



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1784

by Rep. Tim Butler - Anna Moeller

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-703	from Ch. 95 1/2, par. 11-703
625 ILCS 5/11-707	from Ch. 95 1/2, par. 11-707
625 ILCS 5/11-709.1	from Ch. 95 1/2, par. 11-709.1
625 ILCS 5/11-1505	from Ch. 95 1/2, par. 11-1505
625 ILCS 5/11-1507	from Ch. 95 1/2, par. 11-1507

Amends the Illinois Vehicle Code. Provides that a driver of a motor vehicle may, subject to certain requirements, overtake and pass to the left of a bicycle proceeding in the same direction on a portion of a highway designated as a no-passing zone. Provides that provisions concerning driving on the shoulder of a roadway shall not apply to any bicycle and a person operating a bicycle or motorized pedal cycle shall not be required to use the shoulder of a roadway when operating the bicycle or motorized pedal cycle. Provides that the rear of a bicycle may be equipped with a lamp emitting a steady or flashing red light (rather than solely a red light) visible from a distance of 500 feet in addition to or instead of a red reflector (rather than in addition to a red reflector).

LRB100 07968 AXK 18043 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 changing
5 Sections 11-703, 11-707, 11-709.1, 11-1505, and 11-1507 as
6 follows:

7 (625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

8 Sec. 11-703. Overtaking a vehicle on the left. The
9 following rules govern the overtaking and passing of vehicles
10 proceeding in the same direction, subject to those limitations,
11 exceptions, and special rules otherwise stated in this Chapter:

12 (a) The driver of a vehicle overtaking another vehicle
13 proceeding in the same direction shall pass to the left
14 thereof at a safe distance and shall not again drive to the
15 right side of the roadway until safely clear of the
16 overtaken vehicle. In no event shall such movement be made
17 by driving off the pavement or the main traveled portion of
18 the roadway.

19 (b) Except when overtaking and passing on the right is
20 permitted, the driver of an overtaken vehicle shall give
21 way to the right in favor of the overtaking vehicle on
22 audible signal and shall not increase the speed of his
23 vehicle until completely passed by the overtaking vehicle.

1 (c) The driver of a 2 wheeled vehicle may not, in
2 passing upon the left of any vehicle proceeding in the same
3 direction, pass upon the right of any vehicle proceeding in
4 the same direction unless there is an unobstructed lane of
5 traffic available to permit such passing maneuver safely.

6 (d) The operator of a motor vehicle overtaking a
7 bicycle or individual proceeding in the same direction on a
8 highway shall leave a safe distance, but not less than 3
9 feet, when passing the bicycle or individual and shall
10 maintain that distance until safely past the overtaken
11 bicycle or individual.

12 (d-5) A driver of a motor vehicle overtaking a bicycle
13 proceeding in the same direction on a highway may, subject
14 to the provisions in paragraph (d) of this Section and
15 Section 11-706 of this Code, pass to the left of the
16 bicycle on a portion of the highway designated as a
17 no-passing zone under Section 11-707 of this Code if the
18 driver is able to overtake and pass the bicycle without
19 exceeding the posted speed limit of the highway.

20 (e) A person driving a motor vehicle shall not, in a
21 reckless manner, drive the motor vehicle unnecessarily
22 close to, toward, or near a bicyclist, pedestrian, or a
23 person riding a horse or driving an animal drawn vehicle.

24 (f) Every person convicted of paragraph (e) of this
25 Section shall be guilty of a Class A misdemeanor if the
26 violation does not result in great bodily harm or permanent

1 disability or disfigurement to another. If the violation
2 results in great bodily harm or permanent disability or
3 disfigurement to another, the person shall be guilty of a
4 Class 3 felony.

5 (Source: P.A. 95-231, eff. 1-1-08; 96-1007, eff. 1-1-11.)

6 (625 ILCS 5/11-707) (from Ch. 95 1/2, par. 11-707)

7 Sec. 11-707. No-passing zones.

8 (a) The Department and local authorities are authorized to
9 determine those portions of any highway under their respective
10 jurisdictions where overtaking and passing or driving on the
11 left of the roadway would be especially hazardous and may by
12 appropriate signs or markings on the roadway indicate the
13 beginning and end of such zones. Upon request of a local school
14 board, the Department or local authority which has jurisdiction
15 over the roadway in question, shall determine whether a
16 hazardous situation exists at a particular location and
17 warrants a no-passing zone. If the Department or local
18 authority determines that a no-passing zone is warranted, the
19 school board and the Department or local authority shall share
20 equally the cost of designating the no-passing zone by signs
21 and markings. When such signs or markings are in place and
22 clearly visible to an ordinarily observant person every driver
23 of a vehicle shall obey the directions thereof.

24 (b) Where signs or markings are in place to define a
25 no-passing zone as set forth in paragraph (a) no driver may at

1 any time drive on the left side of the roadway within the
2 no-passing zone or on the left side of any pavement striping
3 designed to mark such no-passing zone throughout its length.

4 (c) This Section does not apply under the conditions
5 described in Section 11-701 (a) 2, subsection (d-5) of Section
6 11-703, nor to the driver of a vehicle turning left into or
7 from an alley, private road or driveway. The pavement striping
8 designed to mark the no-passing zone may be crossed from the
9 left hand lane for the purpose of completing a pass that was
10 begun prior to the beginning of the zone in the driver's
11 direction of travel.

12 (d) Special speed limit areas required under Section 11-605
13 of this Code in unincorporated areas only shall also be
14 no-passing zones.

15 (Source: P.A. 86-471.)

16 (625 ILCS 5/11-709.1) (from Ch. 95 1/2, par. 11-709.1)

17 Sec. 11-709.1. Driving on the shoulder.

18 (a) Vehicles shall be driven on a roadway, and shall only
19 be driven on the shoulder for the purpose of stopping or
20 accelerating from a stop while merging into traffic. It shall
21 be a violation of this Section if while merging into traffic
22 and while on the shoulder, the vehicle passes any other vehicle
23 on the roadway adjacent to it.

24 (b) This Section shall not apply to any authorized
25 emergency vehicle, to any authorized transit bus, to any

1 bicycle, to any farm tractor or implement of husbandry, to any
2 service vehicle while engaged in maintenance of the highway or
3 related work, or to any authorized vehicle within a designated
4 construction zone.

5 (Source: P.A. 97-292, eff. 8-11-11.)

6 (625 ILCS 5/11-1505) (from Ch. 95 1/2, par. 11-1505)

7 Sec. 11-1505. Position of bicycles and motorized pedal
8 cycles on roadways - Riding on roadways and bicycle paths.

9 (a) Any person operating a bicycle or motorized pedal cycle
10 upon a roadway at less than the normal speed of traffic at the
11 time and place and under the conditions then existing shall
12 ride as close as practicable and safe to the right-hand curb or
13 edge of the roadway except under the following situations:

14 1. When overtaking and passing another bicycle,
15 motorized pedal cycle or vehicle proceeding in the same
16 direction; or

17 2. When preparing for a left turn at an intersection or
18 into a private road or driveway; or

19 3. When reasonably necessary to avoid conditions
20 including, but not limited to, fixed or moving objects,
21 parked or moving vehicles, bicycles, motorized pedal
22 cycles, pedestrians, animals, surface hazards, or
23 substandard width lanes that make it unsafe to continue
24 along the right-hand curb or edge. For purposes of this
25 subsection, a "substandard width lane" means a lane that is

1 too narrow for a bicycle or motorized pedal cycle and a
2 vehicle to travel safely side by side within the lane and
3 is specified as 13 feet or less by the American Association
4 of State Highway and Transportation Officials' Guide for
5 the Development of Bicycle Facilities (2012); or

6 4. When approaching a place where a right turn is
7 authorized.

8 (a-5) Any person operating a bicycle or motorized pedal
9 cycle shall not be required to use the shoulder of a roadway
10 when operating the bicycle or motorized pedal cycle.

11 (b) Any person operating a bicycle or motorized pedal cycle
12 upon a one-way highway with two or more marked traffic lanes
13 may ride as near the left-hand curb or edge of such roadway as
14 practicable.

15 (Source: P.A. 97-813, eff. 7-13-12.)

16 (625 ILCS 5/11-1507) (from Ch. 95 1/2, par. 11-1507)

17 Sec. 11-1507. Lamps and other equipment on bicycles.

18 (a) Every bicycle when in use at nighttime shall be
19 equipped with a lamp on the front which shall emit a white
20 light visible from a distance of at least 500 feet to the front
21 and with a red reflector on the rear of a type approved by the
22 Department which shall be visible from all distances from 100
23 feet to 600 feet to the rear when directly in front of lawful
24 lower beams of headlamps on a motor vehicle, except that a ~~red~~
25 lamp emitting a steady or flashing red light visible from a

1 distance of 500 feet to the rear may be used in addition to or
2 instead of the red reflector.

3 (b) A bicycle shall not be equipped with nor shall any
4 person use upon a bicycle any siren. This subsection (b) does
5 not apply to a bicycle that is a police vehicle or fire
6 department vehicle.

7 (c) Every bicycle shall be equipped with a brake which will
8 adequately control movement of and stop and hold such bicycle.

9 (d) No person shall sell a new bicycle or pedal for use on
10 a bicycle that is not equipped with a reflex reflector
11 conforming to specifications prescribed by the Department, on
12 each pedal, visible from the front and rear of the bicycle
13 during darkness from a distance of 200 feet.

14 (e) No person shall sell or offer for sale a new bicycle
15 that is not equipped with side reflectors. Such reflectors
16 shall be visible from each side of the bicycle from a distance
17 of 500 feet and shall be essentially colorless or red to the
18 rear of the center of the bicycle and essentially colorless or
19 amber to the front of the center of the bicycle provided. The
20 requirements of this paragraph may be met by reflective
21 materials which shall be at least 3/16 of an inch wide on each
22 side of each tire or rim to indicate as clearly as possible the
23 continuous circular shape and size of the tires or rims of such
24 bicycle and which reflective materials may be of the same color
25 on both the front and rear tire or rim. Such reflectors shall
26 conform to specifications prescribed by the Department.

1 (f) No person shall sell or offer for sale a new bicycle
2 that is not equipped with an essentially colorless front-facing
3 reflector.

4 (Source: P.A. 95-28, eff. 8-7-07.)