“Dennis’s Law”
HOW THE TRAGIC DEATH OF AN ILLINOIS BICYCLIST LED TO A CHANGE IN ILLINOIS LAW

2016 ILLINOIS BIKE SUMMIT
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Dennis Jurs – Purple Heart Recipient
• Dennis Jurs served in the United States Army with the 65th Engineering Battalion, 25th Infantry Division in Pleiku, South Vietnam.
• Dennis Jurs was the recipient of the Purple Heart for injuries he sustained to his leg when a landmine exploded.

Bicycling Led To Rehabilitation

Team MACK

May 18, 2015
Intersection of Walker Road and Allen Road

May 18, 2015
Allen Road - East/West Roadway
May 18, 2015
Walker Road – North/South Roadway

“Cross Traffic Does Not Stop”

Subject Collision

Subject Collision

DRIVER TICKETED FOR FAILING TO YIELD THE RIGHT OF WAY
Section 11-904(b) “Right of Way” of the Illinois Vehicle Code

Sec. 11-904. Vehicle entering stop or yield intersection.
(b) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on the roadway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection, but said driver having so yielded may proceed at such time as a safe interval occurs.

Illinois Vehicle Code - Section 11-502 of Article XV
625 ILCS 5/11-502

Sec. 11-502. “Traffic laws apply to persons riding bicycles.” Every person riding a bicycle upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to special regulations in this Article XV and except as to those provisions of this Code which by their nature can have no application.
“Same Rights, Same Rules”


Issue: Does a bicycle fit within the term “motor vehicle” as that term was utilized in an underinsured motorist (UIM) insurance policy.

Rule: No. The terms of the insurance policy only relates to motor vehicles.


Issue: Do DUI laws under 625 ILCS 5/11-501(a) apply to bicyclists?

Rule: DUI laws do not apply to bicyclists as bicycles are not applicable under that criminal statute. The Schaeffer case did not involve the issue of whether a bicycle was a “vehicle” under the Illinois Rules of the Road nor address the rights entitled to bicyclists.


Issue: Does a law prohibiting a “vehicle” from being operated on the sidewalk apply to a vehicle?

Rule: No. A child riding on the sidewalk is not a vehicle.

Footnote: This case led to a clarification in the Illinois Vehicle Code as well in 2003 to include language about a “vehicle moved exclusively by human power.”

People v. Isaacson, 4-96-0900 (4th Dist. 1997)

Issue: Is a bicycle a vehicle?

Rule: Yes and is entitled to the right-of-way.

Footnote: This case could be appealed because the case was dismissed. In the Dennis Jurs case, the Defendant was found “not guilty” at the end of the trial.
CONFLICT
Is a bicycle a vehicle under Illinois law?
3 Appellate Cases Say No.
4th District Says Yes.
So who decides?

CLARIFICATION OF THE LAW
BY STATUTE

Amendment Was Perfect In Its Simplicity

Initial Bill Was Too Broad

Dennis’s Law – Illinois Public Act 099-0785
Legal Benefits of “Dennis’s Law”

1. Validates a Bicycle as a “Vehicle” under Illinois Law.

2. Provides Specific Protection for Bicyclists In All Situations Involving the Right-of-Way.

3. Legislative history will serve in the future to reflect the pre-existing intent for bicyclists to have equal rights under the law.