

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 Sections 12-604.1 and 12-610.2 as follows:

6 (625 ILCS 5/12-604.1)

7 Sec. 12-604.1. Video devices.

8 (a) A person may not operate a motor vehicle if a video  
9 device, a television receiver, a video monitor, a television or  
10 video screen, or any other similar means of visually displaying  
11 a television broadcast or video signal that produces  
12 entertainment or business applications is operating and is  
13 located in the motor vehicle at any point forward of the back  
14 of the driver's seat, or is operating and visible to the driver  
15 while driving the motor vehicle. As used in this Section,  
16 "video device" includes cellular telephones, tablets, laptops,  
17 two-way messaging devices, and electronic games. "Video  
18 device" does not include global positioning systems or  
19 navigation systems, devices that are physically or  
20 electronically integrated into the motor vehicle, two-way  
21 radios, citizens' band radios, or amateur radio equipment.

22 (a-5) A person commits aggravated use of a video device  
23 when he or she violates subsection (a) and in committing the

1 violation he or she was involved in a motor vehicle accident  
2 that results in great bodily harm, permanent disability,  
3 disfigurement, or death to another and the violation was a  
4 proximate cause of the injury or death.

5 (b) This Section does not apply to the following equipment,  
6 whether or not permanently installed in a vehicle:

7 (1) a vehicle information display;

8 (2) a global positioning display;

9 (3) a mapping or navigation display;

10 (4) a visual display used to enhance or supplement the  
11 driver's view forward, behind, or to the sides of a motor  
12 vehicle for the purpose of maneuvering the vehicle;

13 (5) television-type receiving equipment used  
14 exclusively for safety or traffic engineering studies; or

15 (6) a television receiver, video monitor, television  
16 or video screen, or any other similar means of visually  
17 displaying a television broadcast or video signal, if that  
18 equipment has an interlock device that, when the motor  
19 vehicle is driven, disables the equipment for all uses  
20 except as a visual display as described in paragraphs (1)  
21 through (5) of this subsection (b).

22 (c) This Section does not apply to a mobile, digital  
23 terminal installed in an authorized emergency vehicle, a motor  
24 vehicle providing emergency road service or roadside  
25 assistance, or to motor vehicles utilized for public  
26 transportation.

1           (d) This Section does not apply to a television receiver,  
2 video monitor, television or video screen, or any other similar  
3 means of visually displaying a television broadcast or video  
4 signal if: (i) the equipment is permanently installed in the  
5 motor vehicle; and (ii) the moving entertainment images that  
6 the equipment displays are not visible to the driver while the  
7 motor vehicle is in motion.

8           (d-5) This Section does not apply to a video event  
9 recorder, as defined in Section 1-218.10 of this Code,  
10 installed in a contract carrier vehicle.

11           (e) Except as provided in subsection (f) of this Section, a  
12 person convicted of violating this Section is guilty of a petty  
13 offense and shall be fined not more than \$100 for a first  
14 offense, not more than \$200 for a second offense within one  
15 year of a previous conviction, and not more than \$250 for a  
16 third or subsequent offense within one year of 2 previous  
17 convictions.

18           (f) A person convicted of violating subsection (a-5)  
19 commits a Class A misdemeanor if the violation resulted in  
20 great bodily harm, permanent disability, or disfigurement to  
21 another. A person convicted of violating subsection (a-5)  
22 commits a Class 4 felony if the violation resulted in the death  
23 of another person.

24           (Source: P.A. 98-507, eff. 1-1-14; 99-689, eff. 1-1-17.)

25           (625 ILCS 5/12-610.2)

1 (Text of Section before amendment by P.A. 100-858)

2 Sec. 12-610.2. Electronic communication devices.

3 (a) As used in this Section:

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

10 (b) A person may not operate a motor vehicle on a roadway  
11 while using an electronic communication device. In this  
12 Section, "using an electronic communication device" includes:  
13 (1) holding a personal electronic device in either hand or both  
14 hands; (2) using a hand or finger to compose, send, read, view,  
15 access, browse, transmit, save or retrieve email, text  
16 messages, instant messages, photographs, or other electronic  
17 data; and (3) watching video on a personal electronic device.  
18 "Using an electronic communication device" does not include the  
19 minimal use of a finger to activate, deactivate, or initiate a  
20 function of the device.

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

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

7 (d) This Section does not apply to:

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

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

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

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

24 (4) a driver of a commercial motor vehicle reading a  
25 message displayed on a permanently installed communication  
26 device designed for a commercial motor vehicle with a

1 screen that does not exceed 10 inches tall by 10 inches  
2 wide in size;

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

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

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

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

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

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

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

1 another. A person convicted of violating subsection (b-5)  
2 commits a Class 4 felony if the violation resulted in the death  
3 of another person.

4 (Source: P.A. 100-727, eff. 8-3-18; revised 10-15-18.)

5 (Text of Section after amendment by P.A. 100-858)

6 Sec. 12-610.2. Electronic communication devices.

7 (a) As used in this Section:

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

14 (b) A person may not operate a motor vehicle on a roadway  
15 while using an electronic communication device. In this  
16 Section, "using an electronic communication device" includes:  
17 (1) holding a personal electronic device in either hand or both  
18 hands; (2) using a hand or finger to compose, send, read, view,  
19 access, browse, transmit, save or retrieve email, text  
20 messages, instant messages, photographs, or other electronic  
21 data; and (3) watching video on a personal electronic device.  
22 "Using an electronic communication device" does not include the  
23 minimal use of a finger to activate, deactivate, or initiate a  
24 function of the device.

25 (b-5) A person commits aggravated use of an electronic

1 communication device when he or she violates subsection (b) and  
2 in committing the violation he or she is ~~was~~ involved in a  
3 motor vehicle accident that results in great bodily harm,  
4 permanent disability, disfigurement, or death to another and  
5 the violation is ~~was~~ a proximate cause of the injury or death.

6 (c) A violation of this Section is an offense against  
7 traffic regulations governing the movement of vehicles. A  
8 person who violates this Section shall be fined a maximum of  
9 \$75 for a first offense, \$100 for a second offense, \$125 for a  
10 third offense, and \$150 for a fourth or subsequent offense.

11 (d) This Section does not apply to:

12 (1) a law enforcement officer or operator of an  
13 emergency vehicle while performing his or her official  
14 duties;

15 (1.5) a first responder, including a volunteer first  
16 responder ~~responders~~, while operating his or her own  
17 personal motor vehicle using an electronic communication  
18 device for the sole purpose of receiving information about  
19 an emergency situation while en route to performing his or  
20 her official duties;

21 (2) a driver using an electronic communication device  
22 for the sole purpose of reporting an emergency situation  
23 and continued communication with emergency personnel  
24 during the emergency situation;

25 (3) a driver using an electronic communication device  
26 in hands-free or voice-operated mode, which may include the



1 use of a headset;

2 (4) a driver of a commercial motor vehicle reading a  
3 message displayed on a permanently installed communication  
4 device designed for a commercial motor vehicle with a  
5 screen that does not exceed 10 inches tall by 10 inches  
6 wide in size;

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

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

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14 services;

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16 receivers for licensees of the Federal Communications  
17 Commission in the amateur radio service;

18 (9) a driver using an electronic communication device  
19 by pressing a single button to initiate or terminate a  
20 voice communication; or

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

1 Section.

2 (e) A person convicted of violating subsection (b-5)  
3 commits a Class A misdemeanor if the violation resulted in  
4 great bodily harm, permanent disability, or disfigurement to  
5 another. A person convicted of violating subsection (b-5)  
6 commits a Class 4 felony if the violation resulted in the death  
7 of another person.

8 (Source: P.A. 100-727, eff. 8-3-18; 100-858, eff. 7-1-19;  
9 revised 10-15-18.)

10 Section 95. No acceleration or delay. Where this Act makes  
11 changes in a statute that is represented in this Act by text  
12 that is not yet or no longer in effect (for example, a Section  
13 represented by multiple versions), the use of that text does  
14 not accelerate or delay the taking effect of (i) the changes  
15 made by this Act or (ii) provisions derived from any other  
16 Public Act.