



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2462

Introduced 2/15/2023, by Rep. Matt Hanson

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-201	from Ch. 95 1/2, par. 7-201
625 ILCS 5/7-201.1	from Ch. 95 1/2, par. 7-201.1
625 ILCS 5/11-404	from Ch. 95 1/2, par. 11-404
625 ILCS 5/11-407	from Ch. 95 1/2, par. 11-407
625 ILCS 5/11-414	from Ch. 95 1/2, par. 11-414

Amends the Illinois Vehicle Code. Provides that the driver of a vehicle that is in any manner involved in a crash within this State, resulting in injury to or the death of any person, or in which damage to the property of any one person, including that of the driver, in excess of certain amounts is sustained, or of a vehicle that is in any manner involved in a crash in this State that involves a school bus, caused by a collision, a sudden stop, or otherwise, resulting in any property damage, personal injury, or death, or that is involved in a crash that occurs within 50 feet of a school bus in this State resulting in personal injury to or the death of any person while awaiting or preparing to board the bus or immediately after exiting the bus, shall, if no police officer is present, give notice of the crash by the fastest available means of communication to the local police department if such crash occurs within a municipality or otherwise to the nearest office of the county sheriff or nearest headquarters of the Illinois State Police. Provides that the Secretary of State shall suspend the driver's license or any nonresident driving privilege of any person who fails or neglects to report a crash as required by law. Makes corresponding changes.

LRB103 29448 MXP 55840 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 Sections 7-201, 7-201.1, 11-404, 11-407, and 11-414
6 as follows:

7 (625 ILCS 5/7-201) (from Ch. 95 1/2, par. 7-201)

8 (Text of Section before amendment by P.A. 102-982)

9 Sec. 7-201. Application of Article II. The Administrator
10 as soon as practicable after the receipt of the report,
11 required to be filed under Sections 11-406 and 11-410, of a
12 motor vehicle accident occurring within this State and that
13 has resulted in bodily injury or death of any person or that
14 damage to the property of any one person in excess of \$1,500
15 (or \$500 if any of the vehicles involved in the accident is
16 subject to Section 7-601 but is not covered by a liability
17 insurance policy in accordance with Section 7-601) was
18 sustained, shall determine:

19 1. Whether Section 7-202 of this Code requires the
20 deposit of security by or on behalf of any person who was
21 the operator or owner of any motor vehicle in any manner
22 involved in the accident; and

23 2. What amount of security shall be sufficient to

1 satisfy any potential judgment or judgments for money
2 damages resulting from the accident as may be recovered
3 against the operator or owner, which amount shall in no
4 event be less than \$1,500 (or \$500 if any of the vehicles
5 involved in the accident is subject to Section 7-601 but
6 is not covered by a liability insurance policy in
7 accordance with Section 7-601).

8 (Source: P.A. 95-754, eff. 1-1-09.)

9 (Text of Section after amendment by P.A. 102-982)

10 Sec. 7-201. Application of Article II. The Administrator
11 as soon as practicable after the receipt of the report,
12 required to be filed under Section 11-407 ~~Sections 11-406 and~~
13 ~~11-410~~, of a motor vehicle crash occurring within this State
14 and that has resulted in bodily injury or death of any person
15 or that damage to the property of any one person in excess of
16 \$1,500 (or \$500 if any of the vehicles involved in the crash is
17 subject to Section 7-601 but is not covered by a liability
18 insurance policy in accordance with Section 7-601) was
19 sustained, shall determine:

20 1. Whether Section 7-202 of this Code requires the
21 deposit of security by or on behalf of any person who was
22 the operator or owner of any motor vehicle in any manner
23 involved in the crash; and

24 2. What amount of security shall be sufficient to
25 satisfy any potential judgment or judgments for money

1 damages resulting from the crash as may be recovered
2 against the operator or owner, which amount shall in no
3 event be less than \$1,500 (or \$500 if any of the vehicles
4 involved in the crash is subject to Section 7-601 but is
5 not covered by a liability insurance policy in accordance
6 with Section 7-601).

7 (Source: P.A. 102-982, eff. 7-1-23.)

8 (625 ILCS 5/7-201.1) (from Ch. 95 1/2, par. 7-201.1)

9 (Text of Section before amendment by P.A. 102-982)

10 Sec. 7-201.1. If the Administrator has not received a
11 report required to be filed under Sections 11-406 and 11-410,
12 or if the information contained in a report is insufficient,
13 the Administrator shall send to the person required to file
14 the report a written request for the missing report or the
15 missing information. The Administrator shall send such request
16 no later than 45 days after the accident or 7 days after
17 receiving information that such accident has occurred,
18 whichever is later.

19 If the request is sent to a driver involved in an accident,
20 the request or an attachment thereto shall contain in bold
21 print a warning that failure to comply with the request within
22 15 days may result in the suspension of the driver's license.

23 (Source: P.A. 84-797.)

24 (Text of Section after amendment by P.A. 102-982)

1 Sec. 7-201.1. If the Administrator has not received a
2 report required to be filed under Section 11-407 ~~Sections~~
3 ~~11-406 and 11-410~~, or if the information contained in a report
4 is insufficient, the Administrator shall send to the person
5 required to file the report a written request for the missing
6 report or the missing information. The Administrator shall
7 send such request no later than 45 days after the crash or 7
8 days after receiving information that such crash has occurred,
9 whichever is later.

10 If the request is sent to a driver involved in a crash, the
11 request or an attachment thereto shall contain in bold print a
12 warning that failure to comply with the request within 15 days
13 may result in the suspension of the driver's license.

14 (Source: P.A. 102-982, eff. 7-1-23.)

15 (625 ILCS 5/11-404) (from Ch. 95 1/2, par. 11-404)

16 (Text of Section before amendment by P.A. 102-982)

17 Sec. 11-404. Duty upon damaging unattended vehicle or
18 other property.

19 (a) The driver of any vehicle which collides with or is
20 involved in a motor vehicle accident with any vehicle which is
21 unattended, or other property, resulting in any damage to such
22 other vehicle or property shall immediately stop and shall
23 then and there either locate and notify the operator or owner
24 of such vehicle or other property of the driver's name,
25 address, registration number and owner of the vehicle the

1 driver was operating or shall attach securely in a conspicuous
2 place on or in the vehicle or other property struck a written
3 notice giving the driver's name, address, registration number
4 and owner of the vehicle the driver was driving and shall
5 without unnecessary delay notify the nearest office of a duly
6 authorized police authority and shall make a written report of
7 such accident when and as required in Section 11-406. Every
8 such stop shall be made without obstructing traffic more than
9 is necessary. If a damaged vehicle is obstructing traffic
10 lanes, the driver of the vehicle must make every reasonable
11 effort to move the vehicle or have it moved so as not to block
12 the traffic lanes.

13 (b) Any person failing to comply with this Section shall
14 be guilty of a Class A misdemeanor.

15 (c) If any peace officer or highway authority official
16 finds (i) a vehicle standing upon a highway or toll highway in
17 violation of a prohibition, limitation, or restriction on
18 stopping, standing, or parking imposed under this Code or (ii)
19 a disabled vehicle that obstructs the roadway of a highway or
20 toll highway, the peace officer or highway authority official
21 is authorized to move the vehicle or to require the operator of
22 the vehicle to move the vehicle to the shoulder of the road, to
23 a position where parking is permitted, or to public parking or
24 storage premises. The removal may be performed by, or under
25 the direction of, the peace officer or highway authority
26 official or may be contracted for by local authorities. After

1 the vehicle has been removed, the peace officer or highway
2 authority official shall follow appropriate procedures, as
3 provided in Section 4-203 of this Code.

4 (d) A towing service, its officers, and its employees are
5 not liable for loss of or damages to any real or personal
6 property that occurs as the result of the removal or towing of
7 any vehicle under subsection (c), as provided in subsection
8 (b) of Section 4-213.

9 (Source: P.A. 95-407, eff. 1-1-08.)

10 (Text of Section after amendment by P.A. 102-982)

11 Sec. 11-404. Duty upon damaging unattended vehicle or
12 other property.

13 (a) The driver of any vehicle which collides with or is
14 involved in a motor vehicle crash with any vehicle which is
15 unattended, or other property, resulting in any damage to such
16 other vehicle or property shall immediately stop and shall
17 then and there either locate and notify the operator or owner
18 of such vehicle or other property of the driver's name,
19 address, registration number and owner of the vehicle the
20 driver was operating or shall attach securely in a conspicuous
21 place on or in the vehicle or other property struck a written
22 notice giving the driver's name, address, registration number
23 and owner of the vehicle the driver was driving and shall
24 without unnecessary delay notify the nearest office of a duly
25 authorized police authority and shall make a written report of

1 such crash when and as required in Section 11-407 ~~11-406~~.
2 Every such stop shall be made without obstructing traffic more
3 than is necessary. If a damaged vehicle is obstructing traffic
4 lanes, the driver of the vehicle must make every reasonable
5 effort to move the vehicle or have it moved so as not to block
6 the traffic lanes.

7 (b) Any person failing to comply with this Section shall
8 be guilty of a Class A misdemeanor.

9 (c) If any peace officer or highway authority official
10 finds (i) a vehicle standing upon a highway or toll highway in
11 violation of a prohibition, limitation, or restriction on
12 stopping, standing, or parking imposed under this Code or (ii)
13 a disabled vehicle that obstructs the roadway of a highway or
14 toll highway, the peace officer or highway authority official
15 is authorized to move the vehicle or to require the operator of
16 the vehicle to move the vehicle to the shoulder of the road, to
17 a position where parking is permitted, or to public parking or
18 storage premises. The removal may be performed by, or under
19 the direction of, the peace officer or highway authority
20 official or may be contracted for by local authorities. After
21 the vehicle has been removed, the peace officer or highway
22 authority official shall follow appropriate procedures, as
23 provided in Section 4-203 of this Code.

24 (d) A towing service, its officers, and its employees are
25 not liable for loss of or damages to any real or personal
26 property that occurs as the result of the removal or towing of

1 any vehicle under subsection (c), as provided in subsection
2 (b) of Section 4-213.

3 (Source: P.A. 102-982, eff. 7-1-23.)

4 (625 ILCS 5/11-407) (from Ch. 95 1/2, par. 11-407)

5 (Text of Section before amendment by P.A. 102-982)

6 Sec. 11-407. Immediate notice of accident.

7 (a) The driver of a vehicle which is in any manner involved
8 in an accident described in Section 11-406 of this Chapter
9 shall, if no police officer is present, give notice of the
10 accident by the fastest available means of communication to
11 the local police department if such accident occurs within a
12 municipality or otherwise to the nearest office of the county
13 sheriff or nearest headquarters of the Illinois State Police.

14 (b) Whenever the driver of a vehicle is physically
15 incapable of giving immediate notice of an accident as
16 required in Subsection (a) and there was another occupant in
17 the vehicle at the time of the accident capable of doing so,
18 that occupant must give notice as required in Subsection (a).

19 (Source: P.A. 76-2163.)

20 (Text of Section after amendment by P.A. 102-982)

21 Sec. 11-407. Immediate notice of crash.

22 (a) The driver of a vehicle which is in any manner involved
23 in a crash within this State, resulting in injury to or the
24 death of any person, or in which damage to the property of any

1 one person, including that of the driver, is sustained in
2 excess of \$1,500 (or \$500 if any of the vehicles involved in
3 the crash is subject to Section 7-601 but is not covered by a
4 liability insurance policy in accordance with Section 7-601),
5 or of a vehicle that is in any manner involved in a crash in
6 this State that involves a school bus, caused by a collision, a
7 sudden stop, or otherwise, resulting in any property damage,
8 personal injury, or death, or that is involved in a crash that
9 occurs within 50 feet of a school bus in this State and
10 resulting in personal injury to or the death of any person
11 while awaiting or preparing to board the bus or immediately
12 after exiting the bus, ~~described in Section 11-406 of this~~
13 ~~Chapter~~ shall, if no police officer is present, give notice of
14 the crash by the fastest available means of communication to
15 the local police department if such crash occurs within a
16 municipality or otherwise to the nearest office of the county
17 sheriff or nearest headquarters of the Illinois State Police.

18 (b) Whenever the driver of a vehicle is physically
19 incapable of giving immediate notice of a crash as required in
20 Subsection (a) and there was another occupant in the vehicle
21 at the time of the crash capable of doing so, that occupant
22 must give notice as required in Subsection (a).

23 (c) The Secretary of State shall suspend the driver's
24 license or any nonresident driving privilege of any person who
25 fails or neglects to report a crash as required by any other
26 law of this State.

1 (Source: P.A. 102-982, eff. 7-1-23.)

2 (625 ILCS 5/11-414) (from Ch. 95 1/2, par. 11-414)

3 (Text of Section before amendment by P.A. 102-982)

4 Sec. 11-414. Department to tabulate and analyze motor
5 vehicle accident reports. The Department shall tabulate and
6 may analyze all written motor vehicle accident reports
7 received in compliance with this Code and shall publish
8 annually or at more frequent intervals motor vehicle accident
9 data. The Department:

10 1. (blank);

11 2. shall, upon written request, make available to the
12 public motor vehicle accident data that shall be
13 distributed under Sections 11-412 and 11-417 of this Code;

14 3. may conduct special investigations of motor vehicle
15 accidents and may solicit supplementary reports from
16 drivers, owners, police departments, sheriffs, coroners,
17 or any other individual. Failure of any individual to
18 submit a supplementary report subjects such individual to
19 the same penalties for failure to report as designated
20 under Section 11-406.

21 (Source: P.A. 100-96, eff. 1-1-18.)

22 (Text of Section after amendment by P.A. 102-982)

23 Sec. 11-414. Department to tabulate and analyze motor
24 vehicle crash reports. The Department shall tabulate and may

1 analyze all written motor vehicle crash reports received in
2 compliance with this Code and shall publish annually or at
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10 crashes and may solicit supplementary reports from
11 drivers, owners, police departments, sheriffs, coroners,
12 or any other individual. Failure of any individual to
13 submit a supplementary report subjects such individual to
14 the same penalties for failure to report as designated
15 under Section 11-407 ~~11-406~~.

16 (Source: P.A. 102-982, eff. 7-1-23.)

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.