



Rep. Daniel V. Beiser

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09800HB1581ham003

LRB098 05513 MLW 44593 a

1 AMENDMENT TO HOUSE BILL 1581

2 AMENDMENT NO. _____. Amend House Bill 1581, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by adding
6 Section 11-1432 as follows:

7 (625 ILCS 5/11-1432 new)

8 Sec. 11-1432. Domestic animals in motor vehicles.

9 (a) For purposes of this Section, "animal restraint system"
10 means a device which humanely restricts the movement of a
11 domestic animal and keeps the animal secured within a motor
12 vehicle's passenger area during transport. These devices
13 include, but are not limited to: animal safety harnesses,
14 modified seat belts, tethers, and crates.

15 (b) While operating a motor vehicle, no person shall hold
16 in their lap, or allow to be in the operator's immediate area,

1 any animal that interferes with the driver's control over the
2 driving mechanism of the vehicle. In order to comply with this
3 Section an operator of a motor vehicle may utilize an animal
4 restraint system. This Section shall not apply to the following
5 motor vehicles as defined by this Code:

6 (1) commercial motor vehicles;

7 (2) farm tractors;

8 (3) implements of husbandry; and

9 (4) farm to market agricultural transportation.

10 (c) Failure to use an animal restraint system shall not be
11 considered evidence of negligence, shall not limit the
12 liability of an insurer, and shall not diminish any recovery
13 for damages arising out of the ownership, maintenance, or
14 operation of a motor vehicle.

15 (d) A person who violates this Section is guilty of a petty
16 offense. First time offenders shall be issued a warning, but
17 for any second or subsequent offense violators shall be subject
18 to a fine not to exceed \$25.

19 (e) A law enforcement officer may not search a motor
20 vehicle, its contents, the driver, or a passenger solely
21 because of a violation or suspected violation of this Section.

22 Section 10. The Code of Criminal Procedure of 1963 is
23 amended by changing Section 108-1 as follows:

24 (725 ILCS 5/108-1) (from Ch. 38, par. 108-1)

1 Sec. 108-1. Search without warrant.

2 (1) When a lawful arrest is effected a peace officer may
3 reasonably search the person arrested and the area within such
4 person's immediate presence for the purpose of:

5 (a) protecting the officer from attack; or

6 (b) preventing the person from escaping; or

7 (c) discovering the fruits of the crime; or

8 (d) discovering any instruments, articles, or things
9 which may have been used in the commission of, or which may
10 constitute evidence of, an offense.

11 (2) (Blank).

12 (3) A law enforcement officer may not search or inspect a
13 motor vehicle, its contents, the driver, or a passenger solely
14 because of a violation of Section 12-603.1 of the Illinois
15 Vehicle Code.

16 (4) A law enforcement officer may not search a motor
17 vehicle, its contents, the driver, or a passenger solely
18 because of a violation or suspected violation of Section
19 11-1432 of the Illinois Vehicle Code.

20 (Source: P.A. 93-99, eff. 7-3-03.)".