

# HB5761



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5761

Introduced 2/9/2010, by Rep. John E. Bradley

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2

Amends the Illinois Vehicle Code. Provides that the prohibition against operating a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message does not apply to a driver using amateur radio receiving and transmitting equipment while in possession of a current and valid amateur radio license issued by the Federal Communications Commission.

LRB096 19151 AJT 34542 b

A BILL FOR

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 wireless telephone,  
11 personal digital assistant, or a portable or mobile computer  
12 while being used for the purpose of composing, reading, or  
13 sending an electronic message, but does not include a global  
14 positioning system or navigation system or a device that is  
15 physically or electronically integrated into the motor  
16 vehicle.

17 "Electronic message" means a self-contained piece of  
18 digital communication that is designed or intended to be  
19 transmitted between physical devices. "Electronic message"  
20 includes, but is not limited to electronic mail, a text  
21 message, an instant message, or a command or request to access  
22 an Internet site.

23 (b) A person may not operate a motor vehicle on a roadway

1 while using an electronic communication device to compose,  
2 send, or read an electronic message.

3 (c) A violation of this Section is an offense against  
4 traffic regulations governing the movement of vehicles.

5 (d) This Section does not apply to:

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

9 (2) a driver using an electronic communication device  
10 for the sole purpose of reporting an emergency situation  
11 and continued communication with emergency personnel  
12 during the emergency situation;

13 (3) a driver using an electronic communication device  
14 in hands-free or voice-activated mode; ~~or~~

15 (4) a driver of a commercial motor vehicle reading a  
16 message displayed on a permanently installed communication  
17 device designed for a commercial motor vehicle with a  
18 screen that does not exceed 10 inches tall by 10 inches  
19 wide in size;

20 (5) a driver using an electronic communication device  
21 while parked on the shoulder of a roadway; ~~or~~

22 (6) a driver using an electronic communication device  
23 when the vehicle is stopped due to normal traffic being  
24 obstructed and the driver has the motor vehicle  
25 transmission in neutral or park; or ~~or~~

26 (7) a driver using amateur radio receiving and

1       transmitting equipment while in possession of a current and  
2       valid amateur radio license issued by the Federal  
3       Communications Commission.

4       (Source: P.A. 96-130, eff. 1-1-10; revised 11-4-09.)