

1 AN ACT concerning public safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 11A as follows:

6 (15 ILCS 335/11A)

7 Sec. 11A. Emergency contact database.

8 (a) The Secretary of State shall establish a database of
9 the emergency contacts of persons who hold identification
10 cards. Information in the database shall be accessible only to
11 employees of the Office of the Secretary and law enforcement
12 officers employed by a law enforcement agency. Law enforcement
13 officers may share information contained in the emergency
14 contact database, including disabilities and special needs
15 information, with other public safety workers on scene, as
16 needed to conduct official law enforcement duties.

17 (b) Any person holding an identification card shall be
18 afforded the opportunity to provide the Secretary of State, in
19 a manner and form designated by the Secretary of State, the
20 name, address, telephone number, and relationship to the holder
21 of no more than 2 emergency contact persons whom the holder
22 wishes to be contacted by a law enforcement officer if the
23 holder is involved in a motor vehicle accident or other

1 emergency situation and the holder is unable to communicate
2 with the contact person or persons and may designate whether
3 the holder has a disability or is a special needs individual. A
4 contact person need not be the holder's next of kin.

5 (c) The Secretary shall adopt rules to implement this
6 Section. At a minimum, the rules shall address all of the
7 following:

8 (1) the method whereby a holder may provide the
9 Secretary of State with emergency contact, disability, and
10 special needs information;

11 (2) the method whereby a holder may provide the
12 Secretary of State with a change to the emergency contact, disability, and special needs information; and
13

14 (3) any other aspect of the database or its operation
15 that the Secretary determines is necessary to implement
16 this Section.

17 (d) If a person involved in a motor vehicle accident or
18 other emergency situation is unable to communicate with the
19 contact person or persons specified in the database, a law
20 enforcement officer shall make a good faith effort to notify
21 the contact person or persons of the situation. Neither the law
22 enforcement officer nor the law enforcement agency that employs
23 that law enforcement officer incurs any liability, however, if
24 the law enforcement officer is not able to make contact with
25 the contact person. Except for willful or wanton misconduct,
26 neither the law enforcement officer, nor the law enforcement

1 agency that employs the law enforcement officer, shall incur
2 any liability relating to the reporting or use of the database
3 during a motor vehicle accident or other emergency situation.

4 (e) The Secretary of State shall make a good faith effort
5 to maintain accurate data as provided by the identification
6 card holder and to provide that information to law enforcement
7 as provided in subsection (a). The Secretary of State is not
8 liable for any damages, costs, or expenses, including, without
9 limitation, consequential damages, arising or resulting from
10 any inaccurate or incomplete data or system unavailability.
11 Except for willful or wanton misconduct, the Secretary of State
12 shall not incur any liability relating to the reporting of
13 disabilities or special needs individuals.

14 (f) As used in this Section:

15 "Disability" means an individual's physical or mental
16 impairment that substantially limits one or more of the major
17 life activities; a record of such impairment; or when the
18 individual is regarded as having such impairment.

19 "Public safety worker" means a person employed by this
20 State or a political subdivision thereof that provides
21 firefighting, law enforcement, medical, or other emergency
22 services.

23 "Special needs individuals" means those individuals who
24 have or are at increased risk for a chronic physical,
25 developmental, behavioral, or emotional condition and who also
26 require health and related services of a type or amount beyond

1 that required by individuals generally.

2 (Source: P.A. 95-898, eff. 7-1-09.)

3 Section 10. The Illinois Vehicle Code is amended by
4 changing Section 6-117.2 as follows:

5 (625 ILCS 5/6-117.2)

6 Sec. 6-117.2. Emergency contact database.

7 (a) The Secretary of State shall establish a database of
8 the emergency contacts of persons who hold a driver's license,
9 instruction permit, or any other type of driving permit issued
10 by the Secretary of State. Information in the database shall be
11 accessible only to employees of the Office of the Secretary and
12 law enforcement officers employed by a law enforcement agency.
13 Law enforcement officers may share information contained in the
14 emergency contact database, including disabilities and special
15 needs information, with other public safety workers on scene,
16 as needed to conduct official law enforcement duties.

17 (b) Any person holding a driver's license, instruction
18 permit, or any other type of driving permit issued by the
19 Secretary of State shall be afforded the opportunity to provide
20 the Secretary of State, in a manner and form designated by the
21 Secretary of State, the name, address, telephone number, and
22 relationship to the holder of no more than 2 emergency contact
23 persons whom the holder wishes to be contacted by a law
24 enforcement officer if the holder is involved in a motor

1 vehicle accident or other emergency situation and the holder is
2 unable to communicate with the contact person or persons and
3 may designate whether the holder has a disability or is a
4 special needs individual. A contact person need not be the
5 holder's next of kin.

6 (c) The Secretary shall adopt rules to implement this
7 Section. At a minimum, the rules shall address all of the
8 following:

9 (1) the method whereby a holder may provide the
10 Secretary of State with emergency contact, disability, and
11 special needs information;

12 (2) the method whereby a holder may provide the
13 Secretary of State with a change to the emergency contact, disability, and special needs information; and
14

15 (3) any other aspect of the database or its operation
16 that the Secretary determines is necessary to implement
17 this Section.

18 (d) If a person involved in a motor vehicle accident or
19 other emergency situation is unable to communicate with the
20 contact person or persons specified in the database, a law
21 enforcement officer shall make a good faith effort to notify
22 the contact person or persons of the situation. Neither the law
23 enforcement officer nor the law enforcement agency that employs
24 that law enforcement officer incurs any liability, however, if
25 the law enforcement officer is not able to make contact with
26 the contact person. Except for willful or wanton misconduct,

1 neither the law enforcement officer, nor the law enforcement
2 agency that employs the law enforcement officer, shall incur
3 any liability relating to the reporting or use of the database
4 during a motor vehicle accident or other emergency situation.

5 (e) The Secretary of State shall make a good faith effort
6 to maintain accurate data as provided by the driver's license
7 or instruction permit holder and to provide that information to
8 law enforcement as provided in subsection (a). The Secretary of
9 State is not liable for any damages, costs, or expenses,
10 including, without limitation, consequential damages, arising
11 or resulting from any inaccurate or incomplete data or system
12 unavailability. Except for willful or wanton misconduct, the
13 Secretary of State shall not incur any liability relating to
14 the reporting of disabilities or special needs individuals.

15 (f) As used in this Section:

16 "Disability" means an individual's physical or mental
17 impairment that substantially limits one or more of the major
18 life activities; a record of such impairment; or when the
19 individual is regarded as having such impairment.

20 "Public safety worker" means a person employed by this
21 State or a political subdivision thereof that provides
22 firefighting, law enforcement, medical or other emergency
23 services.

24 "Special needs individuals" means those individuals who
25 have or are at increased risk for a chronic physical,
26 developmental, behavioral, or emotional condition and who also

1 require health and related services of a type or amount beyond
2 that required by individuals generally.

3 (Source: P.A. 95-898, eff. 7-1-09.)

4 Section 99. Effective date. This Act takes effect January
5 1, 2011.