

23.79X

Definition Of Authorized Emergency Vehicle

The term “authorized emergency vehicle” means:

[1] an emergency vehicle of a municipal department or public service corporation as designated or authorized by proper local authorities.

[or]

[2] a police vehicle.

[or]

[3] a vehicle of the fire department.

[or]

[4] a vehicle of an authorized HazMat or technical rescue team.

[or]

[5] an ambulance.

[or]

[6] a vehicle of the Illinois Department of Corrections.

[or]

[7] a vehicle of the Illinois Department of Juvenile Justice.

[or]

[8] a vehicle of the Illinois Emergency Management Agency.

[or]

[9] a vehicle of the Office of the Illinois State Fire Marshal.

[or]

[10] a mine rescue and explosives emergency response vehicle of the Department of Natural Resources.

[or]

[11] a vehicle of the Illinois Department of Public Health.

[or]

[12] a vehicle of the Illinois State Toll Highway Authority [(with a gross weight rating of 9,000 pounds or more) (identified as Highway Emergency Patrol)].

[or]

[13] an Emergency Traffic Patrol vehicle of the Illinois Department of Transportation.

[or]

[14] a vehicle of a municipal or county emergency services and disaster agency.

[or]

[15] a vehicle authorized by law to be equipped with oscillating, rotating, or flashing lights while the owner or operator of the vehicle is engaged in his official duties.

Committee Note

625 ILCS 5/1-105 (West 2020), last amended by P.A. 100-62 § 5, eff. Aug. 11, 2017; 625 ILCS 5/11-907(c) (West 2020), last amended by P.A. 101-173, § 10, eff. Jan. 1, 2020; 625 ILCS 5/12-215 (West 2020), last amended by P.A. 101-56, § 5, eff. Jan. 1, 2020.

The term “authorized emergency vehicle” was initially codified in section 1-505 of the Illinois Vehicle Code with the enactment of P.A. 76-1586, § 1-105, eff. July 1, 1970. Accordingly, the definitions in paragraphs [1] through [14] reflect the language currently used in section 1-105.

In the context of criminal charges for violation of section 11-907(c) of the Illinois Vehicle Code (commonly referred to as Scott’s Law), the term “authorized emergency vehicle” also includes vehicles authorized pursuant to section 12-215 of the Vehicle Code to be equipped with oscillating, rotating, or flashing lights. The definition in paragraph [15] reflects the expanded language enacted by P.A. 92-283, § 5, eff. Jan. 1, 2002. This particular definition is only applicable to Scott’s Law violations.

Use applicable bracketed material.

The brackets and numbers are present solely for the guidance of court and counsel and should not be included in the instructions submitted to the jury.