

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 Section 11-503 as follows:

6 (625 ILCS 5/11-503) (from Ch. 95 1/2, par. 11-503)

7 Sec. 11-503. Reckless driving; aggravated reckless
8 driving.

9 (a) A person commits reckless driving if he or she:

10 (1) drives any vehicle with a willful or wanton
11 disregard for the safety of persons or property; or

12 (2) knowingly drives a vehicle and uses an incline in a
13 roadway, such as a railroad crossing, bridge approach, or
14 hill, to cause the vehicle to become airborne.

15 (b) Every person convicted of reckless driving shall be
16 guilty of a Class A misdemeanor, except as provided under
17 subsections (b-1), (c), and (d) ~~subsection (e)~~ of this Section.

18 (b-1) Except as provided in subsection (d), any person
19 convicted of violating subsection (a), if the violation causes
20 bodily harm to a child or a school crossing guard while the
21 school crossing guard is performing his or her official duties,
22 is guilty of a Class 4 felony.

23 (c) Every person convicted of committing a violation of

1 subsection (a) shall be guilty of aggravated reckless driving
2 if the violation results in great bodily harm or permanent
3 disability or disfigurement to another. Except as provided in
4 subsection (d) of this Section, aggravated ~~Aggravated~~ reckless
5 driving is a Class 4 felony.

6 (d) Any person convicted of violating subsection (a), if
7 the violation causes great bodily harm or permanent disability
8 or disfigurement to a child or a school crossing guard while
9 the school crossing guard is performing his or her official
10 duties, is guilty of aggravated reckless driving. Aggravated
11 reckless driving under this subsection (d) is a Class 3 felony.

12 (Source: P.A. 93-682, eff. 1-1-05.)

13 Section 10. The Criminal Code of 1961 is amended by
14 changing Section 9-3 as follows:

15 (720 ILCS 5/9-3) (from Ch. 38, par. 9-3)

16 Sec. 9-3. Involuntary Manslaughter and Reckless Homicide.

17 (a) A person who unintentionally kills an individual
18 without lawful justification commits involuntary manslaughter
19 if his acts whether lawful or unlawful which cause the death
20 are such as are likely to cause death or great bodily harm to
21 some individual, and he performs them recklessly, except in
22 cases in which the cause of the death consists of the driving
23 of a motor vehicle or operating a snowmobile, all-terrain
24 vehicle, or watercraft, in which case the person commits

1 reckless homicide. A person commits reckless homicide if he or
2 she unintentionally kills an individual while driving a vehicle
3 and using an incline in a roadway, such as a railroad crossing,
4 bridge approach, or hill, to cause the vehicle to become
5 airborne.

6 (b) (Blank).

7 (c) (Blank).

8 (d) Sentence.

9 (1) Involuntary manslaughter is a Class 3 felony.

10 (2) Reckless homicide is a Class 3 felony.

11 (e) (Blank).

12 (e-2) Except as provided in subsection (e-3), in cases
13 involving reckless homicide in which the offense is committed
14 upon a public thoroughfare where children pass going to and
15 from school when a school crossing guard is performing official
16 duties, the penalty is a Class 2 felony, for which a person, if
17 sentenced to a term of imprisonment, shall be sentenced to a
18 term of not less than 3 years and not more than 14 years.

19 (e-3) In cases involving reckless homicide in which (i) the
20 offense is committed upon a public thoroughfare where children
21 pass going to and from school when a school crossing guard is
22 performing official duties and (ii) the defendant causes the
23 deaths of 2 or more persons as part of a single course of
24 conduct, the penalty is a Class 2 felony, for which a person,
25 if sentenced to a term of imprisonment, shall be sentenced to a
26 term of not less than 6 years and not more than 28 years.

1 (e-5) (Blank).

2 (e-7) Except as otherwise provided in subsection (e-8), in
3 cases involving reckless homicide in which the defendant was
4 driving in a construction or maintenance zone, as defined in
5 Section 11-605 of the Illinois Vehicle Code, the penalty is a
6 Class 2 felony, for which a person, if sentenced to a term of
7 imprisonment, shall be sentenced to a term of not less than 3
8 years and not more than 14 years.

9 (e-8) In cases involving reckless homicide in which the
10 defendant was driving in a construction or maintenance zone, as
11 defined in Section 11-605 of the Illinois Vehicle Code, and
12 caused the deaths of 2 or more persons as part of a single
13 course of conduct, the penalty is a Class 2 felony, for which a
14 person, if sentenced to a term of imprisonment, shall be
15 sentenced to a term of not less than 6 years and not more than
16 28 years.

17 (e-9) In cases involving reckless homicide in which the
18 defendant drove a vehicle and used an incline in a roadway,
19 such as a railroad crossing, bridge approach, or hill, to cause
20 the vehicle to become airborne, and caused the deaths of 2 or
21 more persons as part of a single course of conduct, the penalty
22 is a Class 2 felony.

23 (f) In cases involving involuntary manslaughter in which
24 the victim was a family or household member as defined in
25 paragraph (3) of Section 112A-3 of the Code of Criminal
26 Procedure of 1963, the penalty shall be a Class 2 felony, for

1 which a person if sentenced to a term of imprisonment, shall be
2 sentenced to a term of not less than 3 years and not more than
3 14 years.

4 (Source: P.A. 92-16, eff. 6-28-01; 93-178, eff. 6-1-04; 93-213,
5 eff. 7-18-03; 93-682, eff. 1-1-05.)