

1 AN ACT concerning vehicles.

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 Section 11-401 as follows:

6 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

7 Sec. 11-401. Motor vehicle accidents involving death or
8 personal injuries.

9 (a) The driver of any vehicle involved in a motor vehicle
10 accident resulting in personal injury to or death of any person
11 shall immediately stop such vehicle at the scene of such
12 accident, or as close thereto as possible and shall then
13 forthwith return to, and in every event shall remain at the
14 scene of the accident until the requirements of Section 11-403
15 have been fulfilled. Every such stop shall be made without
16 obstructing traffic more than is necessary.

17 (b) Any person who has failed to stop or to comply with the
18 requirements of paragraph (a) shall, as soon as possible but in
19 no case later than one-half ~~one~~ hour after such motor vehicle
20 accident, or, if hospitalized and incapacitated from reporting
21 at any time during such period, as soon as possible but in no
22 case later than one-half ~~one~~ hour after being discharged from
23 the hospital, report the place of the accident, the date, the
24 approximate time, the driver's name and address, the
25 registration number of the vehicle driven, and the names of all
26 other occupants of such vehicle, at a police station or
27 sheriff's office near the place where such accident occurred.
28 ~~No report made as required under this paragraph shall be used,~~
29 ~~directly or indirectly, as a basis for the prosecution of any~~
30 ~~violation of paragraph (a).~~

31 For purposes of this Section, personal injury shall mean
32 any injury requiring immediate professional treatment in a

1 medical facility or doctor's office.

2 (c) Any person failing to comply with paragraph (a) shall
3 be guilty of a Class 4 felony ~~Class A misdemeanor~~.

4 (d) Any person failing to comply with paragraph (b) is
5 guilty of a Class 3 ~~Class 4~~ felony if the motor vehicle
6 accident does not result in the death of any person. Any person
7 failing to comply with paragraph (b) when the accident results
8 in the death of any person is guilty of a Class 2 felony, for
9 which the person, if sentenced to a term of imprisonment, shall
10 be sentenced to a term of not less than 3 years and not more
11 than 14 years.

12 (e) The Secretary of State shall revoke the driving
13 privilege of any person convicted of a violation of this
14 Section.

15 (Source: P.A. 90-543, eff. 12-1-97.)