

SB1834



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1834

Introduced 2/20/2015, by Sen. Daniel Biss

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-604.1
625 ILCS 5/18c-7505 new

Amends the Illinois Vehicle Code. Provides for the use of video event recorder devices in vehicles to be used exclusively for driver feedback or safety monitoring programs, as long as the device does not obstruct the driver's clear view through the front windshield. Prohibits rail carriers from using audio or video images obtained from a video event recorder originating within a contract carrier vehicle in any disciplinary proceeding against an employee. Provides that in the event of an accident involving a contract carrier vehicle equipped with a video event recorder, no audio or video recordings shall be released except upon the order of a court with jurisdiction in the matter.

LRB099 07938 RJF 28078 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 12-604.1 and by adding Section 18c-7505 as follows:

6 (625 ILCS 5/12-604.1)

7 Sec. 12-604.1. Video and video event recorder devices.

8 (a) A person may not operate a motor vehicle if a
9 television receiver, a video monitor, a television or video
10 screen, or any other similar means of visually displaying a
11 television broadcast or video signal that produces
12 entertainment or business applications is operating and is
13 located in the motor vehicle at any point forward of the back
14 of the driver's seat, or is operating and visible to the driver
15 while driving the motor vehicle.

16 (a-5) A person commits aggravated use of a video device
17 when he or she violates subsection (a) and in committing the
18 violation he or she was involved in a motor vehicle accident
19 that results in great bodily harm, permanent disability,
20 disfigurement, or death to another and the violation was a
21 proximate cause of the injury or death.

22 (b) This Section does not apply to the following equipment,
23 whether or not permanently installed in a vehicle:

- 1 (1) a vehicle information display;
- 2 (2) a global positioning display;
- 3 (3) a mapping or navigation display;
- 4 (4) a visual display used to enhance or supplement the
5 driver's view forward, behind, or to the sides of a motor
6 vehicle for the purpose of maneuvering the vehicle;
- 7 (5) television-type receiving equipment used
8 exclusively for safety or traffic engineering studies; ~~or~~
- 9 (6) a television receiver, video monitor, television
10 or video screen, or any other similar means of visually
11 displaying a television broadcast or video signal, if that
12 equipment has an interlock device that, when the motor
13 vehicle is driven, disables the equipment for all uses
14 except as a visual display as described in paragraphs (1)
15 through (5) of this subsection (b); ~~or~~
- 16 (7) a video event recorder used exclusively for driver
17 feedback or safety monitoring programs, as long as the
18 device does not obstruct the driver's clear view through
19 the front windshield, consistent with Section 12-503 of
20 this Code.
- 21 (c) This Section does not apply to a mobile, digital
22 terminal installed in an authorized emergency vehicle, a motor
23 vehicle providing emergency road service or roadside
24 assistance, or to motor vehicles utilized for public
25 transportation.
- 26 (d) This Section does not apply to a television receiver,

1 video monitor, television or video screen, or any other similar
2 means of visually displaying a television broadcast or video
3 signal if: (i) the equipment is permanently installed in the
4 motor vehicle; and (ii) the moving entertainment images that
5 the equipment displays are not visible to the driver while the
6 motor vehicle is in motion.

7 (e) Except as provided in subsection (f) of this Section, a
8 person convicted of violating this Section is guilty of a petty
9 offense and shall be fined not more than \$100 for a first
10 offense, not more than \$200 for a second offense within one
11 year of a previous conviction, and not more than \$250 for a
12 third or subsequent offense within one year of 2 previous
13 convictions.

14 (f) A person convicted of violating subsection (a-5)
15 commits a Class A misdemeanor if the violation resulted in
16 great bodily harm, permanent disability, or disfigurement to
17 another. A person convicted of violating subsection (a-5)
18 commits a Class 4 felony if the violation resulted in the death
19 of another person.

20 (Source: P.A. 97-499, eff. 1-1-12; 98-507, eff. 1-1-14.)

21 (625 ILCS 5/18c-7505 new)

22 Sec. 18c-7505. Use of a video event recorder in
23 disciplinary proceedings. A rail carrier shall be prohibited
24 from using audio or video images obtained from a video event
25 recorder, as allowed under paragraph (7) of subsection (b) of

1 Section 12-604.1 of this Code, originating within contract
2 carrier vehicles transporting railroad employees in the course
3 of their employment, in any disciplinary proceeding against an
4 employee. In the event of an accident involving a contract
5 carrier vehicle equipped with a video event recorder, no audio
6 or video recordings shall be released except upon the order of
7 a court with jurisdiction in the matter.