

HB2971



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2971

Introduced 2/19/2021, by Rep. Thomas Morrison

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.1

Amends the Illinois Vehicle Code. Provides that a person under the age of 19 years who holds an instruction permit a graduated license, may use a wireless telephone while driving a vehicle on a roadway if the use of the wireless telephone is for GPS purposes only.

LRB102 15163 RAM 20518 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
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) Except as provided in subsection (b-1), a ~~A~~ person
13 under the age of 19 years who holds an instruction permit
14 issued under Section 6-105 or 6-107.1, or a person under the
15 age of 19 years who holds a graduated license issued under
16 Section 6-107, may not drive a vehicle on a roadway while using
17 a wireless phone.

18 (b-1) A person under the age of 19 years who holds an
19 instruction permit issued under Section 6-105 or 6-107.1 or a
20 graduated license issued under Section 6-107 may use a
21 wireless telephone while driving a vehicle on a roadway if the
22 use of the wireless telephone is for GPS purposes only.

23 (b-5) A person under the age of 19 commits aggravated use

1 of a wireless telephone when he or she violates subsection (b)
2 and in committing the violation he or she 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 was a proximate cause of the injury or death.

6 (c) This Section does not apply to a person under the age
7 of 19 years using a wireless telephone for emergency purposes,
8 including, but not limited to, an emergency call to a law
9 enforcement agency, health care provider, fire department, or
10 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, regardless of age, may not use a wireless
24 telephone at any time while operating a motor vehicle on a
25 roadway in a school speed zone established under Section
26 11-605, on a highway in a construction or maintenance speed

1 zone established under Section 11-605.1, or within 500 feet of
2 an emergency scene. As used in this Section, "emergency scene"
3 means a location where an authorized emergency vehicle as
4 defined by Section 1-105 of this Code is present and has
5 activated its oscillating, rotating, or flashing lights. This
6 subsection (e) does not apply to (i) a person engaged in a
7 highway construction or maintenance project for which a
8 construction or maintenance speed zone has been established
9 under Section 11-605.1, (ii) a person using a wireless
10 telephone for emergency purposes, including, but not limited
11 to, law enforcement agency, health care provider, fire
12 department, or other emergency services agency or entity,
13 (iii) a law enforcement officer or operator of an emergency
14 vehicle when performing the officer's or operator's official
15 duties, (iv) a person using a wireless telephone in
16 voice-operated mode, which may include the use of a headset,
17 (v) a person using a wireless telephone by pressing a single
18 button to initiate or terminate a voice communication, or (vi)
19 a person using an electronic communication device for the sole
20 purpose of reporting an emergency situation and continued
21 communication with emergency personnel during the emergency
22 situation.

23 (e-5) A person commits aggravated use of a wireless
24 telephone when he or she violates subsection (e) and in
25 committing the violation he or she was involved in a motor
26 vehicle accident that results in great bodily harm, permanent

1 disability, disfigurement, or death to another and the
2 violation was a proximate cause of the injury or death.

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

9 (Source: P.A. 97-828, eff. 7-20-12; 97-830, eff. 1-1-13;
10 98-463, eff. 8-16-13; 98-507, eff. 1-1-14.)