

HB3849



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3849

Introduced 10/19/2011, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2

Amends the Illinois Vehicle Code. Provides that provisions prohibiting the use of electronic communication devices while driving shall also apply to bicycles. Exempts bicyclists using electronic communication devices in hands-free or voice-activated mode and bicyclists using devices while parked on the shoulder of a roadway. Effective immediately.

LRB097 13850 HEP 58412 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 changing
5 Section 12-610.2 as follows:

6 (625 ILCS 5/12-610.2)

7 Sec. 12-610.2. Electronic communication devices.

8 (a) As used in this Section:

9 "Electronic communication device" means an electronic
10 device, including but not limited to a wireless telephone,
11 personal digital assistant, or a portable or mobile computer
12 while being used for the purpose of composing, reading, or
13 sending an electronic message, but does not include a global
14 positioning system or navigation system or a device that is
15 physically or electronically integrated into the motor
16 vehicle.

17 "Electronic message" means a self-contained piece of
18 digital communication that is designed or intended to be
19 transmitted between physical devices. "Electronic message"
20 includes, but is not limited to electronic mail, a text
21 message, an instant message, or a command or request to access
22 an Internet site.

23 (b) A person may not operate a motor vehicle or bicycle on

1 a roadway while using an electronic communication device to
2 compose, send, or read an electronic message.

3 (c) A violation of this Section is an offense against
4 traffic regulations governing the movement of vehicles.

5 (d) This Section does not apply to:

6 (1) a law enforcement officer or operator of an
7 emergency vehicle while performing his or her official
8 duties;

9 (2) a driver using an electronic communication device
10 for the sole purpose of reporting an emergency situation
11 and continued communication with emergency personnel
12 during the emergency situation;

13 (3) a driver or bicyclist using an electronic
14 communication device in hands-free or voice-activated
15 mode;

16 (4) a driver of a commercial motor vehicle reading a
17 message displayed on a permanently installed communication
18 device designed for a commercial motor vehicle with a
19 screen that does not exceed 10 inches tall by 10 inches
20 wide in size;

21 (5) a driver or bicyclist using an electronic
22 communication device while parked on the shoulder of a
23 roadway; or

24 (6) a driver using an electronic communication device
25 when the vehicle is stopped due to normal traffic being
26 obstructed and the driver has the motor vehicle

1 transmission in neutral or park.

2 (Source: P.A. 96-130, eff. 1-1-10; 96-1000, eff. 7-2-10.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.