

1 AN ACT in relation to 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) The General Assembly finds and declares all of the  
9 following:

10 (1) There are significant safety benefits  
11 associated with the availability of wireless  
12 communication technologies, including providing  
13 assistance that helps save lives and minimizes property  
14 damage.

15 (2) On a daily basis, Illinois drivers make  
16 thousands of wireless telephone emergency 911 calls.

17 (3) The availability of wireless telephones in  
18 automobiles allows motorists to report accidents, fires,  
19 naturally occurring life-threatening situations, other  
20 dangerous road conditions, road rage, dangerous driving,  
21 criminal behavior such as drunk driving, and stranded  
22 motorist situations.

23 (4) There is growing public concern regarding the  
24 safety implications of the widespread practice of using  
25 hand-held wireless telephones while operating motor  
26 vehicles.

27 (5) It is in the best interests of the health and  
28 welfare of the citizens of the State to enact one,  
29 uniform, automotive wireless telephone use law that  
30 establishes statewide safety guidelines for use of  
31 wireless telephones while operating a motor vehicle.

1       (b) As used in this Section, "wireless telephone" means  
2       a device that is capable of transmitting or receiving  
3       telephonic communications without a wire connecting the  
4       device to the telephone network.

5       (c) A person may not drive a motor vehicle while using a  
6       wireless telephone unless that telephone is specifically  
7       designed and configured to allow hands-free operation, and is  
8       used in that manner while driving.

9       (d) A violation of this Section is a petty offense  
10       punishable by a fine of not more than \$20 for a first offense  
11       and not more than \$50 for each subsequent offense.

12       (e) This Section does not apply to a person using a  
13       wireless telephone for emergency purposes, including, but not  
14       limited to, an emergency call to a law enforcement agency,  
15       health care provider, fire department, or other emergency  
16       services agency or entity.

17       Section 90. The State Mandates Act is amended by adding  
18       Section 8.27 as follows:

19       (30 ILCS 805/8.27 new)  
20       Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
21       and 8 of this Act, no reimbursement by the State is required  
22       for the implementation of any mandate created by this  
23       amendatory Act of the 93rd General Assembly.