

1 AMENDMENT TO SENATE BILL 504

2 AMENDMENT NO. _____. Amend Senate Bill 504 as follows:

3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Section 12-603.1 as follows:

7 (625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

8 Sec. 12-603.1. Driver and passenger required to use
9 safety belts, exceptions and penalty.

10 (a) Each driver and front seat passenger of a motor
11 vehicle operated on a street or highway in this State shall
12 wear a properly adjusted and fastened seat safety belt;
13 except that, a child less than 6 years of age shall be
14 protected as required pursuant to the Child Passenger
15 Protection Act. Each driver under the age of 18 years and
16 each of the driver's passengers under the age of 18 years of
17 a motor vehicle operated on a street or highway in this State
18 shall wear a properly adjusted and fastened seat safety belt.
19 Each driver of a motor vehicle transporting a child 6 years
20 of age or more, but less than 16 years of age, in the front
21 seat of the motor vehicle shall secure the child in a

1 properly adjusted and fastened seat safety belt.

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

4 1. A driver or passenger frequently stopping and
5 leaving the vehicle or delivering property from the
6 vehicle, if the speed of the vehicle between stops does
7 not exceed 15 miles per hour.

8 2. A driver or passenger possessing a written
9 statement from a physician that such person is unable,
10 for medical or physical reasons, to wear a seat safety
11 belt.

12 3. A driver or passenger possessing an official
13 certificate or license endorsement issued by the
14 appropriate agency in another state or country indicating
15 that the driver is unable for medical, physical, or other
16 valid reasons to wear a seat safety belt.

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

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

19 6. A motorcycle or motor driven cycle.

20 7. A motorized pedalcycle.

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

23 9. A motor vehicle operated by a rural letter
24 carrier of the United States postal service while
25 performing duties as a rural letter carrier.

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

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

33 (e) (Blank) ~~No-motor-vehicle,-or-driver-or-passenger--of~~
34 ~~such-vehicle,-shall-be-stopped-or-searched-by-any-law~~

1 enforcement-officer-solely-on-the-basis--of--a--violation--or
2 suspected-violation-of-this-Section.

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

6 (Source: P.A. 90-369, eff. 1-1-98.)

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

9 (725 ILCS 5/108-1) (from Ch. 38, par. 108-1)

10 Sec. 108-1. Search without warrant. (1) When a lawful
11 arrest is effected a peace officer may reasonably search the
12 person arrested and the area within such person's immediate
13 presence for the purpose of:

- 14 (a) Protecting the officer from attack; or
 - 15 (b) Preventing the person from escaping; or
 - 16 (c) Discovering the fruits of the crime; or
 - 17 (d) Discovering any instruments, articles, or things
- 18 which may have been used in the commission of, or which may
19 constitute evidence of, an offense.

20 (2) (Blank) ~~No-motor-vehicle, or-driver-or-passenger-of~~
21 ~~such-vehicle, shall-be-stopped-or-searched-by-any-law~~
22 ~~enforcement-officer-solely-on-the-basis-of-a-violation-or~~
23 ~~suspected-violation-of-Section-12-603.1-of-The-Illinois~~
24 ~~Vehicle-Code.~~

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

29 (Source: P.A. 85-291.)"