or subsequent violation. It is a factor in
12 aggravation if the person committed the offense while in
13 violation of Section 11-501, 12-610.1, or 12-610.2 of this
14 Code. Imposition of the penalties authorized by this
15 subsection (d) for a violation of subsection (c) of this
16 Section that results in the death of another person does not
17 preclude imposition of appropriate additional civil or
18 criminal penalties. A person who violates subsection (c) and
19 the violation results in damage to another vehicle commits a
20 Class A misdemeanor. A person who violates subsection (c) and
21 the violation results in the injury or death of another person
22 commits a Class 4 felony.

23 (e) If a violation of subsection (c), (c-5), or (c-10), of
24 this Section results in damage to the property of another
25 person, in addition to any other penalty imposed, the person's
26 driving privileges shall be suspended for a fixed period of

1 not less than 90 days and not more than one year.

2 (f) If a violation of subsection (c), (c-5), or (c-10), of
3 this Section results in injury to another person, in addition
4 to any other penalty imposed, the person's driving privileges
5 shall be suspended for a fixed period of not less than 180 days
6 and not more than 2 years.

7 (g) If a violation of subsection (c), (c-5), or (c-10), of
8 this Section results in the death of another person, in
9 addition to any other penalty imposed, the person's driving
10 privileges shall be suspended for 2 years.

11 (h) The Secretary of State shall, upon receiving a record
12 of a judgment entered against a person under subsection (c), (c-5), or (c-10), of this Section:
13

14 (1) suspend the person's driving privileges for the
15 mandatory period; or

16 (2) extend the period of an existing suspension by the
17 appropriate mandatory period.

18 (i) The Scott's Law Fund shall be a special fund in the
19 State treasury. Subject to appropriation by the General
20 Assembly and approval by the Director, the Director of the
21 State Police shall use all moneys in the Scott's Law Fund in
22 the Department's discretion to fund the production of
23 materials to educate drivers on approaching stationary
24 authorized emergency vehicles, to hire off-duty Illinois State
25 Police for enforcement of this Section, and for other law
26 enforcement purposes the Director deems necessary in these

1 efforts.

2 (j) For violations of this Section issued by a county or
3 municipal police officer, the assessment shall be deposited
4 into the county's or municipality's Transportation Safety
5 Highway Hire-back Fund. The county shall use the moneys in its
6 Transportation Safety Highway Hire-back Fund to hire off-duty
7 county police officers to monitor construction or maintenance
8 zones in that county on highways other than interstate
9 highways. The county, in its discretion, may also use a
10 portion of the moneys in its Transportation Safety Highway
11 Hire-back Fund to purchase equipment for county law
12 enforcement and fund the production of materials to educate
13 drivers on construction zone safe driving habits and
14 approaching stationary authorized emergency vehicles.

15 (k) In addition to other penalties imposed by this
16 Section, the court may order a person convicted of a violation
17 of subsection (c), (c-5), or (c-10), to perform community
18 service as determined by the court.

19 (Source: P.A. 102-336, eff. 1-1-22; 102-338, eff. 1-1-22;
20 102-813, eff. 5-13-22; 103-667, eff. 1-1-25; 103-711, eff.
21 1-1-25; revised 11-26-24.)