

SB2442



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2442

Introduced 2/7/2025, by Sen. Erica Harriss

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-401	from Ch. 95 1/2, par. 11-401
625 ILCS 5/11-402	from Ch. 95 1/2, par. 11-402
625 ILCS 5/11-403	from Ch. 95 1/2, par. 11-403
625 ILCS 5/11-404	from Ch. 95 1/2, par. 11-404

Amends the Illinois Vehicle Code. Provides that provisions related to crashes involving the death or personal injuries, crashes involving damage to vehicles, the duty to give information and render aid, and the duty upon damaging unattended vehicle or other property also apply to drivers of mopeds, low-speed electric bicycles, and low-speed gas bicycles.

LRB104 10398 LNS 20473 b

A BILL FOR

1 AN ACT concerning transportation.

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 11-401, 11-402, 11-403, and 11-404 as
6 follows:

7 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

8 Sec. 11-401. Crash ~~Motor vehicle crashes~~ involving death
9 or personal injuries.

10 (a) The driver of any vehicle, moped, low-speed electric
11 bicycle, or low-speed gas bicycle involved in a crash ~~motor~~
12 ~~vehicle crashes~~ resulting in personal injury to or death of
13 any person shall immediately stop such vehicle, moped,
14 low-speed electric bicycle, or low-speed gas bicycle at the
15 scene of such crash, or as close thereto as possible and shall
16 then forthwith return to, and in every event shall remain at
17 the scene of the crash until the requirements of Section
18 11-403 have been fulfilled. Every such stop shall be made
19 without obstructing traffic more than is necessary.

20 (b) Any person who has failed to stop or to comply with the
21 requirements of paragraph (a) shall, as soon as possible but
22 in no case later than one-half hour after such ~~motor vehicle~~
23 crash, or, if hospitalized and incapacitated from reporting at

1 any time during such period, as soon as possible but in no case
2 later than one-half hour after being discharged from the
3 hospital, report the place of the crash, the date, the
4 approximate time, the driver's name and address, the
5 registration number of the vehicle, moped, low-speed electric
6 bicycle, or low-speed gas bicycle driven, and the names of all
7 other occupants of such vehicle, moped, low-speed electric
8 bicycle, or low-speed gas bicycle, at a police station or
9 sheriff's office near the place where such crash occurred. No
10 report made as required under this paragraph shall be used,
11 directly or indirectly, as a basis for the prosecution of any
12 violation of paragraph (a).

13 (b-1) Any person arrested for violating this Section is
14 subject to chemical testing of his or her blood, breath, other
15 bodily substance, or urine for the presence of alcohol, other
16 drug or drugs, intoxicating compound or compounds, or any
17 combination thereof, as provided in Section 11-501.1, if the
18 testing occurs within 12 hours of the time of the occurrence of
19 the crash that led to his or her arrest. The person's driving
20 privileges are subject to statutory summary suspension under
21 Section 11-501.1 if he or she fails testing or statutory
22 summary revocation under Section 11-501.1 if he or she refuses
23 to undergo the testing.

24 For purposes of this Section, personal injury shall mean
25 any injury requiring immediate professional treatment in a
26 medical facility or doctor's office.

1 (c) Any person failing to comply with paragraph (a) shall
2 be guilty of a Class 4 felony.

3 (d) Any person failing to comply with paragraph (b) is
4 guilty of a Class 2 felony if the motor vehicle crash does not
5 result in the death of any person. Any person failing to comply
6 with paragraph (b) when the crash results in the death of any
7 person is guilty of a Class 1 felony.

8 (e) The Secretary of State shall revoke the driving
9 privilege of any person convicted of a violation of this
10 Section.

11 (Source: P.A. 102-982, eff. 7-1-23.)

12 (625 ILCS 5/11-402) (from Ch. 95 1/2, par. 11-402)

13 Sec. 11-402. Crash ~~Motor vehicle crash~~ involving damage to
14 vehicle, moped, low-speed electric bicycle, or low-speed gas
15 bicycle.

16 (a) The driver of any vehicle, moped, low-speed electric
17 bicycle, or low-speed gas bicycle involved in a ~~motor vehicle~~
18 crash resulting only in damage to a vehicle, moped, low-speed
19 electric bicycle, or low-speed gas bicycle which is driven or
20 attended by any person shall immediately stop such vehicle,
21 moped, low-speed electric bicycle, or low-speed gas bicycle at
22 the scene of such ~~motor vehicle~~ crash or as close thereto as
23 possible, but shall forthwith return to and in every event
24 shall remain at the scene of such ~~motor vehicle~~ crash until the
25 requirements of Section 11-403 have been fulfilled. A driver

1 does not violate this Section if the driver moves the vehicle,
2 moped, low-speed electric bicycle, or low-speed gas bicycle as
3 soon as possible off the highway to the nearest safe location
4 on an exit ramp shoulder, a frontage road, the nearest
5 suitable cross street, or other suitable location that does
6 not obstruct traffic and remains at that location until the
7 driver has fulfilled the requirements of Section 11-403. Every
8 such stop shall be made without obstructing traffic more than
9 is necessary. If a damaged vehicle, moped, low-speed electric
10 bicycle, or low-speed gas bicycle is obstructing traffic
11 lanes, the driver of the vehicle , moped, low-speed electric
12 bicycle, or low-speed gas bicycle must make every reasonable
13 effort to move the vehicle, moped, low-speed electric bicycle,
14 or low-speed gas bicycle or have it moved so as not to block
15 the traffic lanes.

16 Any person failing to comply with this Section shall be
17 guilty of a Class A misdemeanor.

18 (b) Upon conviction of a violation of this Section, the
19 court shall make a finding as to whether the damage to a
20 vehicle, moped, low-speed electric bicycle, or low-speed gas
21 bicycle is in excess of \$1,000, and in such case a statement of
22 this finding shall be reported to the Secretary of State with
23 the report of conviction as required by Section 6-204 of this
24 Code. Upon receipt of such report of conviction and statement
25 of finding that the damage to a vehicle, moped, low-speed
26 electric bicycle, or low-speed gas bicycle is in excess of

1 \$1,000, the Secretary of State shall suspend the driver's
2 license or any nonresident's driving privilege.

3 (c) If any peace officer or highway authority official
4 finds (i) a vehicle, moped, low-speed electric bicycle, or
5 low-speed gas bicycle standing upon a highway or toll highway
6 in violation of a prohibition, limitation, or restriction on
7 stopping, standing, or parking imposed under this Code or (ii)
8 a disabled vehicle, moped, low-speed electric bicycle, or
9 low-speed gas bicycle that obstructs the roadway of a highway
10 or toll highway, the peace officer or highway authority
11 official is authorized to move the vehicle, moped, low-speed
12 electric bicycle, or low-speed gas bicycle or to require the
13 operator of the vehicle, moped, low-speed electric bicycle, or
14 low-speed gas bicycle to move the vehicle, moped, low-speed
15 electric bicycle, or low-speed gas bicycle to the shoulder of
16 the road, to a position where parking is permitted, or to
17 public parking or storage premises. The removal may be
18 performed by, or under the direction of, the peace officer or
19 highway authority official or may be contracted for by local
20 authorities. After the vehicle, moped, low-speed electric
21 bicycle, or low-speed gas bicycle has been removed, the peace
22 officer or highway authority official shall follow appropriate
23 procedures, as provided in Section 4-203 of this Code.

24 (d) A towing service, its officers, and its employees are
25 not liable for loss of or damages to any real or personal
26 property that occurs as the result of the removal or towing of

1 any vehicle, moped, low-speed electric bicycle, or low-speed
2 gas bicycle under subsection (c), as provided in subsection
3 (b) of Section 4-213.

4 (Source: P.A. 102-982, eff. 7-1-23.)

5 (625 ILCS 5/11-403) (from Ch. 95 1/2, par. 11-403)

6 Sec. 11-403. Duty to give information and render aid. The
7 driver of any vehicle, moped, low-speed electric bicycle, or
8 low-speed gas bicycle involved in a ~~motor vehicle~~ crash
9 resulting in injury to or death of any person or damage to any
10 vehicle, moped, low-speed electric bicycle, or low-speed gas
11 bicycle which is driven or attended by any person shall give
12 the driver's name, address, registration number and owner of
13 the vehicle, moped, low-speed electric bicycle, or low-speed
14 gas bicycle the driver is operating and shall upon request and
15 if available exhibit such driver's license to the person
16 struck or the driver or occupant of or person attending any
17 vehicle, moped, low-speed electric bicycle, or low-speed gas
18 bicycle collided with and shall render to any person injured
19 in such crash reasonable assistance, including the carrying or
20 the making of arrangements for the carrying of such person to a
21 physician, surgeon, or hospital for medical or surgical
22 treatment, if it is apparent that such treatment is necessary
23 or if such carrying is requested by the injured person.

24 If none of the persons entitled to information pursuant to
25 this Section is in condition to receive and understand such

1 information and no police officer is present, such driver
2 after rendering reasonable assistance shall forthwith report
3 such ~~motor vehicle~~ crash at the nearest office of a duly
4 authorized police authority, disclosing the information
5 required by this Section.

6 Any person failing to comply with this Section shall be
7 guilty of a Class A misdemeanor.

8 (Source: P.A. 102-982, eff. 7-1-23.)

9 (625 ILCS 5/11-404) (from Ch. 95 1/2, par. 11-404)

10 Sec. 11-404. Duty upon damaging unattended vehicle, moped,
11 low-speed electric bicycle, or low-speed gas bicycle or other
12 property.

13 (a) The driver of any vehicle, moped, low-speed electric
14 bicycle, or low-speed gas bicycle which collides with or is
15 involved in a ~~motor vehicle~~ crash with any vehicle, moped,
16 low-speed electric bicycle, or low-speed gas bicycle which is
17 unattended, or other property, resulting in any damage to such
18 other vehicle, moped, low-speed electric bicycle, or low-speed
19 gas bicycle or property shall immediately stop and shall then
20 and there either locate and notify the operator or owner of
21 such vehicle, moped, low-speed electric bicycle, or low-speed
22 gas bicycle or other property of the driver's name, address,
23 registration number and owner of the vehicle, moped, low-speed
24 electric bicycle, or low-speed gas bicycle the driver was
25 operating or shall attach securely in a conspicuous place on

1 or in the vehicle or other property struck a written notice
2 giving the driver's name, address, registration number and
3 owner of the vehicle, moped, low-speed electric bicycle, or
4 low-speed gas bicycle the driver was driving and shall without
5 unnecessary delay notify the nearest office of a duly
6 authorized police authority and shall make a written report of
7 such crash when and as required in Section 11-407. Every such
8 stop shall be made without obstructing traffic more than is
9 necessary. If a damaged vehicle, moped, low-speed electric
10 bicycle, or low-speed gas bicycle is obstructing traffic
11 lanes, the driver of the vehicle, moped, low-speed electric
12 bicycle, or low-speed gas bicycle must make every reasonable
13 effort to move the vehicle, moped, low-speed electric bicycle,
14 or low-speed gas bicycle or have it moved so as not to block
15 the traffic lanes.

16 (b) Any person failing to comply with this Section shall
17 be guilty of a Class A misdemeanor.

18 (c) If any peace officer or highway authority official
19 finds (i) a vehicle, moped, low-speed electric bicycle, or
20 low-speed gas bicycle standing upon a highway or toll highway
21 in violation of a prohibition, limitation, or restriction on
22 stopping, standing, or parking imposed under this Code or (ii)
23 a disabled vehicle, moped, low-speed electric bicycle, or
24 low-speed gas bicycle that obstructs the roadway of a highway
25 or toll highway, the peace officer or highway authority
26 official is authorized to move the vehicle, moped, low-speed

1 electric bicycle, or low-speed gas bicycle or to require the
2 operator of the vehicle, moped, low-speed electric bicycle, or
3 low-speed gas bicycle to move the vehicle, moped, low-speed
4 electric bicycle, or low-speed gas bicycle to the shoulder of
5 the road, to a position where parking is permitted, or to
6 public parking or storage premises. The removal may be
7 performed by, or under the direction of, the peace officer or
8 highway authority official or may be contracted for by local
9 authorities. After the vehicle, moped, low-speed electric
10 bicycle, or low-speed gas bicycle has been removed, the peace
11 officer or highway authority official shall follow appropriate
12 procedures, as provided in Section 4-203 of this Code.

13 (d) A towing service, its officers, and its employees are
14 not liable for loss of or damages to any real or personal
15 property that occurs as the result of the removal or towing of
16 any vehicle, moped, low-speed electric bicycle, or low-speed
17 gas bicycle under subsection (c), as provided in subsection
18 (b) of Section 4-213.

19 (Source: P.A. 102-982, eff. 7-1-23; 103-1047, eff. 1-1-25.)