

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 ~~while being used for the purpose of~~
13 ~~composing, reading, or sending an electronic message~~, but does
14 not include a global positioning system or navigation system or
15 a device that is physically or electronically integrated into
16 the motor 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, a digital photograph, a video, or~~
22 ~~a command or request to access 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 second or subsequent violation of this Section is an
4 offense against traffic regulations governing the movement of
5 vehicles. A person who violates this Section shall be fined a
6 maximum of \$75 for a first offense, \$100 for a second offense,
7 \$125 for a third offense, and \$150 for a fourth or subsequent
8 offense.

9 (d) This Section does not apply to:

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

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

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

20 (4) a driver of a commercial motor vehicle reading a
21 message displayed on a permanently installed communication
22 device designed for a commercial motor vehicle with a
23 screen that does not exceed 10 inches tall by 10 inches
24 wide in size;

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

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

5 (7) a driver using two-way or citizens band radio
6 services;

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

10 (9) a driver using an electronic communication device
11 by pressing a single button to initiate or terminate a
12 voice communication; or

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

20 (Source: P.A. 96-130, eff. 1-1-10; 96-1000, eff. 7-2-10;
21 97-828, eff. 7-20-12.)