

AN ACT concerning government.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Vehicle Code is amended by changing Section 11-907 and by adding Section 11-907.2 as follows:

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

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

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this Code or a police vehicle properly and lawfully making use of an audible or visual signal:

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

(2) the operator of every streetcar shall immediately stop such car clear of any intersection and keep it in such

position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer.

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

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

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

(2) if changing lanes would be impossible or unsafe, proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions and leaving a safe distance until safely past the stationary emergency vehicles.

The visual signal specified under this subsection (c) given by an authorized emergency vehicle is an indication to drivers of approaching vehicles that a hazardous condition is present when circumstances are not immediately clear. Drivers

of vehicles approaching a stationary emergency vehicle in any lane shall heed the warning of the signal, reduce the speed of the vehicle, proceed with due caution, maintain a safe speed for road conditions, be prepared to stop, and leave a safe distance until safely passed the stationary emergency vehicle.

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

(d) A person who violates subsection (c) of this Section commits a business offense punishable by a fine of not less than \$250 or more than \$10,000 for a first violation, and a fine of not less than \$750 or more than \$10,000 for a second or subsequent violation. It is a factor in aggravation if the person committed the offense while in violation of Section 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the penalties authorized by this subsection (d) for a violation of subsection (c) of this Section that results in the death of another person does not preclude imposition of appropriate additional civil or criminal penalties. A person who violates subsection (c) and the violation results in damage to another vehicle commits a Class A misdemeanor. A person who violates subsection (c) and the violation results in the injury or death of another person commits a Class 4 felony.

(e) If a violation of subsection (c) of this Section

results in damage to the property of another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for a fixed period of not less than 90 days and not more than one year.

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

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

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

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

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

(i) The Scott's Law Fund shall be a special fund in the State treasury. Subject to appropriation by the General Assembly and approval by the Director, the Director of the State Police shall use all moneys in the Scott's Law Fund in the Department's discretion to fund the production of materials to educate drivers on approaching stationary

authorized emergency vehicles, to hire off-duty Department of State Police for enforcement of this Section, and for other law enforcement purposes the Director deems necessary in these efforts.

(j) For violations of this Section issued by a county or municipal police officer, the assessment shall be deposited into the county's or municipality's Transportation Safety Highway Hire-back Fund. The county shall use the moneys in its Transportation Safety Highway Hire-back Fund to hire off-duty county police officers to monitor construction or maintenance zones in that county on highways other than interstate highways. The county, in its discretion, may also use a portion of the moneys in its Transportation Safety Highway Hire-back Fund to purchase equipment for county law enforcement and fund the production of materials to educate drivers on construction zone safe driving habits and approaching stationary authorized emergency vehicles.

(Source: P.A. 100-201, eff. 8-18-17; 101-173, eff. 1-1-20.)

(625 ILCS 5/11-907.2 new)

Sec. 11-907.2. Move Over Early Warning Task Force.

(a) The Move Over Early Warning Task Force is created to study the issue of violations of Sections 11-907, 11-907.5, and 11-908 with attention to the causes of violations and ways to protect law enforcement and emergency responders.

(b) The Move Over Early Warning Task Force shall study new

technologies and early warning systems in cellular phones and vehicles that alert the public to the presence of first responders and road safety hazards.

(c) The membership of the Task Force shall consist of the following members:

(1) the Director of State Police or his or her designee, who shall serve as chair;

(2) the Secretary of State or his or her designee;

(3) the Secretary of Transportation or his or her designee;

(4) the Illinois Commerce Commission Chair or his or her designee;

(5) the Statewide 911 Administrator;

(6) the Director of the Illinois Toll Highway Authority or his or her designee;

(7) the President of the Illinois Association of Chiefs of Police or his or her designee;

(8) the President of the Illinois Sheriffs' Association or his or her designee;

(9) the President of the Associated Fire Fighters of Illinois or his or her designee;

(10) the following persons appointed by the Governor:

(A) one representative of a statewide trucking association;

(B) one representative of a Chicago area motor club;

(C) one incumbent local exchange carrier; and

(D) two representatives from a large wireless carrier.

(d) The members of the Task Force shall serve without compensation and may meet remotely via telephone or live video conference platforms.

(e) The Task Force shall meet and present its report and recommendations, including legislative recommendations, if any, on how to better enforce the provisions described in subsection (a) and use 21st-century driver communication technology to prevent fatalities and injuries on Illinois roadways, to the General Assembly no later than January 1, 2023.

(f) The Illinois State Police shall provide administrative support to the Task Force as needed.

(g) This Section is repealed on January 1, 2024.