

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 12-610.2 as follows:

6 (625 ILCS 5/12-610.2)

7 Sec. 12-610.2. Electronic communication devices.

8 (a) As used in this Section:

9 "Electronic communication device" means an electronic
10 device, including but not limited to a hand-held wireless
11 telephone, hand-held personal digital assistant, or a portable
12 or mobile computer, but does not include a global positioning
13 system or navigation system or a device that is physically or
14 electronically integrated into the motor vehicle.

15 (b) A person may not operate a motor vehicle on a roadway
16 while using an electronic communication device.

17 (b-5) A person commits aggravated use of an electronic
18 communication device when he or she violates subsection (b) and
19 in committing the violation he or she was involved in a motor
20 vehicle accident that results in great bodily harm, permanent
21 disability, disfigurement, or death to another and the
22 violation was a proximate cause of the injury or death.

23 (c) A second or subsequent violation of this Section is an

1 offense against traffic regulations governing the movement of
2 vehicles. A person who violates this Section shall be fined a
3 maximum of \$75 for a first offense, \$100 for a second offense,
4 \$125 for a third offense, and \$150 for a fourth or subsequent
5 offense.

6 (d) This Section does not apply to:

7 (1) a law enforcement officer or operator of an
8 emergency vehicle while performing his or her official
9 duties;

10 (1.5) a first responder, including volunteer first
11 responders, while operating his or her own personal motor
12 vehicle using an electronic communication device for the
13 sole purpose of receiving information about an emergency
14 situation while en route to performing his or her official
15 duties;

16 (2) a driver using an electronic communication device
17 for the sole purpose of reporting an emergency situation
18 and continued communication with emergency personnel
19 during the emergency situation;

20 (3) a driver using an electronic communication device
21 in hands-free or voice-operated mode, which may include the
22 use of a headset;

23 (4) a driver of a commercial motor vehicle reading a
24 message displayed on a permanently installed communication
25 device designed for a commercial motor vehicle with a
26 screen that does not exceed 10 inches tall by 10 inches

1 wide in size;

2 (5) a driver using an electronic communication device
3 while parked on the shoulder of a roadway;

4 (6) a driver using an electronic communication device
5 when the vehicle is stopped due to normal traffic being
6 obstructed and the driver has the motor vehicle
7 transmission in neutral or park;

8 (7) a driver using two-way or citizens band radio
9 services;

10 (8) a driver using two-way mobile radio transmitters or
11 receivers for licensees of the Federal Communications
12 Commission in the amateur radio service;

13 (9) a driver using an electronic communication device
14 by pressing a single button to initiate or terminate a
15 voice communication; or

16 (10) a driver using an electronic communication device
17 capable of performing multiple functions, other than a
18 hand-held wireless telephone or hand-held personal digital
19 assistant (for example, a fleet management system,
20 dispatching device, citizens band radio, or music player)
21 for a purpose that is not otherwise prohibited by this
22 Section.

23 (e) A person convicted of violating subsection (b-5)
24 commits a Class A misdemeanor if the violation resulted in
25 great bodily harm, permanent disability, or disfigurement to
26 another. A person convicted of violating subsection (b-5)

1 commits a Class 4 felony if the violation resulted in the death
2 of another person.

3 (Source: P.A. 97-828, eff. 7-20-12; 98-506, eff. 1-1-14;
4 98-507, eff. 1-1-14; 98-756, eff. 7-16-14.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.