

625-5 ILCS 12-610.2(b) USE OF CELL PHONE WHILE DRIVING

Bail Amount \$120.00 / Payment without Court Appearance \$120.00

Bail amounts for petty offenses are set by Illinois Supreme Court Rule. Supreme Court Rule 526 sets the bail amount for minor traffic offenses at \$120.00, unless they are mentioned specifically in paragraphs (b), (c), (d) and (f), such as Speeding 21-25 mph over the limit (\$140), seat belts (\$60), etc.

The amount to pay a minor traffic offense that does not require a court appearance is specified in Supreme Court Rule 529, where the ticket may be satisfied by setting the fine & costs equal to the amount of the bail required in Supreme Court Rule 526.

The confusion has come from the Cell Phone statute itself (625-5/12-610.2(b)), which sets the maximum fine at \$75 for a first offense. **This \$75 fine ONLY comes in to play if the defendant chooses to go to court for his ticket.** At that point the Supreme Court Rules for payment without a court appearance are irrelevant and the judge would use the statute to determine what he must set for a fine if the defendant pleads guilty or is found guilty. The judge could set a maximum of \$75 for the fine, then statutory court costs would be added to that \$75 fine and the total due would be approximately \$250.00.