



## Curfew

### **What is the Curfew Law in the Village of Bartlett?**

In the Village of Bartlett, there are (3) different curfew laws that parents and teenagers should be aware of: **(1) State of Illinois Curfew Law, (2) Village of Bartlett's Curfew Ordinance, and (3) Illinois Graduated Driver Licensing Program.**

### **CURFEW (Illinois Law 720 ILCS 555/1)**

A minor, *any person under 17 years of age*, commits an offense if he or she remains, *lingers or stays ; or fails to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises*, in any public place, *any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops*, or on the premises of any establishment, *any privately-owned place of business operated for a profit to which the public is invited including but not limited to any place of amusement or entertainment*, during curfew hours:

- (1) *Between 12:01 a.m. and 6:00 a.m. Saturday;*
- (2) *Between 12:01 a.m. and 6:00 a.m. on Sunday; and*
- (3) *Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.*

It is a defense to prosecution that the minor was:

- (1) *accompanied by the minor's parent, a natural parent, adoptive parent, or step-parent of another person; or at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor, or guardian, a person who, under court order is the guardian of the person of a minor; or a public or private agency with who a minor has been placed by a court.*
- (2) *On an errand a the direction of the minor's parent or guardian, without any detour or stop*
- (3) *in a motor vehicle involved in interstate travel*
- (4) *engaged in any employment activity or going to or returning home from an employment activity, without any detour or stop*
- (5) *involved in an emergency, an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury, bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ, or loss of life*

- (6) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence
- (7) attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor
- (8) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, or
- (9) married or had been married or is an emancipated minor under the Emancipation of Minors Act

**CURFEW (Village of Bartlett Ordinance 5-5-1)**

A minor, *any person under seventeen (17) years of age*, commits an offense if he or she remains, *lingers or stays; or fails to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises*, in any public place, *any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops*, or on the premises of any establishment, *any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment*, within the Village of Bartlett during curfew hours.

- (1) *Between 11:00 p.m. on any Friday or Saturday until 6:00 a.m. the following day*
- (2) *Between 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. on the following day.*

It is a defense to prosecution that the minor was:

- (1) *accompanied by the minor's parent, a natural parent, adoptive parent, or step-parent of another person; or at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor, or guardian, a person who, under court order is the guardian of the person of a minor; or a public or private agency with whom a minor has been placed by a court.*
- (2) *On an errand in the direction of the minor's parent or guardian, without any detour or stop*
- (3) *in a motor vehicle involved in interstate travel*
- (4) *engaged in any employment activity or going to or returning home from an employment activity, without any detour or stop*
- (5) *involved in an emergency, an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury, bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or*

- protracted loss or impairment of the function of any bodily member or organ, or loss of life*
- (6) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence
  - (7) attending an official school, religious, or other recreational activity which is : (1) supervised by adults and (2) sponsored by the Village of Bartlett, a civic organization, or another similar entity that takes responsibility for the minor,
  - (8) going to or returning home from without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the Village of Bartlett, a civic organization, or another similar entity that takes responsibility for the minor
  - (9) exercising First Amendment rights protected by the United States constitution and/or rights protected by article 1, section 3, 4, and/or 5 of the Illinois constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, or
  - (10) married or had been married or is an emancipated minor under the Emancipation of Minors Act, as amended
- **Please Note: The Village of Bartlett Curfew Ordinance is more restrictive than the Curfew under Illinois Law**

### **CURFEW (Illinois Graduated Driver Licensing Program)**

#### **625 ILCS 5/6-107.1(b) Instructional Permit**

An instruction permit issued under this Section when issued to a person under the age of 18 years shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

- (1) *Between 11:00 p.m. Friday and 6:00 a.m. Saturday;*
- (2) *Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and*
- (3) *Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day*

The instruction permit of a person under the age of 18 shall not be invalid if the instruction permit holder under the age of 18 was:

- (1) accompanied by the minor's parent or guardian or other person in custody or control of the minor;
- (2) on an errand a the direction of the minor's parent or guardian, without any detour or stop
- (3) in a motor vehicle involved in interstate travel
- (4) going to or returning home from an employment activity, without any detour or stop;
- (5) involved in an emergency;
- (6) going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;

- (7) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, or
- (8) married or had been married or is an emancipated minor under the Emancipation of Minors Act

**625 ILCS 5/6-110(a)(1)) Graduated Driver's License**

If the licensee is less than 18 years of age, unless one of the exceptions apply, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

- (4) *Between 11:00 p.m. Friday and 6:00 a.m. Saturday;*
- (5) *Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and*
- (6) *Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day*

The driver's license of a person under the age of 18 shall not be invalid if the licensee under the age of 18 was:

- (1) accompanied by the licensee's parent or guardian or other person in custody or control of the minor
- (2) on an errand at the direction of the minor's parent or guardian, without any detour or stop
- (3) in a motor vehicle involved in interstate travel
- (4) going to or returning home from an employment activity, without any detour or stop;
- (5) involved in an emergency;
- (6) going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;
- (7) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, or
- (8) married or had been married or is an emancipated minor under the Emancipation of Minors Act