

# HB0996



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0996

Introduced 2/10/2009, by Rep. Thomas Holbrook

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2 new

Amends the Illinois Vehicle Code. Provides that a person may not operate a motor vehicle on a roadway while using an electronic communication device to compose, send, or read an electronic message. Provides that a violation is an offense against traffic regulations governing the movement of vehicles. Sets forth exceptions.

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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 adding  
5 Section 12-610.2 as follows:

6 (625 ILCS 5/12-610.2 new)

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 when the system is used  
15 exclusively for navigation purposes.

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

22 (b) A person may not operate a motor vehicle on a roadway  
23 while using an electronic communication device to compose,

1 send, or read an electronic message.

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

4 (d) This Section does not apply to:

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

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

12 (3) a driver using an electronic communication device  
13 solely in voice-activated mode.