

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 Sections 6-206 and 11-907 as follows:

6 (625 ILCS 5/6-206)

7 Sec. 6-206. Discretionary authority to suspend or revoke
8 license or permit; right to a hearing.

9 (a) The Secretary of State is authorized to suspend or
10 revoke the driving privileges of any person without
11 preliminary hearing upon a showing of the person's records or
12 other sufficient evidence that the person:

13 1. Has committed an offense for which mandatory
14 revocation of a driver's license or permit is required
15 upon conviction;

16 2. Has been convicted of not less than 3 offenses
17 against traffic regulations governing the movement of
18 vehicles committed within any 12-month period. No
19 revocation or suspension shall be entered more than 6
20 months after the date of last conviction;

21 3. Has been repeatedly involved as a driver in motor
22 vehicle collisions or has been repeatedly convicted of
23 offenses against laws and ordinances regulating the

1 movement of traffic, to a degree that indicates lack of
2 ability to exercise ordinary and reasonable care in the
3 safe operation of a motor vehicle or disrespect for the
4 traffic laws and the safety of other persons upon the
5 highway;

6 4. Has by the unlawful operation of a motor vehicle
7 caused or contributed to a crash resulting in injury
8 requiring immediate professional treatment in a medical
9 facility or doctor's office to any person, except that any
10 suspension or revocation imposed by the Secretary of State
11 under the provisions of this subsection shall start no
12 later than 6 months after being convicted of violating a
13 law or ordinance regulating the movement of traffic, which
14 violation is related to the crash, or shall start not more
15 than one year after the date of the crash, whichever date
16 occurs later;

17 5. Has permitted an unlawful or fraudulent use of a
18 driver's license, identification card, or permit;

19 6. Has been lawfully convicted of an offense or
20 offenses in another state, including the authorization
21 contained in Section 6-203.1, which if committed within
22 this State would be grounds for suspension or revocation;

23 7. Has refused or failed to submit to an examination
24 provided for by Section 6-207 or has failed to pass the
25 examination;

26 8. Is ineligible for a driver's license or permit

1 under the provisions of Section 6-103;

2 9. Has made a false statement or knowingly concealed a
3 material fact or has used false information or
4 identification in any application for a license,
5 identification card, or permit;

6 10. Has possessed, displayed, or attempted to
7 fraudulently use any license, identification card, or
8 permit not issued to the person;

9 11. Has operated a motor vehicle upon a highway of
10 this State when the person's driving privilege or
11 privilege to obtain a driver's license or permit was
12 revoked or suspended unless the operation was authorized
13 by a monitoring device driving permit, judicial driving
14 permit issued prior to January 1, 2009, probationary
15 license to drive, or restricted driving permit issued
16 under this Code;

17 12. Has submitted to any portion of the application
18 process for another person or has obtained the services of
19 another person to submit to any portion of the application
20 process for the purpose of obtaining a license,
21 identification card, or permit for some other person;

22 13. Has operated a motor vehicle upon a highway of
23 this State when the person's driver's license or permit
24 was invalid under the provisions of Sections 6-107.1 and
25 6-110;

26 14. Has committed a violation of Section 6-301,

1 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
2 14B of the Illinois Identification Card Act or a similar
3 offense in another state if, at the time of the offense,
4 the person held an Illinois driver's license or
5 identification card;

6 15. Has been convicted of violating Section 21-2 of
7 the Criminal Code of 1961 or the Criminal Code of 2012
8 relating to criminal trespass to vehicles if the person
9 exercised actual physical control over the vehicle during
10 the commission of the offense, in which case the
11 suspension shall be for one year;

12 16. Has been convicted of violating Section 11-204 of
13 this Code relating to fleeing from a peace officer;

14 17. Has refused to submit to a test, or tests, as
15 required under Section 11-501.1 of this Code and the
16 person has not sought a hearing as provided for in Section
17 11-501.1;

18 18. (Blank);

19 19. Has committed a violation of paragraph (a) or (b)
20 of Section 6-101 relating to driving without a driver's
21 license;

22 20. Has been convicted of violating Section 6-104
23 relating to classification of driver's license;

24 21. Has been convicted of violating Section 11-402 of
25 this Code relating to leaving the scene of a crash
26 resulting in damage to a vehicle in excess of \$1,000, in

1 which case the suspension shall be for one year;

2 22. Has used a motor vehicle in violating paragraph
3 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
4 the Criminal Code of 1961 or the Criminal Code of 2012
5 relating to unlawful possession of weapons, in which case
6 the suspension shall be for one year;

7 23. Has, as a driver, been convicted of committing a
8 violation of paragraph (a) of Section 11-502 of this Code
9 for a second or subsequent time within one year of a
10 similar violation;

11 24. Has been convicted by a court-martial or punished
12 by non-judicial punishment by military authorities of the
13 United States at a military installation in Illinois or in
14 another state of or for a traffic-related offense that is
15 the same as or similar to an offense specified under
16 Section 6-205 or 6-206 of this Code;

17 25. Has permitted any form of identification to be
18 used by another in the application process in order to
19 obtain or attempt to obtain a license, identification
20 card, or permit;

21 26. Has altered or attempted to alter a license or has
22 possessed an altered license, identification card, or
23 permit;

24 27. (Blank);

25 28. Has been convicted for a first time of the illegal
26 possession, while operating or in actual physical control,

1 as a driver, of a motor vehicle, of any controlled
2 substance prohibited under the Illinois Controlled
3 Substances Act, any cannabis prohibited under the Cannabis
4 Control Act, or any methamphetamine prohibited under the
5 Methamphetamine Control and Community Protection Act, in
6 which case the person's driving privileges shall be
7 suspended for one year. Any defendant found guilty of this
8 offense while operating a motor vehicle shall have an
9 entry made in the court record by the presiding judge that
10 this offense did occur while the defendant was operating a
11 motor vehicle and order the clerk of the court to report
12 the violation to the Secretary of State;

13 29. Has been convicted of the following offenses that
14 were committed while the person was operating or in actual
15 physical control, as a driver, of a motor vehicle:
16 criminal sexual assault, predatory criminal sexual assault
17 of a child, aggravated criminal sexual assault, criminal
18 sexual abuse, aggravated criminal sexual abuse, juvenile
19 pimping, soliciting for a juvenile prostitute, promoting
20 juvenile prostitution as described in subdivision (a)(1),
21 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
22 of 1961 or the Criminal Code of 2012, and the manufacture,
23 sale or delivery of controlled substances or instruments
24 used for illegal drug use or abuse in which case the
25 driver's driving privileges shall be suspended for one
26 year;

1 30. Has been convicted a second or subsequent time for
2 any combination of the offenses named in paragraph 29 of
3 this subsection, in which case the person's driving
4 privileges shall be suspended for 5 years;

5 31. Has refused to submit to a test as required by
6 Section 11-501.6 of this Code or Section 5-16c of the Boat
7 Registration and Safety Act or has submitted to a test
8 resulting in an alcohol concentration of 0.08 or more or
9 any amount of a drug, substance, or compound resulting
10 from the unlawful use or consumption of cannabis as listed
11 in the Cannabis Control Act, a controlled substance as
12 listed in the Illinois Controlled Substances Act, an
13 intoxicating compound as listed in the Use of Intoxicating
14 Compounds Act, or methamphetamine as listed in the
15 Methamphetamine Control and Community Protection Act, in
16 which case the penalty shall be as prescribed in Section
17 6-208.1;

18 32. Has been convicted of Section 24-1.2 of the
19 Criminal Code of 1961 or the Criminal Code of 2012
20 relating to the aggravated discharge of a firearm if the
21 offender was located in a motor vehicle at the time the
22 firearm was discharged, in which case the suspension shall
23 be for 3 years;

24 33. Has as a driver, who was less than 21 years of age
25 on the date of the offense, been convicted a first time of
26 a violation of paragraph (a) of Section 11-502 of this

1 Code or a similar provision of a local ordinance;

2 34. Has committed a violation of Section 11-1301.5 of
3 this Code or a similar provision of a local ordinance;

4 35. Has committed a violation of Section 11-1301.6 of
5 this Code or a similar provision of a local ordinance;

6 36. Is under the age of 21 years at the time of arrest
7 and has been convicted of not less than 2 offenses against
8 traffic regulations governing the movement of vehicles
9 committed within any 24-month period. No revocation or
10 suspension shall be entered more than 6 months after the
11 date of last conviction;

12 37. Has committed a violation of subsection (c),
13 (c-5), or (c-10) of Section 11-907 of this Code that
14 resulted in damage to the property of another or the death
15 or injury of another;

16 38. Has been convicted of a violation of Section 6-20
17 of the Liquor Control Act of 1934 or a similar provision of
18 a local ordinance and the person was an occupant of a motor
19 vehicle at the time of the violation;

20 39. Has committed a second or subsequent violation of
21 Section 11-1201 of this Code;

22 40. Has committed a violation of subsection (a-1) of
23 Section 11-908 of this Code;

24 41. Has committed a second or subsequent violation of
25 Section 11-605.1 of this Code, a similar provision of a
26 local ordinance, or a similar violation in any other state

1 within 2 years of the date of the previous violation, in
2 which case the suspension shall be for 90 days;

3 42. Has committed a violation of subsection (a-1) of
4 Section 11-1301.3 of this Code or a similar provision of a
5 local ordinance;

6 43. Has received a disposition of court supervision
7 for a violation of subsection (a), (d), or (e) of Section
8 6-20 of the Liquor Control Act of 1934 or a similar
9 provision of a local ordinance and the person was an
10 occupant of a motor vehicle at the time of the violation,
11 in which case the suspension shall be for a period of 3
12 months;

13 44. Is under the age of 21 years at the time of arrest
14 and has been convicted of an offense against traffic
15 regulations governing the movement of vehicles after
16 having previously had his or her driving privileges
17 suspended or revoked pursuant to subparagraph 36 of this
18 Section;

19 45. Has, in connection with or during the course of a
20 formal hearing conducted under Section 2-118 of this Code:
21 (i) committed perjury; (ii) submitted fraudulent or
22 falsified documents; (iii) submitted documents that have
23 been materially altered; or (iv) submitted, as his or her
24 own, documents that were in fact prepared or composed for
25 another person;

26 46. Has committed a violation of subsection (j) of

1 Section 3-413 of this Code;

2 47. Has committed a violation of subsection (a) of
3 Section 11-502.1 of this Code;

4 48. Has submitted a falsified or altered medical
5 examiner's certificate to the Secretary of State or
6 provided false information to obtain a medical examiner's
7 certificate;

8 49. Has been convicted of a violation of Section
9 11-1002 or 11-1002.5 that resulted in a Type A injury to
10 another, in which case the driving privileges of the
11 person shall be suspended for 12 months;

12 50. Has committed a violation of subsection (b-5) of
13 Section 12-610.2 that resulted in great bodily harm,
14 permanent disability, or disfigurement, in which case the
15 driving privileges of the person shall be suspended for 12
16 months;

17 51. Has committed a violation of Section 10-15 Of the
18 Cannabis Regulation and Tax Act or a similar provision of
19 a local ordinance while in a motor vehicle; or

20 52. Has committed a violation of subsection (b) of
21 Section 10-20 of the Cannabis Regulation and Tax Act or a
22 similar provision of a local ordinance.

23 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
24 and 27 of this subsection, license means any driver's license,
25 any traffic ticket issued when the person's driver's license
26 is deposited in lieu of bail, a suspension notice issued by the

1 Secretary of State, a duplicate or corrected driver's license,
2 a probationary driver's license, or a temporary driver's
3 license.

4 (b) If any conviction forming the basis of a suspension or
5 revocation authorized under this Section is appealed, the
6 Secretary of State may rescind or withhold the entry of the
7 order of suspension or revocation, as the case may be,
8 provided that a certified copy of a stay order of a court is
9 filed with the Secretary of State. If the conviction is
10 affirmed on appeal, the date of the conviction shall relate
11 back to the time the original judgment of conviction was
12 entered and the 6-month limitation prescribed shall not apply.

13 (c) 1. Upon suspending or revoking the driver's license or
14 permit of any person as authorized in this Section, the
15 Secretary of State shall immediately notify the person in
16 writing of the revocation or suspension. The notice to be
17 deposited in the United States mail, postage prepaid, to the
18 last known address of the person.

19 2. If the Secretary of State suspends the driver's license
20 of a person under subsection 2 of paragraph (a) of this
21 Section, a person's privilege to operate a vehicle as an
22 occupation shall not be suspended, provided an affidavit is
23 properly completed, the appropriate fee received, and a permit
24 issued prior to the effective date of the suspension, unless 5
25 offenses were committed, at least 2 of which occurred while
26 operating a commercial vehicle in connection with the driver's

1 regular occupation. All other driving privileges shall be
2 suspended by the Secretary of State. Any driver prior to
3 operating a vehicle for occupational purposes only must submit
4 the affidavit on forms to be provided by the Secretary of State
5 setting forth the facts of the person's occupation. The
6 affidavit shall also state the number of offenses committed
7 while operating a vehicle in connection with the driver's
8 regular occupation. The affidavit shall be accompanied by the
9 driver's license. Upon receipt of a properly completed
10 affidavit, the Secretary of State shall issue the driver a
11 permit to operate a vehicle in connection with the driver's
12 regular occupation only. Unless the permit is issued by the
13 Secretary of State prior to the date of suspension, the
14 privilege to drive any motor vehicle shall be suspended as set
15 forth in the notice that was mailed under this Section. If an
16 affidavit is received subsequent to the effective date of this
17 suspension, a permit may be issued for the remainder of the
18 suspension period.

19 The provisions of this subparagraph shall not apply to any
20 driver required to possess a CDL for the purpose of operating a
21 commercial motor vehicle.

22 Any person who falsely states any fact in the affidavit
23 required herein shall be guilty of perjury under Section 6-302
24 and upon conviction thereof shall have all driving privileges
25 revoked without further rights.

26 3. At the conclusion of a hearing under Section 2-118 of

1 this Code, the Secretary of State shall either rescind or
2 continue an order of revocation or shall substitute an order
3 of suspension; or, good cause appearing therefor, rescind,
4 continue, change, or extend the order of suspension. If the
5 Secretary of State does not rescind the order, the Secretary
6 may upon application, to relieve undue hardship (as defined by
7 the rules of the Secretary of State), issue a restricted
8 driving permit granting the privilege of driving a motor
9 vehicle between the petitioner's residence and petitioner's
10 place of employment or within the scope of the petitioner's
11 employment-related duties, or to allow the petitioner to
12 transport himself or herself, or a family member of the
13 petitioner's household to a medical facility, to receive
14 necessary medical care, to allow the petitioner to transport
15 himself or herself to and from alcohol or drug remedial or
16 rehabilitative activity recommended by a licensed service
17 provider, or to allow the petitioner to transport himself or
18 herself or a family member of the petitioner's household to
19 classes, as a student, at an accredited educational
20 institution, or to allow the petitioner to transport children,
21 elderly persons, or persons with disabilities who do not hold
22 driving privileges and are living in the petitioner's
23 household to and from daycare. The petitioner must demonstrate
24 that no alternative means of transportation is reasonably
25 available and that the petitioner will not endanger the public
26 safety or welfare.

1 (A) If a person's license or permit is revoked or
2 suspended due to 2 or more convictions of violating
3 Section 11-501 of this Code or a similar provision of a
4 local ordinance or a similar out-of-state offense, or
5 Section 9-3 of the Criminal Code of 1961 or the Criminal
6 Code of 2012, where the use of alcohol or other drugs is
7 recited as an element of the offense, or a similar
8 out-of-state offense, or a combination of these offenses,
9 arising out of separate occurrences, that person, if
10 issued a restricted driving permit, may not operate a
11 vehicle unless it has been equipped with an ignition
12 interlock device as defined in Section 1-129.1.

13 (B) If a person's license or permit is revoked or
14 suspended 2 or more times due to any combination of:

15 (i) a single conviction of violating Section
16 11-501 of this Code or a similar provision of a local
17 ordinance or a similar out-of-state offense or Section
18 9-3 of the Criminal Code of 1961 or the Criminal Code
19 of 2012, where the use of alcohol or other drugs is
20 recited as an element of the offense, or a similar
21 out-of-state offense; or

22 (ii) a statutory summary suspension or revocation
23 under Section 11-501.1; or

24 (iii) a suspension under Section 6-203.1;
25 arising out of separate occurrences; that person, if
26 issued a restricted driving permit, may not operate a

1 vehicle unless it has been equipped with an ignition
2 interlock device as defined in Section 1-129.1.

3 (B-5) If a person's license or permit is revoked or
4 suspended due to a conviction for a violation of
5 subparagraph (C) or (F) of paragraph (1) of subsection (d)
6 of Section 11-501 of this Code, or a similar provision of a
7 local ordinance or similar out-of-state offense, that
8 person, if issued a restricted driving permit, may not
9 operate a vehicle unless it has been equipped with an
10 ignition interlock device as defined in Section 1-129.1.

11 (C) The person issued a permit conditioned upon the
12 use of an ignition interlock device must pay to the
13 Secretary of State DUI Administration Fund an amount not
14 to exceed \$30 per month. The Secretary shall establish by
15 rule the amount and the procedures, terms, and conditions
16 relating to these fees.

17 (D) If the restricted driving permit is issued for
18 employment purposes, then the prohibition against
19 operating a motor vehicle that is not equipped with an
20 ignition interlock device does not apply to the operation
21 of an occupational vehicle owned or leased by that
22 person's employer when used solely for employment
23 purposes. For any person who, within a 5-year period, is
24 convicted of a second or subsequent offense under Section
25 11-501 of this Code, or a similar provision of a local
26 ordinance or similar out-of-state offense, this employment

1 exemption does not apply until either a one-year period
2 has elapsed during which that person had his or her
3 driving privileges revoked or a one-year period has
4 elapsed during which that person had a restricted driving
5 permit which required the use of an ignition interlock
6 device on every motor vehicle owned or operated by that
7 person.

8 (E) In each case the Secretary may issue a restricted
9 driving permit for a period deemed appropriate, except
10 that all permits shall expire no later than 2 years from
11 the date of issuance. A restricted driving permit issued
12 under this Section shall be subject to cancellation,
13 revocation, and suspension by the Secretary of State in
14 like manner and for like cause as a driver's license
15 issued under this Code may be cancelled, revoked, or
16 suspended; except that a conviction upon one or more
17 offenses against laws or ordinances regulating the
18 movement of traffic shall be deemed sufficient cause for
19 the revocation, suspension, or cancellation of a
20 restricted driving permit. The Secretary of State may, as
21 a condition to the issuance of a restricted driving
22 permit, require the applicant to participate in a
23 designated driver remedial or rehabilitative program. The
24 Secretary of State is authorized to cancel a restricted
25 driving permit if the permit holder does not successfully
26 complete the program.

1 (F) A person subject to the provisions of paragraph 4
2 of subsection (b) of Section 6-208 of this Code may make
3 application for a restricted driving permit at a hearing
4 conducted under Section 2-118 of this Code after the
5 expiration of 5 years from the effective date of the most
6 recent revocation or after 5 years from the date of
7 release from a period of imprisonment resulting from a
8 conviction of the most recent offense, whichever is later,
9 provided the person, in addition to all other requirements
10 of the Secretary, shows by clear and convincing evidence:

11 (i) a minimum of 3 years of uninterrupted
12 abstinence from alcohol and the unlawful use or
13 consumption of cannabis under the Cannabis Control
14 Act, a controlled substance under the Illinois
15 Controlled Substances Act, an intoxicating compound
16 under the Use of Intoxicating Compounds Act, or
17 methamphetamine under the Methamphetamine Control and
18 Community Protection Act; and

19 (ii) the successful completion of any
20 rehabilitative treatment and involvement in any
21 ongoing rehabilitative activity that may be
22 recommended by a properly licensed service provider
23 according to an assessment of the person's alcohol or
24 drug use under Section 11-501.01 of this Code.

25 In determining whether an applicant is eligible for a
26 restricted driving permit under this subparagraph (F), the

1 Secretary may consider any relevant evidence, including,
2 but not limited to, testimony, affidavits, records, and
3 the results of regular alcohol or drug tests. Persons
4 subject to the provisions of paragraph 4 of subsection (b)
5 of Section 6-208 of this Code and who have been convicted
6 of more than one violation of paragraph (3), paragraph
7 (4), or paragraph (5) of subsection (a) of Section 11-501
8 of this Code shall not be eligible to apply for a
9 restricted driving permit under this subparagraph (F).

10 A restricted driving permit issued under this
11 subparagraph (F) shall provide that the holder may only
12 operate motor vehicles equipped with an ignition interlock
13 device as required under paragraph (2) of subsection (c)
14 of Section 6-205 of this Code and subparagraph (A) of
15 paragraph 3 of subsection (c) of this Section. The
16 Secretary may revoke a restricted driving permit or amend
17 the conditions of a restricted driving permit issued under
18 this subparagraph (F) if the holder operates a vehicle
19 that is not equipped with an ignition interlock device, or
20 for any other reason authorized under this Code.

21 A restricted driving permit issued under this
22 subparagraph (F) shall be revoked, and the holder barred
23 from applying for or being issued a restricted driving
24 permit in the future, if the holder is convicted of a
25 violation of Section 11-501 of this Code, a similar
26 provision of a local ordinance, or a similar offense in

1 another state.

2 (c-3) In the case of a suspension under paragraph 43 of
3 subsection (a), reports received by the Secretary of State
4 under this Section shall, except during the actual time the
5 suspension is in effect, be privileged information and for use
6 only by the courts, police officers, prosecuting authorities,
7 the driver licensing administrator of any other state, the
8 Secretary of State, or the parent or legal guardian of a driver
9 under the age of 18. However, beginning January 1, 2008, if the
10 person is a CDL holder, the suspension shall also be made
11 available to the driver licensing administrator of any other
12 state, the U.S. Department of Transportation, and the affected
13 driver or motor carrier or prospective motor carrier upon
14 request.

15 (c-4) In the case of a suspension under paragraph 43 of
16 subsection (a), the Secretary of State shall notify the person
17 by mail that his or her driving privileges and driver's
18 license will be suspended one month after the date of the
19 mailing of the notice.

20 (c-5) The Secretary of State may, as a condition of the
21 reissuance of a driver's license or permit to an applicant
22 whose driver's license or permit has been suspended before he
23 or she reached the age of 21 years pursuant to any of the
24 provisions of this Section, require the applicant to
25 participate in a driver remedial education course and be
26 retested under Section 6-109 of this Code.

1 (d) This Section is subject to the provisions of the
2 Driver License Compact.

3 (e) The Secretary of State shall not issue a restricted
4 driving permit to a person under the age of 16 years whose
5 driving privileges have been suspended or revoked under any
6 provisions of this Code.

7 (f) In accordance with 49 CFR 384, the Secretary of State
8 may not issue a restricted driving permit for the operation of
9 a commercial motor vehicle to a person holding a CDL whose
10 driving privileges have been suspended, revoked, cancelled, or
11 disqualified under any provisions of this Code.

12 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
13 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
14 7-1-23; 103-154, eff. 6-30-23; 103-822, eff. 1-1-25.)

15 (625 ILCS 5/11-907)

16 Sec. 11-907. Operation of vehicles and streetcars on
17 approach of authorized emergency vehicles.

18 (a) Upon the immediate approach of an authorized emergency
19 vehicle making use of audible and visual signals meeting the
20 requirements of this Code or a police vehicle properly and
21 lawfully making use of an audible or visual signal:

22 (1) the driver of every other vehicle shall yield the
23 right-of-way and shall immediately drive to a position
24 parallel to, and as close as possible to, the right-hand
25 edge or curb of the highway clear of any intersection and

1 shall, if necessary to permit the safe passage of the
2 emergency vehicle, stop and remain in such position until
3 the authorized emergency vehicle has passed, unless
4 otherwise directed by a police officer; and

5 (2) the operator of every streetcar shall immediately
6 stop such car clear of any intersection and keep it in such
7 position until the authorized emergency vehicle has
8 passed, unless otherwise directed by a police officer.

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

12 (c) Upon approaching a stationary authorized emergency
13 vehicle or emergency scene, when the stationary authorized
14 emergency vehicle is giving a visual signal by displaying
15 oscillating, rotating, or flashing lights as authorized under
16 Section 12-215 of this Code, a person who drives an
17 approaching 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 authorized emergency vehicle, if
21 possible with due regard to safety and traffic conditions,
22 if on a highway having at least 4 lanes with not less than
23 2 lanes proceeding in the same direction as the
24 approaching vehicle and reduce the speed of the vehicle to
25 a speed that is reasonable and proper with regard to
26 traffic conditions and the use of the highway to avoid a

1 collision and leaving a safe distance until safely past
2 the stationary emergency vehicle; or

3 (2) if changing lanes would be impossible or unsafe,
4 proceeding with due caution, reduce the speed of the
5 vehicle to a speed that is reasonable and proper with
6 regard to traffic conditions and the use of the highway to
7 avoid a collision, maintaining a safe speed for road
8 conditions and leaving a safe distance until safely past
9 the stationary emergency vehicles.

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

20 As used in this subsection (c) and subsection (c-5),
21 "authorized emergency vehicle" includes any vehicle authorized
22 by law to be equipped with oscillating, rotating, or flashing
23 lights under Section 12-215 of this Code, while the owner or
24 operator of the vehicle is engaged in his or her official
25 duties. As used in this subsection (c) and subsection (c-10),
26 "emergency scene" means a location where a stationary

1 authorized emergency vehicle as defined by herein is present
2 and has activated its oscillating, rotating, or flashing
3 lights.

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

9 (c-10) The driver of a vehicle shall yield the
10 right-of-way to an emergency worker obviously and actually
11 engaged in work upon a highway at an emergency scene. The
12 driver of a vehicle shall yield the right-of-way to any
13 pedestrian upon a highway directly involved in the emergency
14 scene.

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

1 the violation results in damage to another vehicle commits a
2 Class A misdemeanor. A person who violates subsection (c) and
3 the violation results in the injury or death of another person
4 commits a Class 4 felony.

5 (e) If a violation of subsection (c), (c-5), or (c-10), of
6 this Section results in damage to the property of another
7 person, in addition to any other penalty imposed, the person's
8 driving privileges shall be suspended for a fixed period of
9 not less than 90 days and not more than one year.

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

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

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

22 (1) suspend the person's driving privileges for the
23 mandatory period; or

24 (2) extend the period of an existing suspension by the
25 appropriate mandatory period.

26 (i) The Scott's Law Fund shall be a special fund in the

1 State treasury. Subject to appropriation by the General
2 Assembly and approval by the Director, the Director of the
3 State Police shall use all moneys in the Scott's Law Fund in
4 the Department's discretion to fund the production of
5 materials to educate drivers on approaching stationary
6 authorized emergency vehicles, to hire off-duty Illinois State
7 Police for enforcement of this Section, and for other law
8 enforcement purposes the Director deems necessary in these
9 efforts.

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

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

1 (Source: P.A. 102-336, eff. 1-1-22; 102-338, eff. 1-1-22;
2 102-813, eff. 5-13-22; 103-667, eff. 1-1-25; 103-711, eff.
3 1-1-25; revised 11-26-24.)