



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB4739

by Rep. William B. Black

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.1  
30 ILCS 805/8.32 new

Amends the Illinois Vehicle Code. Provides that a person not otherwise prohibited from driving a vehicle on a roadway while using a wireless telephone may do so only if that wireless telephone is specifically designed and configured to allow hands-free operation, and is used in that manner while driving. Provides that any person who violates the provision regarding wireless telephone use shall be fined \$250. Amends the State Mandates Act to require implementation without reimbursement by the State.

LRB095 15228 DRH 41210 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 changing  
5 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" or  
9 "wireless phone" means a device that is capable of transmitting  
10 or receiving telephonic communications without a wire  
11 connecting the device to the telephone network.

12 (b) A person under the age of 19 years who holds an  
13 instruction permit issued under Section 6-105 or 6-107.1, or a  
14 person under the age of 19 years who holds a graduated license  
15 issued under Section 6-107, may not drive a vehicle on a  
16 roadway while using a wireless phone.

17 (c) This Section does not apply to any ~~a~~ person ~~under the~~  
18 ~~age of 19~~ years using a wireless telephone for emergency  
19 purposes, including, but not limited to, an emergency call to a  
20 law enforcement agency, health care provider, fire department,  
21 or other emergency services agency or entity.

22 (d) If a graduated driver's license holder over the age of  
23 18 committed an offense against traffic regulations governing

1 the movement of vehicles or any violation of Section 6-107 or  
2 Section 12-603.1 of this Code in the 6 months prior to the  
3 graduated driver's license holder's 18th birthday, and was  
4 subsequently convicted of the violation, the provisions of  
5 paragraph (b) shall continue to apply until such time as a  
6 period of 6 consecutive months has elapsed without an  
7 additional violation and subsequent conviction of an offense  
8 against traffic regulations governing the movement of vehicles  
9 or any violation of Section 6-107 or Section 12-603.1 of this  
10 Code.

11 (e) A person not subject to subsection (b) of this Section  
12 may not drive a vehicle on a roadway while using a wireless  
13 telephone unless that wireless telephone is specifically  
14 designed and configured to allow hands-free operation, and is  
15 used in that manner while driving.

16 (f) A person who violates this Section shall be fined \$250.  
17 (Source: P.A. 94-240, eff. 7-15-05; 95-310, eff. 1-1-08;  
18 95-338, eff. 1-1-08; revised 11-19-07.)

19 Section 90. The State Mandates Act is amended by adding  
20 Section 8.32 as follows:

21 (30 ILCS 805/8.32 new)

22 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8  
23 of this Act, no reimbursement by the State is required for the  
24 implementation of any mandate created by this amendatory Act of

1 the 95th General Assembly.