



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2632

Introduced 12/3/2013, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-610.2

Amends the Illinois Vehicle Code. Defines "mobile computing headset". Provides that a person may not operate a motor vehicle while wearing a mobile computing headset. Provides limited exceptions to this prohibition for (1) law enforcement officers or emergency vehicle operators in the performance of their official duties; (2) drivers using a mobile computing headset to communicate with emergency personnel; and (3) drivers that are parked on the shoulder of a roadway.

LRB098 14755 MLW 49655 b

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; mobile
8 computing headsets.

9 (a) As used in this Section:

10 "Electronic communication device" means an electronic
11 device, including but not limited to a hand-held wireless
12 telephone, hand-held personal digital assistant, or a portable
13 or mobile computer, but does not include a mobile computing
14 headset or a global positioning system or navigation system or
15 a device that is physically or electronically integrated into
16 the motor vehicle.

17 "Mobile computing headset" means a computing device with a
18 head mounted display that can project visual information into
19 the field of vision of the wearer.

20 (b) A person may not operate a motor vehicle on a roadway
21 while using an electronic communication device or wearing a
22 mobile computing headset.

23 (b-5) A person commits aggravated use of an electronic

1 communication device or mobile computing headset when he or she
2 violates subsection (b) and in committing the violation he or
3 she was involved in a motor vehicle accident that results in
4 great bodily harm, permanent disability, disfigurement, or
5 death to another and the violation was a proximate cause of the
6 injury or death.

7 (c) A second or subsequent violation of this Section is an
8 offense against traffic regulations governing the movement of
9 vehicles. A person who violates this Section shall be fined a
10 maximum of \$75 for a first offense, \$100 for a second offense,
11 \$125 for a third offense, and \$150 for a fourth or subsequent
12 offense.

13 (d) This Section does not apply to:

14 (1) a law enforcement officer or operator of an
15 emergency vehicle while performing his or her official
16 duties;

17 (2) a driver using an electronic communication device
18 or mobile computing headset for the sole purpose of
19 reporting an emergency situation and continued
20 communication with emergency personnel during the
21 emergency situation;

22 (3) a driver using an electronic communication device
23 in hands-free or voice-operated mode, which may include the
24 use of a headset;

25 (4) a driver of a commercial motor vehicle reading a
26 message displayed on a permanently installed communication

1 device designed for a commercial motor vehicle with a
2 screen that does not exceed 10 inches tall by 10 inches
3 wide in size;

4 (5) a driver using an electronic communication device
5 or mobile computing headset while parked on the shoulder of
6 a roadway;

7 (6) a driver using an electronic communication device
8 when the vehicle is stopped due to normal traffic being
9 obstructed and the driver has the motor vehicle
10 transmission in neutral or park;

11 (7) a driver using two-way or citizens band radio
12 services;

13 (8) a driver using two-way mobile radio transmitters or
14 receivers for licensees of the Federal Communications
15 Commission in the amateur radio service;

16 (9) a driver using an electronic communication device
17 by pressing a single button to initiate or terminate a
18 voice communication; or

19 (10) a driver using an electronic communication device
20 capable of performing multiple functions, other than a
21 hand-held wireless telephone or hand-held personal digital
22 assistant (for example, a fleet management system,
23 dispatching device, citizens band radio, or music player)
24 for a purpose that is not otherwise prohibited by this
25 Section.

26 (e) A person convicted of violating subsection (b-5)

1 commits a Class A misdemeanor if the violation resulted in
2 great bodily harm, permanent disability, or disfigurement to
3 another. A person convicted of violating subsection (b-5)
4 commits a Class 4 felony if the violation resulted in the death
5 of another person.

6 (Source: P.A. 97-828, eff. 7-20-12; 98-506, eff. 1-1-14;
7 98-507, eff. 1-1-14; revised 9-19-13.)