

SB0029



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0029

Introduced 1/30/2009, by Sen. Dan Rutherford

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2 new

Amends the Illinois Vehicle Code. Prohibits the operation of a motor vehicle while using a wireless telephone or other mobile electronic device to send, read, or write a text-based communication. Sets forth exceptions. Provides that a violation is a petty offense punishable by a fine of \$75 and that, if a violation occurs at the time of a traffic accident, the violator shall pay an additional fine of \$200. Effective immediately.

LRB096 02847 AJT 12860 b

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 adding
5 Section 12-610.2 as follows:

6 (625 ILCS 5/12-610.2 new)

7 Sec. 12-610.2. Text messaging while driving.

8 (a) As used in this Section:

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

12 "Send, read, or write a text-based communication" means to
13 use a wireless telephone or other mobile electronic device to
14 manually communicate with any person by using a text-based
15 communication referred to as a text message, instant message,
16 or electronic mail. For purposes of this Section, a person does
17 not send, read, or write a text-based communication when he or
18 she reads, selects, or enters a telephone number or name for
19 the purpose of making a telephone call.

20 (b) A person may not operate a motor vehicle while using a
21 wireless telephone or other mobile electronic device to send,
22 read, or write a text-based communication.

23 (c) This Section does not apply to the use of:

1 (1) a wireless telephone or other mobile electronic
2 device for emergency purposes, including but not limited
3 to, an emergency call to a law enforcement agency, health
4 care provider, fire department, or other emergency
5 services agency or entity; or

6 (2) a device that is permanently affixed to the
7 vehicle, or a global positioning system or navigation
8 system when the system is used exclusively for navigation
9 purposes.

10 (d) A violation of this Section is a petty offense
11 punishable by a fine of \$75; however, if a violation occurs at
12 the time of a traffic accident, the violator shall pay an
13 additional fine of \$200.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.