

SB3605



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3605

Introduced 1/19/2022, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2

Amends the Illinois Vehicle Code. Prohibits an individual from using an electronic communication device to participate in a virtual meeting using the video function while operating a motor vehicle. Effective immediately.

LRB102 25199 RAM 34465 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 12-610.2 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, but does not include a global positioning
13 system or navigation system or a device that is physically or
14 electronically integrated into the motor vehicle.

15 (b) A person may not operate a motor vehicle on a roadway
16 while using an electronic communication device, including
17 using an electronic communication device to watch or stream
18 video or to participate in a virtual meeting using the video
19 function.

20 (b-5) A person commits aggravated use of an electronic
21 communication device when he or she violates subsection (b)
22 and in committing the violation he or she is involved in a
23 motor vehicle accident that results in great bodily harm,

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

3 (c) A violation of this Section is an offense against
4 traffic regulations governing the movement of vehicles. A
5 person who violates this Section shall be fined a maximum of
6 \$75 for a first offense, \$100 for a second offense, \$125 for a
7 third offense, and \$150 for a fourth or subsequent offense,
8 except that a person who violates subsection (b-5) shall be
9 assessed a minimum fine of \$1,000.

10 (d) This Section does not apply to:

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

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

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

24 (3) a driver using an electronic communication device
25 in hands-free or voice-operated mode, which may include
26 the use of a headset or participating in a virtual meeting

1 using the audio function only;

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;

13 (7) a driver using two-way or citizens band radio
14 services;

15 (8) a driver using two-way mobile radio transmitters
16 or 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. 101-81, eff. 7-12-19; 101-90, eff. 7-1-20;
9 101-297, eff. 1-1-20; 102-558, eff. 8-20-21.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.