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09600HB5454ham001

LRB096 18608 AJT 37690 a

1 AMENDMENT TO HOUSE BILL 5454

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5454 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 12-610.1 as follows:

6 (625 ILCS 5/12-610.1)

7 Sec. 12-610.1. Wireless telephones.

8 (a) As used in this Section, "wireless telephone" means a  
9 device that is capable of transmitting or receiving telephonic  
10 communications without a wire connecting the device to the  
11 telephone network.

12 (b) A person under the age of 19 years who holds an  
13 instruction permit issued under Section 6-105 or 6-107.1, or a  
14 person under the age of 19 years who holds a graduated license  
15 issued under Section 6-107, may not drive a vehicle on a  
16 roadway while using a wireless telephone ~~phone~~. This subsection

1 (b) does not apply to a person under the age of 19 years using a  
2 wireless telephone for emergency purposes, including, but not  
3 limited to, an emergency call to a law enforcement agency,  
4 health care provider, fire department, or other emergency  
5 services agency or entity.

6 (c) (Blank). ~~This Section does not apply to a person under~~  
7 ~~the age of 19 years using a wireless telephone for emergency~~  
8 ~~purposes, including, but not limited to, an emergency call to a~~  
9 ~~law enforcement agency, health care provider, fire department,~~  
10 ~~or other emergency services agency or entity.~~

11 (d) If a graduated driver's license holder over the age of  
12 18 committed an offense against traffic regulations governing  
13 the movement of vehicles or any violation of Section 6-107 or  
14 Section 12-603.1 of this Code in the 6 months prior to the  
15 graduated driver's license holder's 18th birthday, and was  
16 subsequently convicted of the violation, the provisions of  
17 paragraph (b) shall continue to apply until such time as a  
18 period of 6 consecutive months has elapsed without an  
19 additional violation and subsequent conviction of an offense  
20 against traffic regulations governing the movement of vehicles  
21 or any violation of Section 6-107 or Section 12-603.1 of this  
22 Code.

23 (e) A person, 19 years or older ~~regardless of age,~~ may not  
24 use a wireless telephone at any time while operating a motor  
25 vehicle on a roadway ~~in a school speed zone established under~~  
26 ~~Section 11-605, or on a highway in a construction or~~

1 ~~maintenance speed zone established under Section 11-605.1.~~

2 This subsection (e) does not apply to (i) a person engaged in a  
3 highway construction or maintenance project for which a  
4 construction or maintenance speed zone has been established  
5 under Section 11-605.1, (ii) a person using a wireless  
6 telephone for emergency purposes, including, but not limited  
7 to, law enforcement agency, health care provider, fire  
8 department, or other emergency services agency or entity, (iii)  
9 a law enforcement officer or operator of an emergency vehicle  
10 when performing the officer's or operator's official duties, or  
11 (iv) to a person using a wireless telephone in hands-free or  
12 voice-activated mode.

13 (Source: P.A. 95-310, eff. 1-1-08; 95-338, eff. 1-1-08; 95-876,  
14 eff. 8-21-08; 96-131, eff. 1-1-10.)

15 Section 99. Effective date. This Act takes effect January  
16 1, 2011."