



Sen. Randall M. Hultgren

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09600HB4048sam003

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1 AMENDMENT TO HOUSE BILL 4048

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4048 on page 1, by  
3 replacing line 5 with "Sections 3-405 and 12-603.1 as  
4 follows:"; and

5 on page 4, by inserting below line 12 the following:

6 "(625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)  
7 Sec. 12-603.1. Driver and passenger required to use safety  
8 belts, exceptions and penalty.

9 (a) Each driver and front seat and rear seat passenger of a  
10 motor vehicle operated on a street or highway in this State  
11 shall wear a properly adjusted and fastened seat safety belt. A  
12 ~~; except that, a~~ child less than 8 years of age shall be  
13 protected as required pursuant to the Child Passenger  
14 Protection Act. ~~Each driver under the age of 18 years and each~~  
15 ~~of the driver's passengers under the age of 19 years of a motor~~  
16 ~~vehicle operated on a street or highway in this State shall~~

1 ~~wear a properly adjusted and fastened seat safety belt. Every~~  
2 ~~passenger under the age of 19 in a vehicle being driven by a~~  
3 ~~person over the age of 18 who committed an offense against~~  
4 ~~traffic regulations governing the movement of vehicles or any~~  
5 ~~violation of this Section or Section 6-107 of this Code within~~  
6 ~~6 months prior to the driver's 18th birthday and was~~  
7 ~~subsequently convicted of the violation, shall wear a properly~~  
8 ~~adjusted and fastened seat safety belt, until such time as a~~  
9 ~~period of 6 consecutive months has elapsed without the driver~~  
10 ~~receiving an additional violation and subsequent conviction of~~  
11 ~~an offense against traffic regulations governing the movement~~  
12 ~~of vehicles or any violation of this Section or Section 6-107~~  
13 ~~of this Code.~~ Each driver of a motor vehicle transporting a  
14 child 8 years of age or more, but less than 16 years of age,  
15 shall secure the child in a properly adjusted and fastened seat  
16 safety belt as required under the Child Passenger Protection  
17 Act.

18 (b) Paragraph (a) shall not apply to any of the following:

19 1. A driver or passenger frequently stopping and  
20 leaving the vehicle or delivering property from the  
21 vehicle, if the speed of the vehicle between stops does not  
22 exceed 15 miles per hour.

23 2. A driver or passenger possessing a written statement  
24 from a physician that such person is unable, for medical or  
25 physical reasons, to wear a seat safety belt.

26 3. A driver or passenger possessing an official

1 certificate or license endorsement issued by the  
2 appropriate agency in another state or country indicating  
3 that the driver is unable for medical, physical, or other  
4 valid reasons to wear a seat safety belt.

5 4. A driver operating a motor vehicle in reverse.

6 5. A motor vehicle with a model year prior to 1965.

7 6. A motorcycle or motor driven cycle.

8 7. A motorized pedalcycle.

9 8. A motor vehicle which is not required to be equipped  
10 with seat safety belts under federal law.

11 9. A motor vehicle operated by a rural letter carrier  
12 of the United States postal service while performing duties  
13 as a rural letter carrier.

14 (c) Failure to wear a seat safety belt in violation of this  
15 Section shall not be considered evidence of negligence, shall  
16 not limit the liability of an insurer, and shall not diminish  
17 any recovery for damages arising out of the ownership,  
18 maintenance, or operation of a motor vehicle.

19 (d) A violation of this Section shall be a petty offense  
20 and subject to a fine not to exceed \$25.

21 (e) (Blank).

22 (f) A law enforcement officer may not search or inspect a  
23 motor vehicle, its contents, the driver, or a passenger solely  
24 because of a violation of this Section.

25 (Source: P.A. 94-239, eff. 1-1-06; 94-241, eff. 1-1-06; 95-310,  
26 eff. 1-1-08; 95-331, eff. 8-21-07.)".