



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/05/04, by John J. Millner, Karen A. Yarbrough

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.1 new

Amends the Illinois Vehicle Code. Provides that a person who holds an instruction permit, or a person who has held a driver's license for less than one year, may not use a wireless telephone while driving a vehicle. Provides that a person who is not subject to those prohibitions may use a wireless telephone while driving if he or she obeys all traffic laws. Provides that if a person permitted to use a wireless telephone commits a traffic violation while using a wireless telephone, he or she is guilty of an additional violation and subject to an additional fine. Provides that a violation is a petty offense punishable by a fine of not more than \$79. Provides that a violation of the provision or a similar provision of a local ordinance is an offense against laws or ordinances regulating the movement of traffic. Provides that the provision does not apply to the use of a wireless telephone for emergency purposes.

LRB093 20862 DRH 46799 b

1 AN ACT concerning vehicles.

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 adding
5 Section 12-610.1 as follows:

6 (625 ILCS 5/12-610.1 new)

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) A person who holds an instruction permit issued under
13 Section 6-105 or 6-107.1, a person who holds a temporary
14 license issued under Section 6-108, or a person who has held
15 for less than one year a graduated license issued under Section
16 6-107, may not drive a vehicle while using a wireless phone.

17 (c) A person who has held for less than one year a drivers
18 license issued under Section 6-110 may not drive a vehicle
19 while using a wireless phone, unless the person previously held
20 a graduated license.

21 (d) A licensed driver who is not subject to the prohibition
22 of subsection (b) or (c) may drive a motor vehicle while using
23 a wireless telephone if he or she abides by this Code and
24 similar provisions of local ordinances; if, however, a person
25 is convicted of a violation of this Code, or a similar
26 provision of a local ordinance, committed while the person was
27 using a wireless telephone, the person has violated this
28 Section and is subject to subsections (f) and (g).

29 (e) This Section does not apply to a person using a
30 wireless telephone for emergency purposes, including, but not
31 limited to, an emergency call to a law enforcement agency,
32 health care provider, fire department, or other emergency

1 services agency or entity.

2 (f) A person who violates this Section is guilty of a petty
3 offense and subject to a fine of not more than \$79.

4 (g) A violation of this Section or a similar provision of a
5 local ordinance is an offense against laws and ordinances
6 regulating the movement of traffic.