

Senate Bill SBOL1109

95th General Assembly State of Illinois 2008-2009

Introduced by Senator Kevin Michael Ford

Introduced February 15, 2009

Synopsis as Introduced

Amends the Illinois Vehicle Code. Provides that any person, over 18 years of age, may not use a wireless telephone while driving a motor vehicle unless that wireless telephone is capable of allowing hands-free talking and listening, and is used in that manner while driving.

A BILL FOR

1 An Act Amend the Illinois Vehicle Code ILCS 5/12-610

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4 **Be it enacted by the People of Illinois, represented in the General Assembly.**

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6 (625 ILCS 5/12-610.1)

7 Sec. 12-610.1. Wireless telephones.

8 (a) As used in this Section, "wireless telephone"
9 means a device that is capable of transmitting or
10 receiving telephonic communications without a wire
11 connecting the device to the telephone network.

12 (b) A person under the age of 19 years, who holds
13 an instruction permit issued under Section 6-105 or 6-
14 107.1, or a person under the age of 19 years who holds
15 a graduated license issued under Section 6-107, may not
16 drive a vehicle on a roadway while using a wireless
17 phone.

18 (c) This Section does not apply to a person under
19 the age of 19 years any person using a wireless
20 telephone for emergency purposes, including, but not
21 limited to, an emergency call to a law enforcement
22 agency, health care provider, fire department, or other
23 emergency services agency or entity.

24 (d) If a graduated driver's license holder over the
25 age of 18 committed an offense against traffic
26 regulations governing the movement of vehicles or any
27 violation of Section 6-107 or Section 12-603.1 of this
28 Code in the 6 months prior to the graduated driver's
29 license holder's 18th birthday, and was subsequently
30 convicted of the violation, the provisions of paragraph
31 (b) shall continue to apply until such time as a period
32 of 6 consecutive months has elapsed without an
33 additional violation and subsequent conviction of an
34 offense against traffic regulations governing the
35 movement of vehicles or any violation of Section 6-107
36 or Section 12-603.1 of this Code.

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38 **ILCS 5/12-610.2 (new)**

39 **Any person not mentioned in Section 12-610.1,**
40 **regardless of their age and license type, is prohibited**
41 **from using a wireless telephone device while operating**
42 **a motor vehicle unless that wireless telephone is**
43 **specifically designed, configured, or equipped in a**
44 **manner to allow hands-free talking and listening, and**

45 is used in that manner while driving.

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47 Provides that a violation is a petty offense punishable
48 by a fine of \$95 and that if an accident should occur
49 and it is determined that the driver(s) who were
50 directly or indirectly involved in the accident were
51 using a wireless phone for reasons not spelled out as
52 exceptions in this amendment, shall pay an additional
53 fine of \$255. Effective immediately.

54 (Source: P.A. 94-240, eff. 7-15-05; 95-310, eff. 1-1-
55 08; 95-338, eff. 1-1-08; 95-876, eff. 8-21-08.)

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57 *Portion of this bill has been taken from SB0029 of the Illinois General Assembly (2009-2010) and the
58 California Motor Vehicle Code Division 11, Chapter 12, Article 1, Section 23123.

