

1 AMENDMENT TO SENATE BILL 1657

2 AMENDMENT NO. _____. Amend Senate Bill 1657 on page 1, by
3 replacing lines 4 and 5 with the following:

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

1 immediately stop such car clear of any intersection and
2 keep it in such position until the authorized emergency
3 vehicle has passed, unless otherwise directed by a police
4 officer.

5 (b) This Section shall not operate to relieve the driver
6 of an authorized emergency vehicle from the duty to drive
7 with due regard for the safety of all persons using the
8 highway.

9 (c) Upon approaching a stationary authorized emergency
10 vehicle, when the authorized emergency vehicle is giving a
11 signal by displaying alternately flashing red, red and white,
12 blue, or red and blue lights or amber or yellow warning
13 lights, a person who drives an approaching vehicle shall:

14 (1) proceeding with due caution, yield the
15 right-of-way by making a lane change into a lane not
16 adjacent to that of the authorized emergency vehicle, if
17 possible with due regard to safety and traffic
18 conditions, if on a highway having at least 4 lanes with
19 not less than 2 lanes proceeding in the same direction as
20 the approaching vehicle; or

21 (2) proceeding with due caution, reduce the speed
22 of the vehicle, maintaining a safe speed for road
23 conditions, if changing lanes would be impossible or
24 unsafe.

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

30 (d) A person who violates subsection (c) of this Section
31 commits a business offense punishable by a fine of not more
32 than \$10,000. A person charged with the offense must appear
33 in court to answer the charges. It is a factor in
34 aggravation if the person committed the offense while in

1 violation of Section 11-501 of this Code.

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

7 (f) If a violation of subsection (c) of this Section
8 results in injury to another person, in addition to any other
9 penalty imposed, the person's driving privileges shall be
10 suspended for a fixed period of not less than 180 days and
11 not more than 2 years.

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

16 (h) The Secretary of State shall, upon receiving a
17 record of a judgment entered against a person under
18 subsection (c) of this Section:

19 (1) suspend the person's driving privileges for the
20 mandatory period; or

21 (2) extend the period of an existing suspension by
22 the appropriate mandatory period.

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

24 (625 ILCS 5/11-908) (from Ch. 95 1/2, par. 11-908)

25 Sec. 11-908. Vehicle approaching or entering a highway
26 construction or maintenance area or zone.

27 (a) The driver of a vehicle shall yield the right of way
28 to any authorized vehicle or pedestrian actually engaged in
29 work upon a highway within any highway construction or
30 maintenance area indicated by official traffic-control
31 devices.

32 (a-1) Upon entering a construction or maintenance zone
33 when workers are present, a person who drives a vehicle

1 shall:

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

8 (2) proceeding with due caution, reduce the speed
9 of the vehicle, maintaining a safe speed for road
10 conditions, if changing lanes would be impossible or
11 unsafe.

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

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

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

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

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

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

3 (2) extend the period of an existing suspension by
4 the appropriate mandatory period.

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

10 (c) The driver of a vehicle shall stop if signaled to do
11 so by a flagger or a traffic control signal and remain in
12 such position until signaled to proceed. If a driver of a
13 vehicle fails to stop when signaled to do so by a flagger,
14 the flagger is authorized to report such offense to the
15 State's Attorney or authorized prosecutor. The penalties
16 imposed for a violation of this subsection (c) shall be in
17 addition to any penalties imposed for a violation of
18 subsection (a-1).

19 (Source: P.A. 86-611.)"; and

20 on page 6, below line 5, by inserting the following:

21 "Section 10. Severability. The provisions of this Act
22 are severable under Section 1.31 of the Statute on
23 Statutes."