

1 AN ACT in relation to vehicles.

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  
5 changing Sections 11-907, 11-908, and 12-215 as follows:

6 (625 ILCS 5/11-907) (from Ch. 95 1/2, par. 11-907)

7 Sec. 11-907. Operation of vehicles and streetcars on  
8 approach of authorized emergency vehicles.

9 (a) Upon the immediate approach of an authorized  
10 emergency vehicle making use of audible and visual signals  
11 meeting the requirements of this Code or a police vehicle  
12 properly and lawfully making use of an audible or visual  
13 signal,

14 (1) the driver of every other vehicle shall yield  
15 the right-of-way and shall immediately drive to a  
16 position parallel to, and as close as possible to, the  
17 right-hand edge or curb of the highway clear of any  
18 intersection and shall, if necessary to permit the safe  
19 passage of the emergency vehicle, stop and remain in such  
20 position until the authorized emergency vehicle has  
21 passed, unless otherwise directed by a police officer and

22 (2) the operator of every streetcar shall  
23 immediately stop such car clear of any intersection and  
24 keep it in such position until the authorized emergency  
25 vehicle has passed, unless otherwise directed by a police  
26 officer.

27 (b) This Section shall not operate to relieve the driver  
28 of an authorized emergency vehicle from the duty to drive  
29 with due regard for the safety of all persons using the  
30 highway.

31 (c) Upon approaching a stationary authorized emergency

1 vehicle, when the authorized emergency vehicle is giving a  
2 signal by displaying alternately flashing red, red and white,  
3 blue, or red and blue lights or amber or yellow warning  
4 lights, a person who drives an approaching vehicle shall:

5 (1) proceeding with due caution, yield the  
6 right-of-way by making a lane change into a lane not  
7 adjacent to that of the authorized emergency vehicle, if  
8 possible with due regard to safety and traffic  
9 conditions, if on a highway having at least 4 lanes with  
10 not less than 2 lanes proceeding in the same direction as  
11 the approaching vehicle; or

12 (2) proceeding with due caution, reduce the speed  
13 of the vehicle, maintaining a safe speed for road  
14 conditions, if changing lanes would be impossible or  
15 unsafe.

16 As used in this subsection (c), "authorized emergency  
17 vehicle" includes any vehicle authorized by law to be  
18 equipped with oscillating, rotating, or flashing lights under  
19 Section 12-215 of this Code, while the owner or operator of  
20 the vehicle is engaged in his or her official duties.

21 (d) A person who violates subsection (c) of this Section  
22 commits a business offense punishable by a fine of not more  
23 than \$10,000. A person charged with the offense must appear  
24 in court to answer the charges. It is a factor in  
25 aggravation if the person committed the offense while in  
26 violation of Section 11-501 of this Code.

27 (e) If a violation of subsection (c) of this Section  
28 results in damage to the property of another person, in  
29 addition to any other penalty imposed, the person's driving  
30 privileges shall be suspended for a fixed period of not less  
31 than 90 days and not more than one year.

32 (f) If a violation of subsection (c) of this Section  
33 results in injury to another person, in addition to any other  
34 penalty imposed, the person's driving privileges shall be

1 suspended for a fixed period of not less than 180 days and  
2 not more than 2 years.

3 (g) If a violation of subsection (c) of this Section  
4 results in the death of another person, in addition to any  
5 other penalty imposed, the person's driving privileges shall  
6 be suspended for 2 years.

7 (h) The Secretary of State shall, upon receiving a  
8 record of a judgment entered against a person under  
9 subsection (c) of this Section:

10 (1) suspend the person's driving privileges for the  
11 mandatory period; or

12 (2) extend the period of an existing suspension by  
13 the appropriate mandatory period.

14 (Source: P.A. 92-283, eff. 1-1-02.)

15 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

16 Sec. 11-908. Vehicle approaching or entering a highway  
17 construction or maintenance area or zone.

18 (a) The driver of a vehicle shall yield the right of way  
19 to any authorized vehicle or pedestrian actually engaged in  
20 work upon a highway within any highway construction or  
21 maintenance area indicated by official traffic-control  
22 devices.

23 (a-1) Upon entering a construction or maintenance zone  
24 when workers are present, a person who drives a vehicle  
25 shall:

26 (1) proceeding with due caution, make a lane change  
27 into a lane not adjacent to that of the workers present,  
28 if possible with due regard to safety and traffic  
29 conditions, if on a highway having at least 4 lanes with  
30 not less than 2 lanes proceeding in the same direction as  
31 the approaching vehicle; or

32 (2) proceeding with due caution, reduce the speed  
33 of the vehicle, maintaining a safe speed for road

1 conditions, if changing lanes would be impossible or  
2 unsafe.

3 (a-2) A person who violates subsection (a-1) of this  
4 Section commits a business offense punishable by a fine of  
5 not more than \$10,000. A person charged with the offense  
6 must appear in court to answer the charges. It is a factor  
7 in aggravation if the person committed the offense while in  
8 violation of Section 11-501 of this Code.

9 (a-3) If a violation of subsection (a-1) of this Section  
10 results in damage to the property of another person, in  
11 addition to any other penalty imposed, the person's driving  
12 privileges shall be suspended for a fixed period of not less  
13 than 90 days and not more than one year.

14 (a-4) If a violation of subsection (a-1) of this Section  
15 results in injury to another person, in addition to any other  
16 penalty imposed, the person's driving privileges shall be  
17 suspended for a fixed period of not less than 180 days and  
18 not more than 2 years.

19 (a-5) If a violation of subsection (a-1) of this Section  
20 results in the death of another person, in addition to any  
21 other penalty imposed, the person's driving privileges shall  
22 be suspended for 2 years.

23 (a-6) The Secretary of State shall, upon receiving a  
24 record of a judgment entered against a person under  
25 subsection (a-1) of this Section:

26 (1) suspend the person's driving privileges for the  
27 mandatory period; or

28 (2) extend the period of an existing suspension by  
29 the appropriate mandatory period.

30 (b) The driver of a vehicle shall yield the right of way  
31 to any authorized vehicle obviously and actually engaged in  
32 work upon a highway whenever the vehicle engaged in  
33 construction or maintenance work displays flashing lights as  
34 provided in Section 12-215 of this Act.

1 (c) The driver of a vehicle shall stop if signaled to do  
2 so by a flagger or a traffic control signal and remain in  
3 such position until signaled to proceed. If a driver of a  
4 vehicle fails to stop when signaled to do so by a flagger,  
5 the flagger is authorized to report such offense to the  
6 State's Attorney or authorized prosecutor. The penalties  
7 imposed for a violation of this subsection (c) shall be in  
8 addition to any penalties imposed for a violation of  
9 subsection (a-1).

10 (Source: P.A. 86-611.)

11 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

12 Sec. 12-215. Oscillating, rotating or flashing lights on  
13 motor vehicles. Except as otherwise provided in this Code:

14 (a) The use of red or white oscillating, rotating or  
15 flashing lights, whether lighted or unlighted, is prohibited  
16 except on:

17 1. Law enforcement vehicles of State, Federal or  
18 local authorities;

19 2. A vehicle operated by a police officer or county  
20 coroner and designated or authorized by local  
21 authorities, in writing, as a law enforcement vehicle;  
22 however, such designation or authorization must be  
23 carried in the vehicle;

24 3. Vehicles of local fire departments and State or  
25 federal firefighting vehicles;

26 4. Vehicles which are designed and used exclusively  
27 as ambulances or rescue vehicles; furthermore, such  
28 lights shall not be lighted except when responding to an  
29 emergency call for and while actually conveying the sick  
30 or injured;

31 5. Tow trucks licensed in a state that requires  
32 such lights; furthermore, such lights shall not be  
33 lighted on any such tow truck while the tow truck is

1 operating in the State of Illinois; and

2 6. Vehicles of the Illinois Emergency Management  
3 Agency, and vehicles of the Department of Nuclear Safety.

4 (b) The use of amber oscillating, rotating or flashing  
5 lights, whether lighted or unlighted, is prohibited except  
6 on:

7 1. Second division vehicles designed and used for  
8 towing or hoisting vehicles; furthermore, such lights  
9 shall not be lighted except as required in this paragraph  
10 1; such lights shall be lighted when such vehicles are  
11 actually being used at the scene of an accident or  
12 disablement; if the towing vehicle is equipped with a  
13 flat bed that supports all wheels of the vehicle being  
14 transported, the lights shall not be lighted while the  
15 vehicle is engaged in towing on a highway; if the towing  
16 vehicle is not equipped with a flat bed that supports all  
17 wheels of a vehicle being transported, the lights shall  
18 be lighted while the towing vehicle is engaged in towing  
19 on a highway during all times when the use of headlights  
20 is required under Section 12-201 of this Code;

21 2. Motor vehicles or equipment of the State of  
22 Illinois, local authorities and contractors; furthermore,  
23 such lights shall not be lighted except while such  
24 vehicles are engaged in maintenance or construction  
25 operations within the limits of construction projects;

26 3. Vehicles or equipment used by engineering or  
27 survey crews; furthermore, such lights shall not be  
28 lighted except while such vehicles are actually engaged  
29 in work on a highway;

30 4. Vehicles of public utilities, municipalities, or  
31 other construction, maintenance or automotive service  
32 vehicles except that such lights shall be lighted only as  
33 a means for indicating the presence of a vehicular  
34 traffic hazard requiring unusual care in approaching,

1           overtaking or passing while such vehicles are engaged in  
2           maintenance, service or construction on a highway;

3           5. Oversized vehicle or load; however, such lights  
4           shall only be lighted when moving under permit issued by  
5           the Department under Section 15-301 of this Code;

6           6. The front and rear of motorized equipment owned  
7           and operated by the State of Illinois or any political  
8           subdivision thereof, which is designed and used for  
9           removal of snow and ice from highways;

10          7. Fleet safety vehicles registered in another  
11          state, furthermore, such lights shall not be lighted  
12          except as provided for in Section 12-212 of this Code;

13          8. Such other vehicles as may be authorized by  
14          local authorities;

15          9. Law enforcement vehicles of State or local  
16          authorities when used in combination with red  
17          oscillating, rotating or flashing lights;

18          10. Vehicles used for collecting or delivering mail  
19          for the United States Postal Service provided that such  
20          lights shall not be lighted except when such vehicles are  
21          actually being used for such purposes;

22          11. Any vehicle displaying a slow-moving vehicle  
23          emblem as provided in Section 12-205.1;

24          12. All trucks equipped with self-compactors or  
25          roll-off hoists and roll-on containers for garbage or  
26          refuse hauling. Such lights shall not be lighted except  
27          when such vehicles are actually being used for such  
28          purposes;

29          13. Vehicles used by a security company, alarm  
30          responder, or control agency, if the security company,  
31          alarm responder, or control agency is bound by a contract  
32          with a federal, State, or local government entity to use  
33          the lights; and

34          14. Security vehicles of the Department of Human

1 Services; however, the lights shall not be lighted except  
 2 when being used for security related purposes under the  
 3 direction of the superintendent of the facility where the  
 4 vehicle is located; and

5 15. Vehicles of union representatives, except that  
 6 the lights shall be lighted only while the vehicle is  
 7 within the limits of a construction project or while the  
 8 vehicle is parked alongside any roadway.

9 (c) The use of blue oscillating, rotating or flashing  
 10 lights, whether lighted or unlighted, is prohibited except  
 11 on:

- 12 1. Rescue squad vehicles not owned by a fire
- 13 department and vehicles owned or fully operated by a:
- 14 voluntary firefighter;
- 15 paid firefighter;
- 16 part-paid firefighter;
- 17 call firefighter;
- 18 member of the board of trustees of a fire
- 19 protection district;
- 20 paid or unpaid member of a rescue squad; or
- 21 paid or unpaid member of a voluntary ambulance
- 22 unit.

23 However, such lights are not to be lighted except  
 24 when responding to a bona fide emergency.

25 2. Police department vehicles in cities having a  
 26 population of 500,000 or more inhabitants.

27 3. Law enforcement vehicles of State or local  
 28 authorities when used in combination with red  
 29 oscillating, rotating or flashing lights.

30 4. Vehicles of local fire departments and State or  
 31 federal firefighting vehicles when used in combination  
 32 with red oscillating, rotating or flashing lights.

33 5. Vehicles which are designed and used exclusively  
 34 as ambulances or rescue vehicles when used in combination



1 with red oscillating, rotating or flashing lights;  
2 furthermore, such lights shall not be lighted except when  
3 responding to an emergency call.

4 6. Vehicles that are equipped and used exclusively  
5 as organ transport vehicles when used in combination with  
6 red oscillating, rotating, or flashing lights;  
7 furthermore, these lights shall only be lighted when the  
8 transportation is declared an emergency by a member of  
9 the transplant team or a representative of the organ  
10 procurement organization.

11 7. Vehicles of the Illinois Emergency Management  
12 Agency and vehicles of the Department of Nuclear Safety,  
13 when used in combination with red oscillating, rotating,  
14 or flashing lights.

15 (c-1) In addition to the blue oscillating, rotating, or  
16 flashing lights permitted under subsection (c), and  
17 notwithstanding subsection (a), a vehicle operated by a  
18 voluntary firefighter, a voluntary member of a rescue squad,  
19 or a member of a voluntary ambulance unit may be equipped  
20 with flashing white headlights and blue grill lights, which  
21 may be used only in responding to an emergency call.

22 (d) The use of a combination of amber and white  
23 oscillating, rotating or flashing lights, whether lighted or  
24 unlighted, is prohibited except motor vehicles or equipment  
25 of the State of Illinois, local authorities, and contractors,  
26 and union representatives may be so equipped; furthermore,  
27 such lights shall not be lighted on vehicles of the State of  
28 Illinois, local authorities, and contractors except while  
29 such vehicles are engaged in highway maintenance or  
30 construction operations within the limits of highway  
31 construction projects, and shall not be lighted on the  
32 vehicles of union representatives except when those vehicles  
33 are within the limits of construction projects or are parked  
34 alongside any roadway.

1           (e) All oscillating, rotating or flashing lights  
2 referred to in this Section shall be of sufficient intensity,  
3 when illuminated, to be visible at 500 feet in normal  
4 sunlight.

5           (f) Nothing in this Section shall prohibit a  
6 manufacturer of oscillating, rotating or flashing lights or  
7 his representative from temporarily mounting such lights on a  
8 vehicle for demonstration purposes only.

9           (g) Any person violating the provisions of subsections  
10 (a), (b), (c) or (d) of this Section who without lawful  
11 authority stops or detains or attempts to stop or detain  
12 another person shall be guilty of a Class 4 felony.

13           (h) Except as provided in subsection (g) above, any  
14 person violating the provisions of subsections (a) or (c) of  
15 this Section shall be guilty of a Class A misdemeanor.

16 (Source: P.A. 91-357, eff. 7-29-99; 92-138, eff. 7-24-01;  
17 92-407, eff. 8-17-01; revised 9-12-01)

18           Section 10. Severability. The provisions of this Act  
19 are severable under Section 1.31 of the Statute on Statutes.