

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 Boat Registration and Safety Act is amended
5 by adding Section 5-22 as follows:

6 (625 ILCS 45/5-22 new)

7 Sec. 5-22. Operation of watercraft upon the approach of an
8 authorized emergency watercraft.

9 (a) As used in this Section, "authorized emergency
10 watercraft" includes any watercraft operated by the Illinois
11 Department of Natural Resources Police, the Illinois
12 Department of State Police, a county sheriff, a local law
13 enforcement agency, a fire department, a provider of emergency
14 medical services, or the United States Coast Guard, equipped
15 with alternately flashing red, red and white, red and blue, or
16 red in combination with white or blue lights, while engaged in
17 official duties. Any authorized emergency watercraft must be
18 clearly emblazoned with markings identifying it as a watercraft
19 operated by the qualifying agency.

20 (b) Upon the immediate approach of an authorized emergency
21 watercraft making use of rotating or flashing visual signals
22 and lawfully making use of a visual signal, the operator of
23 every other watercraft shall yield the right-of-way and shall

1 immediately reduce the speed of the watercraft, so as not to
2 create a wake, and shall yield way to the emergency watercraft,
3 moving to the right to permit the safe passage of the emergency
4 watercraft, and shall stop and remain in that position until
5 the authorized emergency watercraft has passed, unless
6 otherwise directed by a police officer.

7 (c) Upon approaching a stationary authorized emergency
8 watercraft, when the authorized emergency watercraft is giving
9 a signal by displaying rotating or alternately flashing red,
10 red and white, red and blue, or red in combination with white
11 or blue lights, a person operating an approaching watercraft
12 shall proceed with due caution at no-wake speed and yield the
13 right-of-way by moving safely away from that authorized
14 emergency watercraft, proceeding with due caution at a no-wake
15 speed with due regard to safety and water conditions,
16 maintaining no-wake speed until sufficiently away from the
17 emergency watercraft so as not to create a wake that would
18 otherwise rock or otherwise disturb the authorized emergency
19 watercraft.

20 (d) This Section shall not operate to relieve the operator
21 of an authorized emergency watercraft from the duty to operate
22 that watercraft with due regard for the safety of all persons
23 using the waterway.

24 (e) A person who violates this Section commits a business
25 offense punishable by a fine of not less than \$100 or more than
26 \$10,000. It is a factor in aggravation if the person committed

1 the offense while in violation of Section 5-16 of this Act.

2 (f) If a violation of this Section results in damage to the
3 property of another person, in addition to any other penalty
4 imposed, the person's watercraft operating privileges shall be
5 suspended for a fixed period of not less than 90 days and not
6 more than one year.

7 (g) If a violation of this Section results in injury to
8 another person, in addition to any other penalty imposed, the
9 person's watercraft operating privileges shall be suspended
10 for a fixed period of not less than 180 days and not more than 2
11 years.

12 (h) If a violation of subsection (c) of this Section
13 results in great bodily harm or permanent disability or
14 disfigurement to, or the death of, another person, in addition
15 to any other penalty imposed, the person's watercraft operating
16 privileges shall be suspended for 2 years.

17 (i) The Department of Natural Resources shall, upon
18 receiving a record of a judgment entered against a person under
19 this Section:

20 (1) suspend the person's watercraft operating
21 privileges for the mandatory period; or

22 (2) extend the period of an existing suspension by the
23 appropriate mandatory period.