



Rep. Amy Elik

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10300HB4255ham002

LRB103 34476 RTM 72067 a

1 AMENDMENT TO HOUSE BILL 4255

2 AMENDMENT NO. _____. Amend House Bill 4255, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Sections 11-213, 11-907, and 12-215 as follows:

7 (625 ILCS 5/11-213)

8 Sec. 11-213. Power of a fire department officer; highway
9 or lane closure. In the absence of a law enforcement officer or
10 a representative of the highway agency having jurisdiction
11 over the highway, an officer of a fire department, in the
12 performance of his or her official duties, has the authority
13 to close to traffic a highway, or a lane or lanes of a highway,
14 as necessary to protect the safety of persons or property. In
15 order to promote the safe implementation of this Section, the
16 fire department officer shall utilize an official fire

1 department vehicle with ~~lighted red or white~~ oscillating,
2 rotating, or flashing lights in accordance with Section 12-215
3 of this Code and proper temporary traffic control in
4 accordance with the sections of the Illinois Manual on Uniform
5 Traffic Control Devices concerning temporary traffic control
6 and incident management. The officer should also receive
7 training in safe practices for accomplishing these tasks near
8 traffic. This Section does not apply to highways under the
9 jurisdiction of the Illinois State Toll Highway Authority. As
10 used in this Section, "highway" has the meaning set forth in
11 Section 1-126 of this Code.

12 (Source: P.A. 95-803, eff. 1-1-09.)

13 (625 ILCS 5/11-907) (from Ch. 95 1/2, par. 11-907)

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

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

20 (1) the driver of every other vehicle shall yield the
21 right-of-way and shall immediately drive to a position
22 parallel to, and as close as possible to, the right-hand
23 edge or curb of the highway clear of any intersection and
24 shall, if necessary to permit the safe passage of the
25 emergency vehicle, stop and remain in such position until

1 the authorized emergency vehicle has passed, unless
2 otherwise directed by a police officer; and

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

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

10 (c) Upon approaching a stationary authorized emergency
11 vehicle, when the authorized emergency vehicle is giving a
12 visual signal by displaying oscillating, rotating, or
13 alternately flashing lights as authorized under Section 12-215
14 of this Code ~~red, red and white, blue, or red and blue lights~~
15 ~~or amber or yellow warning lights~~, a person who drives an
16 approaching vehicle shall:

17 (1) proceeding with due caution, yield the
18 right-of-way by making a lane change into a lane not
19 adjacent to that of the authorized emergency vehicle, if
20 possible with due regard to safety and traffic conditions,
21 if on a highway having at least 4 lanes with not less than
22 2 lanes proceeding in the same direction as the
23 approaching vehicle; or

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

1 leaving a safe distance until safely past the stationary
2 emergency vehicles.

3 The visual signal specified under this subsection (c)
4 given by an authorized emergency vehicle is an indication to
5 drivers of approaching vehicles that a hazardous condition is
6 present when circumstances are not immediately clear. Drivers
7 of vehicles approaching a stationary emergency vehicle in any
8 lane shall heed the warning of the signal, reduce the speed of
9 the vehicle, proceed with due caution, maintain a safe speed
10 for road conditions, be prepared to stop, and leave a safe
11 distance until safely passed the stationary emergency vehicle.

12 As used in this subsection (c), "authorized emergency
13 vehicle" includes any vehicle authorized by law to be equipped
14 with oscillating, rotating, or flashing lights under Section
15 12-215 of this Code, while the owner or operator of the vehicle
16 is engaged in his or her official duties.

17 (d) A person who violates subsection (c) of this Section
18 commits a business offense punishable by a fine of not less
19 than \$250 or more than \$10,000 for a first violation, and a
20 fine of not less than \$750 or more than \$10,000 for a second or
21 subsequent violation. It is a factor in aggravation if the
22 person committed the offense while in violation of Section
23 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
24 penalties authorized by this subsection (d) for a violation of
25 subsection (c) of this Section that results in the death of
26 another person does not preclude imposition of appropriate

1 additional civil or criminal penalties. A person who violates
2 subsection (c) and the violation results in damage to another
3 vehicle commits a Class A misdemeanor. A person who violates
4 subsection (c) and the violation results in the injury or
5 death of another person commits a Class 4 felony.

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

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

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

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

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

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

1 (i) The Scott's Law Fund shall be a special fund in the
2 State treasury. Subject to appropriation by the General
3 Assembly and approval by the Director, the Director of the
4 State Police shall use all moneys in the Scott's Law Fund in
5 the Department's discretion to fund the production of
6 materials to educate drivers on approaching stationary
7 authorized emergency vehicles, to hire off-duty Illinois
8 ~~Department of~~ State Police for enforcement of this Section,
9 and for other law enforcement purposes the Director deems
10 necessary in these efforts.

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

24 (k) In addition to other penalties imposed by this
25 Section, the court may order a person convicted of a violation
26 of subsection (c) to perform community service as determined

1 by the court.

2 (Source: P.A. 101-173, eff. 1-1-20; 102-336, eff. 1-1-22;
3 102-338, eff. 1-1-22; 102-813, eff. 5-13-22.)

4 (625 ILCS 5/12-215)

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

7 (a) The use of red or white oscillating, rotating, or
8 flashing lights, whether lighted or unlighted, is prohibited
9 except on:

10 1. Law enforcement vehicles of State, federal, or
11 local authorities;

12 2. A vehicle operated by a police officer or county
13 coroner and designated or authorized by local authorities,
14 in writing, as a law enforcement vehicle; however, such
15 designation or authorization must be carried in the
16 vehicle;

17 2.1. A vehicle operated by a fire chief, deputy fire
18 chief, or assistant fire chief who has completed an
19 emergency vehicle operation training course approved by
20 the Office of the State Fire Marshal and designated or
21 authorized by local authorities, fire departments, or fire
22 protection districts, in writing, as a fire department,
23 fire protection district, or township fire department
24 vehicle; however, the designation or authorization must be
25 carried in the vehicle, and the lights may be visible or

1 activated only when responding to a bona fide emergency;

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

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

9 4.5. Vehicles which are occasionally used as rescue
10 vehicles that have been authorized for use as rescue
11 vehicles by a volunteer EMS provider, provided that the
12 operator of the vehicle has successfully completed an
13 emergency vehicle operation training course recognized by
14 the Department of Public Health; furthermore, the lights
15 shall not be lighted except when responding to an
16 emergency call for the sick or injured;

17 5. Tow trucks licensed in a state that requires such
18 lights; furthermore, such lights shall not be lighted on
19 any such tow truck while the tow truck is operating in the
20 State of Illinois;

21 6. Vehicles of the Illinois Emergency Management
22 Agency, vehicles of the Office of the Illinois State Fire
23 Marshal, vehicles of the Illinois Department of Public
24 Health, vehicles of the Illinois Department of
25 Corrections, and vehicles of the Illinois Department of
26 Juvenile Justice;

1 7. Vehicles operated by a local or county emergency
2 management services agency as defined in the Illinois
3 Emergency Management Agency Act;

4 8. School buses operating alternately flashing head
5 lamps as permitted under Section 12-805 of this Code;

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

13 10. Vehicles of the Illinois Department of Natural
14 Resources that are used for mine rescue and explosives
15 emergency response;

16 11. Vehicles of the Illinois Department of
17 Transportation identified as Emergency Traffic Patrol; the
18 lights shall not be lighted except when responding to an
19 emergency call or when parked or stationary while engaged
20 in motor vehicle assistance or at the scene of the
21 emergency; and

22 12. Vehicles of the Illinois State Toll Highway
23 Authority with a gross vehicle weight rating of 9,000
24 pounds or more and those identified as Highway Emergency
25 Lane Patrol; the lights shall not be lighted except when
26 responding to an emergency call or when parked or

1 stationary while engaged in motor vehicle assistance or at
2 the scene of the emergency.

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

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

23 2. Motor vehicles or equipment of the State of
24 Illinois, the Illinois State Toll Highway Authority, local
25 authorities, and contractors; furthermore, such lights
26 shall not be lighted except while such vehicles are

1 engaged in maintenance or construction operations within
2 the limits of construction projects;

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

7 4. Vehicles of public utilities, municipalities, or
8 other construction, maintenance, or automotive service
9 vehicles except that such lights shall be lighted only as
10 a means for indicating the presence of a vehicular traffic
11 hazard requiring unusual care in approaching, overtaking,
12 or passing while such vehicles are engaged in maintenance,
13 service, or construction on a highway;

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

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

21 6.1. The front and rear of motorized equipment or
22 vehicles that (i) are not owned by the State of Illinois or
23 any political subdivision of the State, (ii) are designed
24 and used for removal of snow and ice from highways and
25 parking lots, and (iii) are equipped with a snow plow that
26 is 12 feet in width; these lights may not be lighted except

1 when the motorized equipment or vehicle is actually being
2 used for those purposes on behalf of a unit of government;

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

6 8. Such other vehicles as may be authorized by local
7 authorities;

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

11 9.5. Propane delivery trucks;

12 10. Vehicles used for collecting or delivering mail
13 for the United States Postal Service provided that such
14 lights shall not be lighted except when such vehicles are
15 actually being used for such purposes;

16 10.5. Vehicles of the Office of the Illinois State
17 Fire Marshal, provided that such lights shall not be
18 lighted except for when such vehicles are engaged in work
19 for the Office of the Illinois State Fire Marshal;

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

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

1 13. Vehicles used by a security company, alarm
2 responder, control agency, or the Illinois Department of
3 Corrections;

4 14. Security vehicles of the Department of Human
5 Services; however, the lights shall not be lighted except
6 when being used for security related purposes under the
7 direction of the superintendent of the facility where the
8 vehicle is located; and

9 15. Vehicles of union representatives, except that the
10 lights shall be lighted only while the vehicle is within
11 the limits of a construction project.

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

14 1. Rescue squad vehicles not owned by a fire
15 department or fire protection district and vehicles owned
16 or operated by a:

17 voluntary firefighter;

18 paid firefighter;

19 part-paid firefighter;

20 call firefighter;

21 member of the board of trustees of a fire
22 protection district;

23 paid or unpaid member of a rescue squad;

24 paid or unpaid member of a voluntary ambulance
25 unit; or

26 paid or unpaid members of a local or county

1 emergency management services agency as defined in the
2 Illinois Emergency Management Agency Act, designated
3 or authorized by local authorities, in writing, and
4 carrying that designation or authorization in the
5 vehicle.

6 However, such lights are not to be lighted except when
7 responding to a bona fide emergency or when parked or
8 stationary at the scene of a fire, rescue call, ambulance
9 call, or motor vehicle crash.

10 Any person using these lights in accordance with this
11 subdivision (c)1 must carry on his or her person an
12 identification card or letter identifying the bona fide
13 member of a fire department, fire protection district,
14 rescue squad, ambulance unit, or emergency management
15 services agency that owns or operates that vehicle. The
16 card or letter must include:

17 (A) the name of the fire department, fire
18 protection district, rescue squad, ambulance unit, or
19 emergency management services agency;

20 (B) the member's position within the fire
21 department, fire protection district, rescue squad,
22 ambulance unit, or emergency management services
23 agency;

24 (C) the member's term of service; and

25 (D) the name of a person within the fire
26 department, fire protection district, rescue squad,

1 ambulance unit, or emergency management services
2 agency to contact to verify the information provided.

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

5 3. Law enforcement vehicles of State or local
6 authorities when used in combination with red oscillating,
7 rotating, or flashing lights.

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

11 5. Vehicles which are designed and used exclusively as
12 ambulances or rescue vehicles when used in combination
13 with red oscillating, rotating, or flashing lights;
14 furthermore, such lights shall not be lighted except when
15 responding to an emergency call.

16 6. Vehicles that are equipped and used exclusively as
17 organ transport vehicles when used in combination with red
18 oscillating, rotating, or flashing lights; furthermore,
19 these lights shall only be lighted when the transportation
20 is declared an emergency by a member of the transplant
21 team or a representative of the organ procurement
22 organization.

23 7. Vehicles of the Illinois Emergency Management
24 Agency, vehicles of the Office of the Illinois State Fire
25 Marshal, vehicles of the Illinois Department of Public
26 Health, vehicles of the Illinois Department of

1 Corrections, and vehicles of the Illinois Department of
2 Juvenile Justice, when used in combination with red
3 oscillating, rotating, or flashing lights.

4 8. Vehicles operated by a local or county emergency
5 management services agency as defined in the Illinois
6 Emergency Management Agency Act, when used in combination
7 with red oscillating, rotating, or flashing lights.

8 9. Vehicles of the Illinois Department of Natural
9 Resources that are used for mine rescue and explosives
10 emergency response, when used in combination with red
11 oscillating, rotating, or flashing lights.

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

21 (c-2) In addition to the blue oscillating, rotating, or
22 flashing lights permitted under subsection (c), and
23 notwithstanding subsection (a), a vehicle operated by a paid
24 or unpaid member of a local or county emergency management
25 services agency as defined in the Illinois Emergency
26 Management Agency Act, may be equipped with white oscillating,

1 rotating, or flashing lights to be used in combination with
2 blue oscillating, rotating, or flashing lights, if
3 authorization by local authorities is in writing and carried
4 in the vehicle.

5 (d) The use of a combination of amber and white
6 oscillating, rotating, or flashing lights, whether lighted or
7 unlighted, is prohibited except on second division vehicles
8 designed and used for towing or hoisting vehicles or motor
9 vehicles or equipment of the State of Illinois, local
10 authorities, contractors, and union representatives;
11 furthermore, such lights shall not be lighted on second
12 division vehicles designed and used for towing or hoisting
13 vehicles or vehicles of the State of Illinois, local
14 authorities, and contractors except while such vehicles are
15 engaged in a tow operation, highway maintenance, or
16 construction operations within the limits of highway
17 construction projects, and shall not be lighted on the
18 vehicles of union representatives except when those vehicles
19 are within the limits of a construction project.

20 (d-5) The use of green oscillating, flashing, or rotating
21 lights, whether lighted or unlighted, is prohibited except on:

22 1. Second division vehicles designed and used for
23 towing or hoisting vehicles when the lights on those
24 vehicles are used in combination with amber or amber and
25 white oscillating, flashing, or rotating lights;
26 furthermore, such lights shall not be lighted except when

1 such vehicles are actually being used at the scene of a
2 crash or disablement.

3 2. Motor vehicles or equipment of the State of
4 Illinois when the lights on those vehicles or equipment
5 are used in combination with amber or amber and white
6 oscillating, flashing, or rotating lights; furthermore,
7 such lights shall not be lighted except while such
8 vehicles or equipment are engaged in maintenance
9 operations, snow and ice removal operations, or performing
10 traffic control and protection duties while at an
11 emergency scene.

12 3. Motor vehicles of the Department of Transportation
13 identified as Emergency Traffic Patrol when the lights on
14 those vehicles are used in combination with red and white
15 oscillating, flashing, or rotating lights when responding
16 to an emergency call or when parked or stationary while
17 engaged in motor vehicle assistance or at an emergency
18 scene.

19 4. Motor vehicles of the Illinois State Toll Highway
20 Authority when the lights on those vehicles are used in
21 combination with amber oscillating, flashing, or rotating
22 lights; furthermore, such lights shall not be lighted
23 except while such vehicles are engaged in maintenance
24 operations, snow and ice removal operations, or performing
25 traffic control and protection duties while at an
26 emergency scene.

1 5. Motor vehicles of the Illinois State Toll Highway
2 Authority with a gross vehicle weight rating of 9,000
3 pounds or more and those identified as Highway Emergency
4 Lane Patrol when the lights on those vehicles are used in
5 combination with red and white oscillating, flashing, or
6 rotating lights when responding to an emergency call or
7 when parked or stationary while engaged in motor vehicle
8 assistance or at the scene of the emergency.

9 6. Motor vehicles or equipment of local authority or
10 municipalities which perform highway maintenance
11 operations, when the lights on those vehicles are used in
12 combination with amber or amber and white oscillating,
13 flashing, or rotating lights; furthermore, such lights
14 shall not be lighted except while such vehicles are
15 engaged in the maintenance operations, snow and ice
16 removal operations, or performing traffic control and
17 protection duties while at an emergency scene.

18 7. Fire department vehicles of local fire departments
19 and State or federal firefighting vehicles when the lights
20 on those vehicles are used in combination with red, or red
21 and white, or red and blue, oscillating, rotating, or
22 flashing lights.

23 8. Vehicles used by a security company when the lights
24 on those vehicles are used in combination with amber
25 oscillating, flashing, or rotating lights; furthermore,
26 such lights shall not be lighted except when the vehicle

1 is being operated upon the property or location where the
2 security company is employed to perform security or crime
3 prevention duties.

4 9. Ambulances or rescue vehicles operating in counties
5 with populations of less than 2,000,000.

6 (d-10) Fire department vehicles of local fire departments
7 and State or federal firefighting vehicles, police vehicles of
8 State, federal, or local authorities, and vehicles designated
9 by local or State authority, while parked at an emergency
10 scene, may use a steady-on illumination or steady-burn, or
11 flashing green beacon or beacons if such steady-on,
12 steady-burn, or flashing beacon is used to indicate an
13 emergency operations command post or incident command
14 location.

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

18 (f) Nothing in this Section shall prohibit a manufacturer
19 of oscillating, rotating, or flashing lights or his
20 representative or authorized vendor from temporarily mounting
21 such lights on a vehicle for demonstration purposes only. If
22 the lights are not covered while the vehicle is operated upon a
23 highway, the vehicle shall display signage indicating that the
24 vehicle is out of service or not an emergency vehicle. The
25 signage shall be displayed on all sides of the vehicle in
26 letters at least 2 inches tall and one-half inch wide. A

1 vehicle authorized to have oscillating, rotating, or flashing
2 lights mounted for demonstration purposes may not activate the
3 lights while the vehicle is operated upon a highway.

4 (g) Any person violating the provisions of subsection (a),
5 (b), (c), ~~or~~ (d), (d-5), or (d-10) of this Section who without
6 lawful authority stops or detains or attempts to stop or
7 detain another person shall be guilty of a Class 2 felony.

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

11 (Source: P.A. 102-842, eff. 1-1-23; 102-982, eff. 7-1-23;
12 103-154, eff. 6-30-23.)".