

## Article V Rules for L.E., Short summary

### MINOR TRAFFIC

-**Petty offenses:** Promise to comply (PTC), **no signing needed EVER!** (rule 501(g))

**\$164.00** USC (C or I bond) (schedule 12)

-**Business offenses:** Require: DL, DL and \$, or \$. (C, D, or I apply)

Values vary, refer to SOS/ISP/IVC for charge and value.

*Examples: Mandatory insurance suspension (\$3,000), Scotts law (DL).*

### MAJOR TRAFFIC (misdemeanor) (526(c))

**\$2,500** (C, D, or I applies),

-4 Exceptions: Street Racing, DUI, Mandatory Ins. Susp. (3,000, 1,000 & DL)  
& No insurance (2,000 but treat as a petty-Promise to comply)

### CERTAIN OTHER OFFENSES Misdemeanor non-traffic (rule 528(b))

**\$100.00 CASH** (C or I Bond ONLY) *THIS IS NOT \$1,000.* (schedule 13)

*(Example: All Class A, B, & C NON-traffic Misdemeanor's.)*

**In Cook County we are honoring the **HIGHEST BOND** scenario**

### REQUIRED APPEARANCE VIOLATIONS

-Use SOS/ISP Code offense guide for assistance (I.E. asterisk marked offenses\*)

-Must issue hearing date (14-60 days) (rule 504) (minimum 20 days if possible)

-Must check box #3 on Y-citation (MUST APPEAR)

-Choose proper hearing room (for districts with multi room use)

**EFFECTIVE: 01 July 2019**

**Cook County**

In summary – refer to  
SOS/ISP/IVC offense  
index for detail

### Cook County Court fund:

#### Overweight's

**\$260**

(sched. 10.5 assessment)

### Automobile Bond Cards

Until 7/31/19

Advantage Auto Club Inc.  
Allstate Motor Club Inc.  
American Service Ins. Co. Inc  
Lincoln Travel Comp.  
Motor Club of America Enter  
Signature Motor Club Inc  
Signature Nationwide Auto  
Town&Country Motorists As.

### NON-Compact States

1) Alaska, 2) California,  
3) Michigan, 4) Montana,  
5) Oregon, 6) Wisconsin

## Definitions and keys

### Required appearance:

\*recipient/respondent **"MUST APPEAR"** in court

**Driver's License:** A current D.L. or Temporary Visitor Driver's License (TVDL), issued by SOS (Art.V501(d))

NOTE: TVDL Invalidated if motorist has no valid insurance.

\*Used in lieu of cash bail for multiple offenses. *Example (11-907© Scotts law and Aggravated Speeder)*

\*Can be used to supplement other charges: DUI, Street Racing and Mandatory Ins. (3,000 or 1,000 & DL)

\*Valued at \$2,000, except in 11-601.5 (agg. speeding) where a DL can be confiscated as equal value.

\*NO CONFISCATION of DL for PETTY OFFENSES. *Promise to comply applies, inc. no insuranc* (Art.V501g)

**Promise to comply:** option allowing release without depositing a valid DL or signing. (*Is for petty traffic offenses*).

(Art V 501(g)) *Also includes 3-707 (NO INSURANCE).*

**SOS/ISP Code offense book is a great reference to detail II. DL confiscation or supplement usage.**

**SOS/ISP Code Offense Book (2017/2018):** (a guidebook for LE) **bonds are not accurate on these versions!!!**

• (Asterisk (\*)) – Required appearance (on traffic citation check **MUST APPEAR**).

• (pound sign / hashmark (#)) – requires fingerprinting for arrest.

**Highest bond:** highest bond amount used & determined from all offenses charged:

In Combo Criminal/Traffic situation or Traffic situation by itself.

## Petty Citation's / business offense / 1 ticket - Procedure and Bail

- **Petty offenses / Divertable** (including: open alcohol, no DL on person, expired reg, & equip Violations)
  - a) Adults 18 and older
  - b) CDL licensed drivers are **DIVERTABLE**, can't offer them box B - supervision
  - c) Offenses written on C and I bond to NON-Compact residents & un-licensed passengers and/or pedestrians are **DIVERTABLE**.
  - d) Direct motorist, passenger, and/or pedestrian to the online section on the citation and explain options:
    - 1) Only provide diversion envelope if recipient requests
    - 2) Provide the recipient the court communication copy, if diversion envelope provided.
  - e) **DON'T CHECK "MUST APPEAR"** on not-required appearance offenses (*non-asterisk marked offenses*)
- **"Required Appearance"** offenses (*Asterisk offenses in SOS codebook*) are **"MUST APPEAR"** hearing req.
  - a) Business offenses (*such as: 3-708 Reg. Suspended for Mandatory Ins. & 11-907© "Scott's Law"...*)
  - b) Petty offenses (*such as: 11-605.1 construction speeder & 3-707 No insurance...*)
- **B A I L**
  - a) **Petty's: Promise to Comply** *NO SIGNATURES*. (*must have valid Illinois DL or be a compact state resident*). No insurance is treated as a petty, unless it involves a crash resulting in injuries (*Class A misd*).
  - b) **\$164 USC (pettys only)**, on a C-bond or I-bond, (*for Non-Compact State motorists, unlicensed passengers, or ped's*)
  - c) **Business offenses:** DL, combination DL and C, D, or I bond. See Article V, IVC or SOS/ISP codebook.
  - d) **Valid Illinois D.L. or TVDL** (*confiscatable in certain offenses, i.e "Scott's law" & business offenses, Agg speeders*)
  - e) **17 and under petty:** required to appear as the Cook County Clerk's system will not accept a diversion

## Multi-Citation including misd. traffic - procedure and bail

- May or may not have offenses that are "REQUIRED APPEARANCE" meaning "MUST APPEAR"
  - a) **If all offenses are petty offenses**, not "required appearance" denoted by an asterisk in the SOS/ISP Code book, then the recipient has the opportunity to satisfy the case at the clerk's office prior to the assigned hearing date. This situation IS NOT DIVERTABLE on the street.
  - b) **If any one of the offenses are a "REQUIRED APPEARANCE"**, denoted by the asterisk in the SOS/ISP code book, the issuing officer will **check box #3** on the citation **"MUST APPEAR"**. A recipient CANNOT satisfy the offenses with the clerk and must appear at the hearing date assigned.
  - c) Ensure case is written to the proper court room based on the most severe offense, Minor or Major, for District's with Multi-room assignments.
    - 1) Hearing date must be 14-60 days from issue date, preferably 20+ for processing assistance.
    - 2) Ensure the bond meets the offense requirements. I.E:
      - a) Promise to comply (petty traffic offenses)
      - b) DL, and or Combo DL C/I Bond. I.E: 3-708/Reg. Susp. Mand. Ins.(3-708), Scott's law (11-907©)
- **Bail**

Same as Single citation bail procedures, except amount on Misdemeanor Traffic offenses:

  - a) **\$2,500**, C, D, or I bond applies on **all Class A, B, or C TRAFFIC arrests**, except 4 offenses:
    - 1) **DUI** (11-501): **\$3,000**, \$1,000 and DL. C, D, or I applies.
    - 2) **Street Racing** (11-506): **\$3,000**, \$1,000 and DL. C, D, or I applies.
    - 3) **Reg. Susp. Mandatory Insurance** (3-708): **\$3,000**, \$1,000 and DL. C, D, or I applies.
    - 4) **NO insurance** (3-707): **\$2,000**, PROMISE TO COMPLY, unless multi-offense situation require bond

Example: Non traffic arrest (battery) and traffic offense (no insurance) = \$2,000 I, C, D bond.

**Article V Rules for LE, Detail summary**

**REQUIRED APPEARANCE RULES: Rule 551**

Traffic and Conservation Offenses for Which a Court **Appearance is Required** (\* asterisk)

A court appearance is required for:

- (a) All alleged major traffic offenses of the Illinois Vehicle Code, as amended (625 ILCS 5/1-100 *et seq.*).
- (b) All alleged violations of the following specified sections:

<b><u>ILCS</u></b>	<b><u>Description</u></b>
<b>625 ILCS 5/3-707</b>	Operating Without Insurance
<b>625 ILCS 5/3-708</b>	Operating When Registration Suspended for Noninsurance
<b>625 ILCS 5/6-101</b>	No Valid Driver's License
<b>625 ILCS 5/6-104</b>	Violation of Classification
<b>625 ILCS 5/6-113</b>	Operating in Violation of Restricted License or Permit
<b>625 ILCS 5/11-1414(a)</b>	Passed School Bus—Loading or Unloading
<b>625 ILCS 5/15-112(g)</b>	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
<b>625 ILCS 5/15-301(j)</b>	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 identified in subparagraph (b) of Rule 527, or offenses 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. (*multiple offenses*)
- (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.

**Rule 532. Applicability of 10% Cash Deposit Statute** The 10% cash deposit provision of section 110-7 of the Code of Criminal Procedure of 1963, as amended (725 ILCS 5/110-7), applies in every case in which the amount of bail under these rules is **\$1,200 or more**, except those cases involving truck violations under Rule 526(b)(1) or similar municipal ordinances. (D-bond cannot have value less than \$120 to walk).

**Rule 553(d):** I bonds for petty offenses do not require signature.

**WARRANT RULES**

Information coming on future version

