

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 (Text of Section before amendment by P.A. 102-982)

8 Sec. 12-610.2. Electronic communication devices.

9 (a) As used in this Section:

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

17 (b) A person may not operate a motor vehicle on a roadway  
18 while using an electronic communication device, including  
19 using an electronic communication device to watch or stream  
20 video, participate in any video conferencing application,  
21 including, but not limited to, Zoom, Microsoft Teams, or  
22 WebEx, or access any social media site, including, but not  
23 limited to, Facebook, Snapchat, Instagram, or Twitter. The

1 exemptions in paragraphs (3) and (9) of subsection (d) do not  
2 apply when a person is using the electronic communication  
3 device to watch or stream video, participate in any video  
4 conferencing application, or access any social media site.

5 (b-5) A person commits aggravated use of an electronic  
6 communication device when he or she violates subsection (b)  
7 and in committing the violation he or she is involved in a  
8 motor vehicle accident that results in great bodily harm,  
9 permanent disability, disfigurement, or death to another and  
10 the violation is a proximate cause of the injury or death.

11 (c) A violation of this Section is an offense against  
12 traffic regulations governing the movement of vehicles. A  
13 person who violates this Section shall be fined a maximum of  
14 \$75 for a first offense, \$100 for a second offense, \$125 for a  
15 third offense, and \$150 for a fourth or subsequent offense,  
16 except that a person who violates subsection (b-5) shall be  
17 assessed a minimum fine of \$1,000.

18 (d) This Section does not apply to:

19 (1) a law enforcement officer or operator of an  
20 emergency vehicle while performing his or her official  
21 duties;

22 (1.5) a first responder, including a volunteer first  
23 responder, while operating his or her own personal motor  
24 vehicle using an electronic communication device for the  
25 sole purpose of receiving information about an emergency  
26 situation while en route to performing his or her official

1 duties;

2 (2) a driver using an electronic communication device  
3 for the sole purpose of reporting an emergency situation  
4 and continued communication with emergency personnel  
5 during the emergency situation;

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

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

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

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

20 (7) a driver using two-way or citizens band radio  
21 services;

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

25 (9) a driver using an electronic communication device  
26 by pressing a single button to initiate or terminate a

1 voice communication; or

2 (10) a driver using an electronic communication device  
3 capable of performing multiple functions, other than a  
4 hand-held wireless telephone or hand-held personal digital  
5 assistant (for example, a fleet management system,  
6 dispatching device, citizens band radio, or music player)  
7 for a purpose that is not otherwise prohibited by this  
8 Section.

9 (e) A person convicted of violating subsection (b-5)  
10 commits a Class A misdemeanor if the violation resulted in  
11 great bodily harm, permanent disability, or disfigurement to  
12 another. A person convicted of violating subsection (b-5)  
13 commits a Class 4 felony if the violation resulted in the death  
14 of another person.

15 (Source: P.A. 101-81, eff. 7-12-19; 101-90, eff. 7-1-20;  
16 101-297, eff. 1-1-20; 102-558, eff. 8-20-21.)

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18 the violation is a proximate cause of the injury or death.

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20 traffic regulations governing the movement of vehicles. A  
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24 101-297, eff. 1-1-20; 102-558, eff. 8-20-21; 102-982, eff.  
25 7-1-23.)

1           Section 95. No acceleration or delay. Where this Act makes  
2 changes in a statute that is represented in this Act by text  
3 that is not yet or no longer in effect (for example, a Section  
4 represented by multiple versions), the use of that text does  
5 not accelerate or delay the taking effect of (i) the changes  
6 made by this Act or (ii) provisions derived from any other  
7 Public Act.