



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4374

by Rep. Peter Breen

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109

625 ILCS 5/6-115

from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall examine every licensed driver at least every 16 (rather than 8) years. Provides that except as otherwise provided in the Code, every driver's license issued under the Code shall expire 8 (rather than 4) years from the date of issuance. Removes a provision allowing the Secretary to issue to a person not previously licensed as a driver in Illinois a driver's license which will expire not less than 4 years and not more than 5 years from the date of issuance.

LRB100 17283 LNS 32444 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 Sections 6-109 and 6-115 as follows:

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of Applicants.

8 (a) The Secretary of State shall examine every applicant  
9 for a driver's license or permit who has not been previously  
10 licensed as a driver under the laws of this State or any other  
11 state or country, or any applicant for renewal of such driver's  
12 license or permit when such license or permit has been expired  
13 for more than one year. The Secretary of State shall, subject  
14 to the provisions of paragraph (c), examine every licensed  
15 driver at least every 16 & years, and may examine or re-examine  
16 any other applicant or licensed driver, provided that during  
17 the years 1984 through 1991 those drivers issued a license for  
18 3 years may be re-examined not less than every 7 years or more  
19 than every 10 years.

20 The Secretary of State shall require the testing of the  
21 eyesight of any driver's license or permit applicant who has  
22 not been previously licensed as a driver under the laws of this  
23 State and shall promulgate rules and regulations to provide for

1 the orderly administration of all the provisions of this  
2 Section.

3 The Secretary of State shall include at least one test  
4 question that concerns the provisions of the Pedestrians with  
5 Disabilities Safety Act in the question pool used for the  
6 written portion of the drivers license examination within one  
7 year after July 22, 2010 (the effective date of Public Act  
8 96-1167).

9 (b) Except as provided for those applicants in paragraph  
10 (c), such examination shall include a test of the applicant's  
11 eyesight, his ability to read and understand official traffic  
12 control devices, his knowledge of safe driving practices and  
13 the traffic laws of this State, and may include an actual  
14 demonstration of the applicant's ability to exercise ordinary  
15 and reasonable control of the operation of a motor vehicle, and  
16 such further physical and mental examination as the Secretary  
17 of State finds necessary to determine the applicant's fitness  
18 to operate a motor vehicle safely on the highways, except the  
19 examination of an applicant 75 years of age or older shall  
20 include an actual demonstration of the applicant's ability to  
21 exercise ordinary and reasonable control of the operation of a  
22 motor vehicle. All portions of written and verbal examinations  
23 under this Section, excepting where the English language  
24 appears on facsimiles of road signs, may be given in the  
25 Spanish language and, at the discretion of the Secretary of  
26 State, in any other language as well as in English upon request

1 of the examinee. Deaf persons who are otherwise qualified are  
2 not prohibited from being issued a license, other than a  
3 commercial driver's license, under this Code.

4 (c) Re-examination for those applicants who at the time of  
5 renewing their driver's license possess a driving record devoid  
6 of any convictions of traffic violations or evidence of  
7 committing an offense for which mandatory revocation would be  
8 required upon conviction pursuant to Section 6-205 at the time  
9 of renewal shall be in a manner prescribed by the Secretary in  
10 order to determine an applicant's ability to safely operate a  
11 motor vehicle, except that every applicant for the renewal of a  
12 driver's license who is 75 years of age or older must prove, by  
13 an actual demonstration, the applicant's ability to exercise  
14 reasonable care in the safe operation of a motor vehicle.

15 (d) In the event the applicant is not ineligible under the  
16 provisions of Section 6-103 to receive a driver's license, the  
17 Secretary of State shall make provision for giving an  
18 examination, either in the county where the applicant resides  
19 or at a place adjacent thereto reasonably convenient to the  
20 applicant, within not more than 30 days from the date said  
21 application is received.

22 (e) The Secretary of State may adopt rules regarding the  
23 use of foreign language interpreters during the application and  
24 examination process.

25 (Source: P.A. 96-1167, eff. 7-22-10; 96-1231, eff. 7-23-10;  
26 97-333, eff. 8-12-11.)

1 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

2 Sec. 6-115. Expiration of driver's license.

3 (a) Except as provided elsewhere in this Section, every  
4 driver's license issued under the provisions of this Code shall  
5 expire 8 4 years from the date of its issuance, ~~or at such~~  
6 ~~later date, as the Secretary of State may by proper rule and~~  
7 ~~regulation designate, not to exceed 12 calendar months;~~ in the  
8 event that an applicant for renewal of a driver's license fails  
9 to apply prior to the expiration date of the previous driver's  
10 license, the renewal driver's license shall expire 8 4 years  
11 from the expiration date of the previous driver's license, or  
12 at such later date as the Secretary of State may by proper rule  
13 and regulation designate, not to exceed 8 years from the date  
14 of issuance ~~12 calendar months.~~

15 ~~The Secretary of State may, however, issue to a person not~~  
16 ~~previously licensed as a driver in Illinois a driver's license~~  
17 ~~which will expire not less than 4 years nor more than 5 years~~  
18 ~~from date of issuance, except as provided elsewhere in this~~  
19 ~~Section.~~

20 (a-5) Every driver's license issued under this Code to an  
21 applicant who is not a United States citizen or permanent  
22 resident shall be marked "Limited Term" and shall expire on  
23 whichever is the earlier date of the following:

24 (1) as provided under subsection (a), (f), (g), or (i)  
25 of this Section; ~~or~~

1           (2) on the date the applicant's authorized stay in the  
2           United States terminates; or

3           (3) if the applicant's authorized stay is indefinite  
4           and the applicant is applying for a Limited Term REAL ID  
5           compliant driver's license, one year from the date of  
6           issuance of the license.

7           (b) Before the expiration of a driver's license, except  
8           those licenses expiring on the individual's 21st birthday, or 3  
9           months after the individual's 21st birthday, the holder thereof  
10          may apply for a renewal thereof, subject to all the provisions  
11          of Section 6-103, and the Secretary of State may require an  
12          examination of the applicant. A licensee whose driver's license  
13          expires on his 21st birthday, or 3 months after his 21st  
14          birthday, may not apply for a renewal of his driving privileges  
15          until he reaches the age of 21.

16          (c) The Secretary of State shall, 30 days prior to the  
17          expiration of a driver's license, forward to each person whose  
18          license is to expire a notification of the expiration of said  
19          license which may be presented at the time of renewal of said  
20          license.

21          There may be included with such notification information  
22          explaining the anatomical gift and Emergency Medical  
23          Information Card provisions of Section 6-110. The format and  
24          text of such information shall be prescribed by the Secretary.

25          There shall be included with such notification, for a  
26          period of 4 years beginning January 1, 2000 information

1 regarding the Illinois Adoption Registry and Medical  
2 Information Exchange established in Section 18.1 of the  
3 Adoption Act.

4 (d) The Secretary may defer the expiration of the driver's  
5 license of a licensee, spouse, and dependent children who are  
6 living with such licensee while on active duty, serving in the  
7 Armed Forces of the United States outside of the State of  
8 Illinois, and 120 days thereafter, upon such terms and  
9 conditions as the Secretary may prescribe.

10 (d-5) The Secretary may defer the expiration of the  
11 driver's license of a licensee, or of a spouse or dependent  
12 children living with the licensee, serving as a civilian  
13 employee of the United States Armed Forces or the United States  
14 Department of Defense, outside of the State of Illinois, and  
15 120 days thereafter, upon such terms and conditions as the  
16 Secretary may prescribe.

17 (e) The Secretary of State may decline to process a renewal  
18 of a driver's license of any person who has not paid any fee or  
19 tax due under this Code and is not paid upon reasonable notice  
20 and demand.

21 (f) The Secretary shall provide that each original or  
22 renewal driver's license issued to a licensee under 21 years of  
23 age shall expire 3 months after the licensee's 21st birthday.  
24 Persons whose current driver's licenses expire on their 21st  
25 birthday on or after January 1, 1986 shall not renew their  
26 driver's license before their 21st birthday, and their current

1 driver's license will be extended for an additional term of 3  
2 months beyond their 21st birthday. Thereafter, the expiration  
3 and term of the driver's license shall be governed by  
4 subsection (a) hereof.

5 (g) The Secretary shall provide that each original or  
6 renewal driver's license issued to a licensee 81 years of age  
7 through age 86 shall expire 2 years from the date of issuance,  
8 or at such later date as the Secretary may by rule and  
9 regulation designate, not to exceed an additional 12 calendar  
10 months. The Secretary shall also provide that each original or  
11 renewal driver's license issued to a licensee 87 years of age  
12 or older shall expire 12 months from the date of issuance, or  
13 at such later date as the Secretary may by rule and regulation  
14 designate, not to exceed an additional 12 calendar months.

15 (h) The Secretary of State shall provide that each special  
16 restricted driver's license issued under subsection (g) of  
17 Section 6-113 of this Code shall expire 12 months from the date  
18 of issuance. The Secretary shall adopt rules defining renewal  
19 requirements.

20 (i) The Secretary of State shall provide that each driver's  
21 license issued to a person convicted of a sex offense as  
22 defined in Section 2 of the Sex Offender Registration Act shall  
23 expire 12 months from the date of issuance or at such date as  
24 the Secretary may by rule designate, not to exceed an  
25 additional 12 calendar months. The Secretary may adopt rules  
26 defining renewal requirements.



1 (Source: P.A. 99-118, eff. 1-1-16; 99-305, eff. 1-1-16; 99-642,  
2 eff. 7-28-16; 100-248, eff. 8-22-17; revised 10-10-17.)