

SB1807



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1807

Introduced 2/9/2023, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-204
625 ILCS 5/11-204.1

from Ch. 95 1/2, par. 11-204
from Ch. 95 1/2, par. 11-204.1

Amends the Illinois Vehicle Code. Provides that fleeing or attempting to elude a peace officer is a Class 4 felony instead of a Class A misdemeanor, and that a third or subsequent violation is a Class 3 felony instead of a Class 4 felony. Provides that aggravated fleeing or attempting to elude a peace officer is a Class 3 felony instead of a Class 4 felony, and that a second or subsequent violation is a Class 2 felony instead of a Class 3 felony. Effective immediately.

LRB103 26883 MXP 53247 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 Sections 11-204 and 11-204.1 as follows:

6 (625 ILCS 5/11-204) (from Ch. 95 1/2, par. 11-204)

7 Sec. 11-204. Fleeing or attempting to elude a peace
8 officer.

9 (a) Any driver or operator of a motor vehicle who, having
10 been given a visual or audible signal by a peace officer
11 directing such driver or operator to bring his vehicle to a
12 stop, wilfully fails or refuses to obey such direction,
13 increases his speed, extinguishes his lights, or otherwise
14 flees or attempts to elude the officer, is guilty of a Class 4
15 felony ~~A misdemeanor~~. The signal given by the peace officer
16 may be by hand, voice, siren, red or blue light. Provided, the
17 officer giving such signal shall be in police uniform, and, if
18 driving a vehicle, such vehicle shall display illuminated
19 oscillating, rotating or flashing red or blue lights which
20 when used in conjunction with an audible horn or siren would
21 indicate the vehicle to be an official police vehicle. Such
22 requirement shall not preclude the use of amber or white
23 oscillating, rotating or flashing lights in conjunction with

1 red or blue oscillating, rotating or flashing lights as
2 required in Section 12-215 of Chapter 12.

3 (b) Upon receiving notice of such conviction the Secretary
4 of State shall suspend the drivers license of the person so
5 convicted for a period of not more than 6 months for a first
6 conviction and not more than 12 months for a second
7 conviction.

8 (c) A third or subsequent violation of this Section is a
9 Class 3 ~~4~~ felony.

10 (Source: P.A. 93-120, eff. 1-1-04.)

11 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)

12 Sec. 11-204.1. Aggravated fleeing or attempting to elude a
13 peace officer.

14 (a) The offense of aggravated fleeing or attempting to
15 elude a peace officer is committed by any driver or operator of
16 a motor vehicle who flees or attempts to elude a peace officer,
17 after being given a visual or audible signal by a peace officer
18 in the manner prescribed in subsection (a) of Section 11-204
19 of this Code, and such flight or attempt to elude:

20 (1) is at a rate of speed at least 21 miles per hour
21 over the legal speed limit;

22 (2) causes bodily injury to any individual;

23 (3) causes damage in excess of \$300 to property;

24 (4) involves disobedience of 2 or more official
25 traffic control devices; or

1 (5) involves the concealing or altering of the
2 vehicle's registration plate or digital registration
3 plate.

4 (b) Any person convicted of a first violation of this
5 Section shall be guilty of a Class 3 ~~4~~ felony. Upon notice of
6 such a conviction the Secretary of State shall forthwith
7 revoke the driver's license of the person so convicted, as
8 provided in Section 6-205 of this Code. Any person convicted
9 of a second or subsequent violation of this Section shall be
10 guilty of a Class 2 ~~3~~ felony, and upon notice of such a
11 conviction the Secretary of State shall forthwith revoke the
12 driver's license of the person convicted, as provided in
13 Section 6-205 of the Code.

14 (c) The motor vehicle used in a violation of this Section
15 is subject to seizure and forfeiture as provided in Sections
16 36-1 and 36-2 of the Criminal Code of 2012.

17 (Source: P.A. 101-395, eff. 8-16-19.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.