

M.R. 3140

**IN THE  
SUPREME COURT  
OF  
THE STATE OF ILLINOIS**

Order entered December 12, 2013.

(Deleted material is struck through and new material is underscored.)

Effective January 1, 2014, Supreme Court Rules 501, 526, 527, and 551 are amended, as follows.

**Amended Rule 501**

**Rule 501. Definitions**

**(a) Bond Certificates.** Bail security documents which also guarantee payment of judgments for fines, penalties and costs, not to exceed ~~\$160~~ \$140 for any single offense or \$500 for multiple offenses arising out of the same occurrence (auto bond certificates), or not to exceed \$500 for any single offense covered by Rule 526(b)(1) (truck bond certificates), which are issued or guaranteed, in counties other than Cook, by companies or membership associations authorized to do so by the Director of Insurance, State of Illinois, under regulations issued by this court. (Note: Copies of these regulations may be obtained by writing to: Director, Administrative Office of the Illinois Courts, 3101 Old Jacksonville Road, Springfield, IL 62704-6488.) The privilege of issuing bond certificates for use in Cook County shall be governed by rule of the Circuit Court of Cook County. (Note: Copies of the Cook County rule may be obtained by writing to: Office of the Chief Judge, Richard J. Daley Center, Chicago IL 60602.)

**(b) Cash or Cash Bail.** United States currency; transfer of United States currency by means of credit cards, debit cards, or electronic fund transfer; traveler's checks issued by major banks or express companies which, alone or in combination with currency, total the exact amount required to be deposited as bail; and negotiable drafts on major credit card companies, under conditions approved by the Administrative Director.

**(c) Conservation Offense.** Any case charging a violation listed below, except any charge punishable upon conviction by imprisonment in the penitentiary:

- (1) The Fish and Aquatic Life Code, as amended (515 ILCS 5/1-1 *et seq.*);
- (2) The Wildlife Code, as amended (520 ILCS 5/1.1 *et seq.*);
- (3) The Boat Registration and Safety Act, as amended (625 ILCS 45/1-1 *et seq.*);

- (4) The Park District Code, as amended (70 ILCS 1205/1-1 *et seq.*);
- (5) The Chicago Park District Act, as amended (70 ILCS 1505/ 0.01 *et seq.*);
- (6) The State Parks Act, as amended (20 ILCS 835/ 0.01 *et seq.*);
- (7) The State Forest Act, as amended (525 ILCS 40/ 0.01 *et seq.*);
- (8) The Forest Fire Protection District Act, as amended (425 ILCS 40/ 0.01 *et seq.*);
- (9) The Snowmobile Registration and Safety Act, as amended (625 ILCS 40/1-1 *et seq.*);
- (10) The Endangered Species Protection Act, as amended (520 ILCS 10/1 *et seq.*);
- (11) The Forest Products Transportation Act, as amended (225 ILCS 740/1 *et seq.*);
- (12) The Timber Buyers Licensing Act, as amended (225 ILCS 735/1 *et seq.*);
- (13) The Downstate Forest Preserve District Act, as amended (70 ILCS 805/ 0.001 *et seq.*);
- (14) The Exotic Weed Act, as amended (525 ILCS 10/1 *et seq.*);
- (15) The Hunter Interference Prohibition Act, as amended (720 ILCS 125/ 0.01 *et seq.*);
- (16) The Ginseng Harvesting Act, as amended (525 ILCS 20/ 0.01 *et seq.*);
- (17) The Cave Protection Act, as amended (525 ILCS 5/1 *et seq.*);
- (18) Any regulations, proclamations or ordinances adopted pursuant to any code or act named in this Rule 501(c);
- (19) Ordinances adopted pursuant to the Counties Code for the acquisition of property for parks or recreational areas (55 ILCS 5/5-1005(18)).

**(d) Driver’s License.** A current driver’s license certificate issued by the Secretary of State of Illinois. However, restricted driving permits, judicial driving permits, instruction permits, probationary licenses or temporary licenses issued under chapter 6 of the Illinois Vehicle Code, as amended (625 ILCS 5/6-100 *et seq.*) shall not be accepted in lieu of or in addition to bail amounts established in Rule 526.

**(e) Unit of Local Government.** Any county, municipality, township, special district, or unit designated as a unit of local government by law.

**(f) Traffic Offense.** Any case which charges a violation of any statute, ordinance or regulation relating to the operation or use of motor vehicles, the use of streets and highways by pedestrians or the operation of any other wheeled or tracked vehicle, including cases charging violations under chapter 6 of the Illinois Vehicle Code, as amended (625 ILCS 5/6-100 *et seq.*), but excluding cases in which a ticket was served by “tie-on,” “hang-on,” or “appended” methods and cases charging violations of:

- (1) Section 9-3(b) of the Criminal Code of 1961, as amended (reckless

homicide) (720 ILCS 5/9-3(b));

(2) Section 12-5 of the Criminal Code of 1961, as amended (reckless conduct) (720 ILCS 5/12-5);

(3) Article I of chapter 4 of the Illinois Vehicle Code, as amended (anti-theft laws) (625 ILCS 5/4-100 *et seq.*);

(4) Any charge punishable upon conviction by imprisonment in the penitentiary;

(5) “Jay walking” ordinances of any unit of local government;

(6) Any conservation offense (see Rule 501(c)).

**(g) Promise to Comply.** An option available to residents of other member jurisdictions of the Nonresident Violator Compact of 1977 (625 ILCS 5/6-800 *et seq.*) to obtain release from custody without bail following arrests on view for minor traffic offenses (see 625 ILCS 5/6-306.4(a)) by signing a written promise to comply with the terms of the Uniform Citation and Complaint (625 ILCS 5/6-306.4). Residents of Illinois, and nonresidents charged with traffic offenses specified in section 6-306.4(b) of the Illinois Vehicle Code, as amended (625 ILCS 6-306.4(b)), shall not be released on a promise to comply, but must post bail or secure release in accordance with these rules.

**(h) Individual Bond.** Bonds authorized without security for persons arrested for or charged with offenses covered by Rules 526, 527 and 528 who are unable to secure release from custody under these rules (see Rule 553(d)).

Amended effective October 7, 1970; amended January 31, 1972, effective March 1, 1972; amended February 17, 1977, effective April 1, 1977, in counties other than Cook, effective July 1, 1977, in Cook County; amended December 22, 1981, effective January 15, 1982; amended April 27, 1984, effective July 1, 1984; amended March 27, 1985, effective May 1, 1985; amended June 26, 1987, effective August 1, 1987; amended June 19, 1989, effective August 1, 1989; amended December 7, 1990, effective January 1, 1991; amended June 12, 1992, effective July 1, 1992; amended May 24, 1995, effective January 1, 1996; amended September 30, 2002, effective immediately; amended June 11, 2009, effective immediately; amended August 6, 2010, effective September 15, 2010; amended Dec. 12, 2013, eff. Jan. 1, 2014.

## **Amended Rule 526**

### **Rule 526. Bail Schedule–Traffic Offenses**

**(a) Bail in Minor Traffic Offenses.** Unless released on a written promise to comply and except as provided in paragraphs (b), (c), (d) and (f) of this rule a person arrested for a traffic offense and personally served by the arresting officer with a

Citation and Complaint shall post bail in the amount of \$120 in one of the following ways: (1) by posting \$120 cash bail (see Rule 501(b) for definition of “Cash Bail”); or (2) by depositing, in lieu of such amount, an approved bond certificate; or (3) by depositing, in lieu of such amount, a current Illinois driver’s license.

**(b) Bail in Certain Truck Offenses.**

(1) Persons charged with a violation of section 3-401(d) or 15-111 of the Illinois Vehicle Code, as amended (truck overweight) (625 ILCS 5/3-401(d) or 5/15-111), charged with a violation of section 15-112(e) of the Illinois Vehicle Code, as amended (gross weight) (625 ILCS 5/15-112(e)), or charged with a violation punishable by fine pursuant to sections 15-113.1, 15-113.2 or 15-113.3 of the Illinois Vehicle Code, as amended (permit moves) (625 ILCS 5/15-113.1 *et seq.*), shall post cash bail in an amount equal to the amount of the minimum fine fixed by statute, plus penalties and costs (see Rule 501(b) for definition of “Cash Bail”). The accused may, in lieu of cash bail, deposit a money order issued by a money transfer service company which has been approved by the Administrative Director under regulations issued by this court. The money order shall be made payable to the clerk of the circuit court of the county in which the violation occurred. When the bail for any offense hereunder does not exceed \$500, the accused may, at his option, deposit a truck bond certificate in lieu of bail.

(2) Persons charged with violating section 15-112(g) of the Illinois Vehicle Code, as amended, by refusing to stop and submit a vehicle and load to weighing after being directed to do so by an officer, or with violating section 15-112(g) by removing all or part of the load prior to weighing shall post bail in the amount of \$1,200 (625 ILCS 5/15-112(g)).

**(c) Bail in Other Traffic Offenses (Rules of the Road).** Except as provided in paragraph (e) of this rule, persons charged with violations of the following sections of the Illinois Vehicle Code shall post bail in the amount specified:

ILCS	Description	Bail
(1) 625 ILCS 5/11-601	Speeding, but only when more than 20 mph over the posted limit but not more than <del>30</del> <u>25</u> mph over the posted limit	\$140
	<del>Speeding, but only when more than 30 mph over the posted limit</del>	<del>\$160</del>

(2) 625 ILCS 5/11-601.5	<u>Speeding, but only when 26 mph over the posted limit but less than 35 mph over the posted limit</u>	<u>\$1,500</u>
	Speeding, but only when <del>40</del> <u>35</u> mph or more over the posted limit	\$2,000
(3) 625 ILCS 5/11-204	Fleeing or Attempting to Elude Police Officer	\$2,000
(4) Blank		
(5) 625 ILCS 5/11-501	Misdemeanor Driving Under Influence of Alcohol or Drugs or with 0.08 or more Blood- or Breath-Alcohol Concentration	\$3,000
(6) 625 ILCS 5/11-503	Reckless Driving	\$2,000
(7) 625 ILCS 5/11-506	Street Racing	\$2,000
(8) 625 ILCS 5/12-603.1	Use of Safety Belts, Driver or Passenger	\$60

**(d) Bail in Other Traffic Offenses (Vehicle Title & Registration Law).** Except as provided in paragraph (e) of this rule, persons charged with violations of the following sections of the Illinois Vehicle Code shall post bail in the amount specified:

ILCS	Description	Bail
(1) 625 ILCS 5/3-707	Operating Without Insurance	\$2,000

(2) 625 ILCS 5/3-708	Operating when Registration Suspended for Non-insurance	\$3,000
(3) 625 ILCS 5/3-710	Display of False Insurance Card	\$2,000

**(e) Driver’s License or Bond Certificate in Lieu of or in Addition to Bail.** An accused who has a valid Illinois driver’s license may deposit his driver’s license in lieu of the bail specified in subparagraphs (1), (2), (3), (6), and (8) of Rule 526(c) and subparagraphs (1) and (3) of Rule 526(d). In lieu of posting the cash amount specified in subparagraphs (5) and (7) of Rule 526(c) or subparagraph (2) of Rule 526(d), an accused must post \$1,000 bail and his current Illinois driver’s license. Persons who do not possess a valid Illinois driver’s license shall post bail in the amounts specified in Rule 526(c) or 526(d), except that an accused may deposit an approved bond certificate in lieu of the bail specified in subparagraphs (1) or (8) of Rule 526(c).

**(f) Bail in Other Traffic Offenses (Driver Licensing Law).** Persons charged with violations of the following sections of the Illinois Vehicle Code shall post bail in the amount specified:

ILCS	Description	Bail
(1) 625 ILCS 5/6-301	Unlawful Use of License	\$1,500
(2) 625 ILCS 5/6-303	Misdemeanor Driving With Suspended or Revoked License	\$1,500
(3) 625 ILCS 5/6-304.1	Permitting Driving Under Influence of Alcohol or Drugs	\$1,500
(4) 625 ILCS 5/6-101	Unlicensed Driving, under the following circumstances:	
See article VI, “Penalties,” Illinois Vehicle Code (625 ILCS 5/6-601)	(a) All cases other than those charging license expire for less than one year (b) License expired less than one year (see Rule 526(a))	\$1,500

**(g) Bail for Traffic Offenses Defined by Ordinance.** Bail for traffic offenses defined by any ordinances of any unit of local government which are similar to those described in this Rule 526 shall be the same amounts as provided for in this rule.

Amended effective October 7, 1970; amended January 31, 1972, effective March 1, 1972; amended February 17, 1977, effective April 1, 1977, in counties other than Cook, effective July 1, 1977, in Cook County; amended September 29, 1978, effective November 1, 1978; amended September 20, 1979, effective October 15, 1979; amended December 22, 1981, effective January 15, 1982; amended April 27, 1984, effective July 1, 1984; amended March 27, 1985, effective May 1, 1985; amended June 26, 1987, effective August 1, 1987; amended June 19, 1989, effective August 1, 1989; amended January 11, 1990, effective immediately; amended December 7, 1990, effective January 1, 1991; amended June 12, 1992, effective July 1, 1992; amended September 27, 1993, effective October 1, 1993; amended April 11, 2000, effective immediately; amended September 30, 2002, effective immediately; amended December 5, 2003, effective immediately; amended May 30, 2008, effective immediately; amended June 11, 2009, effective immediately; amended June 3, 2010, effective September 15, 2010; amended December 7, 2011, effective immediately; amended Dec. 12, 2013, eff. Jan. 1, 2014.

**Amended Rule 527**

**Rule 527. Bail Schedule–Conservation Offenses**

**(a) General.** Except as provided in paragraphs (b), (c), (d), (e), (f), and (g) of this Rule 527, a person arrested for a conservation offense and personally served by the arresting officer with a conservation complaint shall post cash bail in the amount of \$ 120 (see Rule 501(b) for definition of “Cash Bail”).

**(b) Bail for Specified Violations of the Wildlife Code.** Persons arrested for a conservation offense listed below and personally served by the arresting officer with a conservation complaint shall post bail in the amount specified:

<b>WILDLIFE CODE</b>		
ILCS	Description	Bail
520 ILCS 5/2.9	Unlawful Taking or Possession of Wild Turkeys out of Season	\$1,500

520 ILCS 5/2.16	Unlawful Sale or Barter of Game Birds	\$1,500
520 ILCS 5/2.18	Unlawful Taking of Migra- tory Game Birds	\$1,500
520 ILCS 5/2.24	Unlawful Taking or Pos- sessing of Deer out of Season	\$1,500
520 ILCS 5/2.25	Unlawful Taking or Pos- sessing of Deer out of Season	\$1,500
520 ILCS 5/2.29	Unlawful Sale or Barter of Game Animals	\$1,500
520 ILCS 5/2.30	Unlawful Taking of Fur- bearing Mammals	\$1,500
520 ILCS 5/2.33a(k)	Possession of Green Hides	\$1,500
<del>520 ILCS 5/3.34</del>	<del>Exotic Game Hunting Area</del>	<del>\$1,500</del>

**(c) Bail for Specified Violations of the Boat Registration and Safety Act.** Persons arrested for a conservation offense listed below and personally served by the arresting officer with a conservation complaint shall post bail in the amount specified:

**BOAT REGISTRATION AND SAFETY ACT**

ILCS	Description	Bail
625 ILCS 45/5-1	Careless Operation of Motorboat	\$1,500

625 ILCS 45/5-16(A)	Operating Motorboat Under the Influence of Liquors or Drugs	\$2,000
625 ILCS 45/5-22	Failure to Yield to Emergency Watercraft	\$1,500

**(d) Bail for Specified Violations of the Snowmobile Registration and Safety Act.** Persons arrested for a conservation offense listed below and personally served by the arresting officer with a conservation complaint shall post bail in the amount specified:

**SNOWMOBILE REGISTRATION AND  
SAFETY ACT**

ILCS	Description	Bail
625 ILCS 40/3-10	Falsification or Alteration	\$1,500
625 ILCS 40/5-1(B)	Reckless, Negligent or Careless Operation of Snowmobile	\$1,500
625 ILCS 40/5-7(a)	Operating Snowmobile Under the Influence of Liquor or Drugs	\$2,000

**(e) Bail for Specified Violations of the Fish and Aquatic Life Code.** Persons arrested for a conservation offense listed below and personally served by the arresting officer with a conservation complaint shall post bail in the amount specified:

## FISH AND AQUATIC LIFE CODE

ILCS	Description	Bail
515 ILCS 5/10-140	Dip Net Without Commercial License	\$1,500
515 ILCS 5/15-5	Failure to Have Re- quired Commercial Fishing License	\$1,500
515 ILCS 5/15-10	Failure to Have Re- quired Commercial Musselor License	\$1,500
515 ILCS 5/20-90	Aquaculture Permit	\$1,500

**(f) Bail for Specified Violations of the Forest Products Transportation Act.** Persons arrested for a conservation offense listed below and personally served by the arresting officer with a conservation complaint shall post bail in the amount specified:

## FOREST PRODUCTS TRANSPORTATION ACT

ILCS	Description	Bail
225 ILCS 740/5	Transportation of Forest Products Without Consent	\$1,500

**(g) Bail for Class A Misdemeanors.** Persons arrested for any conservation offense classified as a Class A misdemeanor and personally served by the arresting officer with a conservation complaint shall post bail in the amount of \$1,500, except as may be provided in paragraphs (b), (c), (d), (e), and (f).

Amended effective October 7, 1970; amended January 31, 1972, effective March 1, 1972; amended February 17, 1977, effective April 1, 1977, in counties other than Cook, effective July 1, 1977, in Cook County; amended December 22, 1981, effective January 15, 1982; amended April 27, 1984, effective July 1, 1984; amended March 27, 1985, effective May 1, 1985; amended June 26, 1987, effective August 1, 1987; amended June

19, 1989, effective August 1, 1989; amended June 12, 1992, effective July 1, 1992; amended September 30, 2002, effective immediately; amended December 6, 2006, effective immediately; amended June 11, 2009, effective immediately; amended June 3, 2010, effective September 15, 2010; amended Dec. 12, 2013, eff. Jan. 1, 2014.

### **Amended Rule 551**

#### **Rule 551. Traffic and Conservation Offenses for Which a Court Appearance is Required**

A court appearance is required for:

(a) All alleged Class A and Class B misdemeanor violations of the Illinois Vehicle Code, as amended (625 ILCS 5/1-100 *et seq.*).

(b) All alleged violations of the following specified sections:

ILCS	Description
625 ILCS 5/3-707	Operating Without Insurance
625 ILCS 5/3-708	Operating When Registration Suspended for Noninsurance
625 ILCS 5/6-101	No Valid Driver's License
625 ILCS 5/6-104	Violation of Classification
625 ILCS 5/6-113	Operating in Violation of Restricted License or Permit
625 ILCS 5/6-301	Unlawful Use of License or Permit
625 ILCS 5/11-409	Making False Report
625 ILCS 5/11-601(b)	<del>Speeding—Only when more than 30 mph over the Posted Limit</del>

625 ILCS 5/11-1414(a)	Passed School Bus–Loading or Unloading
625 ILCS 5/15-112(g)	Refusal to stop and submit vehicle and load to weighing after being directed to do so by an officer, or removal of load prior to weighing
625 ILCS 5/15-301(j)	Violation of Excess Size or Weight Permit

**(c)** All alleged violations of the Child Passenger Protection Act, as amended (625 ILCS 25/1 *et seq.*).

**(d)** Any traffic offense which results in an accident causing the death of any person or injury to any person other than the accused.

**(e)** Conservation offenses for which more than \$120 bail is required under Rule 527, or for which civil penalties are required under section 20-35 of the Fish and Aquatic Life Code, as amended (515 ILCS 5/20-35), or section 3.5 of the Wildlife Code, as amended (520 ILCS 5/3.5).

**(f)** Offenses arising from multiple charges as provided in Rule 503.

**(g)** Violation of any ordinance of any unit of local government defining offenses comparable to those specified in subparagraphs (a), (b), (c), (d) and (h) of this Rule 551.

**(h)** Any minor traffic offense where the statutory minimum fine is greater than \$95, except those offenses involving truck violations under Rule 526(b)(1) or similar municipal ordinances.

Amended effective October 7, 1970; amended February 17, 1977, effective April 1, 1977, in counties other than Cook, effective July 1, 1977, in Cook County; amended September 20, 1979, effective October 15, 1979; amended December 22, 1981, effective January 15, 1982; amended April 27, 1984, effective July 1, 1984; amended March 27, 1985, effective May 1, 1985; amended June 26, 1987, effective August 1, 1987; amended June 19, 1989, effective August 1, 1989; amended December 7, 1990, effective January 1, 1991; amended June 12, 1992, effective July 1, 1992; amended May 24, 1995, effective January 1, 1996; amended March 26, 1996, effective May 1, 1996; amended September 30, 2002, effective immediately ; amended August 6, 2010, effective September 15, 2010; amended Dec. 12, 2013, eff. Jan. 1, 2014.