

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Vehicle Code is amended by adding Sections 4-110 and 4-111 as follows:

(625 ILCS 5/4-110 new)

Sec. 4-110. Stolen vehicle recovery hotline. In a county having a population of 3,000,000 or more, the county sheriff shall establish with other law enforcement agencies a vehicle theft hotline to facilitate interaction with vehicle manufacturers and vehicle location vendors consistent with the Freedom From Location Surveillance Act. The county sheriff shall collaborate with vehicle manufacturers, dealers, and vehicle location vendors to provide information and assistance to law enforcement officers in the investigation of a vehicular hijacking or kidnapping incident and ensure that consumers are provided with information concerning the hotline, new or used vehicles manufactured with stolen vehicle locator capabilities, and how consumers can activate stolen vehicle locator services by publishing the information in a conspicuous location on the county sheriff's website.

(625 ILCS 5/4-111 new)

Sec. 4-111. Manufacturer's vehicle incident hotline; law enforcement verification; manufacturer statements.

(a) Unless the manufacturer or its vehicle location vendor operates an existing vehicle location service line, a manufacturer of any vehicle sold in this State shall maintain a telephone number that is staffed and available to State, county, and local law enforcement agencies and their respective 9-1-1 system call centers or designated dispatch centers 24 hours a day, 7 days a week to assist law enforcement with locating vehicles in the investigation of vehicles stolen in vehicular hijacking incidents or that have been used in the commission of a kidnapping. The hotline for the manufacturer or the manufacturer's vehicle location vendor shall relay vehicle location information, including real-time vehicle location information whenever reasonably possible, to the 9-1-1 call center or designated dispatch center or sworn law enforcement personnel for any of the responding law enforcement agencies, to the best of the manufacturer's or vehicle location vendor's technical capability when:

(1) a warrant or other court order has been issued relating to the vehicle's location information and provided to the manufacturer or the vehicle location vendor; or

(2) the vehicle owner lawfully consents to the vehicle location information being shared with the 9-1-1 call center or designated dispatch center and responding law

enforcement officials; or

(3) the 9-1-1 call center or designated dispatch center or responding law enforcement officials:

(A) provides adequate verification to the manufacturer or the vehicle location vendor, of their identity as law enforcement and the identity of the responding law enforcement official; and

(B) the responding law enforcement officials shall certify to the manufacturer or the vehicle location vendor, that the situation involves a clear and present danger of death or great bodily harm to persons resulting from the vehicular hijacking or kidnapping incident.

(b) State, county, and local law enforcement agencies shall use their respective 9-1-1 system call centers or designated dispatch centers for the purpose of verification of law enforcement officers' identities and bona fide incident report numbers related to incidents.

(c) If a vehicle is equipped with functioning vehicle location tracking capability, but the capability is not currently activated, the manufacturer or the vehicle location vendor shall waive all fees associated with initiating, renewing, reestablishing, or maintaining the vehicle location service the vehicle is equipped with during the investigation of the vehicle being stolen in a vehicular hijacking incident or being used in the commission of kidnapping incident when

law enforcement has confirmed that the situation involves a clear and present danger of death or great bodily harm to persons as described in paragraph (3) of subsection (a) and requires disclosure of vehicle location information without delay.

(d) A vehicle manufacturer or a subsidiary, vendor, employee, officer, director, representative, or contractor of the vehicle manufacturer shall not be liable and no cause of action shall arise under the laws of this State for providing, or in good faith attempting to provide, information or assistance to a law enforcement agency, 9-1-1 call center, or designated dispatch center pursuant to the mechanisms and processes established under this Section.

Section 10. The Freedom From Location Surveillance Act is amended by changing Section 15 as follows:

(725 ILCS 168/15)

Sec. 15. Exceptions. This Act does not prohibit a law enforcement agency from seeking to obtain location information:

(1) to respond to a call for emergency services concerning the user or possessor of an electronic device;

(2) with the lawful consent of the owner of the electronic device or person in actual or constructive possession of the item being tracked by the electronic

device;

(3) to lawfully obtain location information broadly available to the general public without a court order when the location information is posted on a social networking website, or is metadata attached to images and video, or to determine the location of an Internet Protocol (IP) address through a publicly available service;

(4) to obtain location information generated by an electronic device used as a condition of release from a penal institution, as a condition of pre-trial release, probation, conditional discharge, parole, mandatory supervised release, or other sentencing order, or to monitor an individual released under the Sexually Violent Persons Commitment Act or the Sexually Dangerous Persons Act;

(5) to aid in the location of a missing person;

(6) in emergencies as follows:

(A) Notwithstanding any other provisions of this Act, any investigative or law enforcement officer may seek to obtain location information in an emergency situation as defined in this paragraph (6). This paragraph (6) applies only when there was no previous notice of the emergency to the investigative or law enforcement officer sufficient to obtain prior judicial approval, and the officer reasonably believes that an order permitting the obtaining of location

information would issue were there prior judicial review. An emergency situation exists when:

(i) the use of the electronic device is necessary for the protection of the investigative or law enforcement officer or a person acting at the direction of law enforcement; or

(ii) the situation involves:

(aa) a clear and present danger of imminent death or great bodily harm to persons resulting from:

(I) the use of force or the threat of the imminent use of force,

(II) a kidnapping or the holding of a hostage by force or the threat of the imminent use of force, or

(III) the occupation by force or the threat of the imminent use of force of any premises, place, vehicle, vessel, or aircraft;

(bb) an abduction investigation;

(cc) conspiratorial activities characteristic of organized crime;

(dd) an immediate threat to national security interest;

(ee) an ongoing attack on a computer comprising a felony;~~or~~

(ff) escape under Section 31-6 of the Criminal Code of 2012; or -

(gg) vehicular hijacking.

(B) In all emergency cases, an application for an order approving the previous or continuing obtaining of location information must be made within 72 hours of its commencement. In the absence of the order, or upon its denial, any continuing obtaining of location information gathering shall immediately terminate. In order to approve obtaining location information, the judge must make a determination (i) that he or she would have granted an order had the information been before the court prior to the obtaining of the location information and (ii) there was an emergency situation as defined in this paragraph (6).

(C) In the event that an application for approval under this paragraph (6) is denied, the location information obtained under this exception shall be inadmissible in accordance with Section 20 of this Act; or

(7) to obtain location information relating to an electronic device used to track a vehicle or an effect which is owned or leased by that law enforcement agency.

(Source: P.A. 101-460, eff. 8-23-19.)