

HB3467



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3467

Introduced 2/28/2007, by Rep. George Scully, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/16-102

from Ch. 95 1/2, par. 16-102

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning arrests, investigations, and prosecutions.

LRB095 11392 DRH 32188 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 changing
5 Section 16-102 as follows:

6 (625 ILCS 5/16-102) (from Ch. 95 1/2, par. 16-102)

7 Sec. 16-102. Arrests - Investigations - Prosecutions.

8 (a) The ~~The~~ State Police shall patrol the public highways
9 and make arrests for violation of the provisions of this Act.

10 (b) The Secretary of State, through the investigators
11 provided for in this Act shall investigate and report
12 violations of the provisions of this Act in relation to the
13 equipment and operation of vehicles as provided for in Section
14 2-115 and for such purposes these investigators have and may
15 exercise throughout the State all of the powers of police
16 officers.

17 (c) The State's Attorney of the county in which the
18 violation occurs shall prosecute all violations except when the
19 violation occurs within the corporate limits of a municipality,
20 the municipal attorney may prosecute if written permission to
21 do so is obtained from the State's Attorney.

22 (d) The State's Attorney of the county in which the
23 violation occurs may not grant to the municipal attorney

1 permission to prosecute if the offense charged is a felony
2 under Section 11-501 of this Code. The municipality may,
3 however, charge an offender with a municipal misdemeanor
4 offense if the State's Attorney rejects or denies felony
5 charges for the conduct that comprises the charge.

6 (Source: P.A. 94-111, eff. 1-1-06; 94-740, eff. 5-8-06.)