

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 6-108, 6-118, 6-201, 6-205, and 6-206 as follows:

6 (625 ILCS 5/6-108) (from Ch. 95 1/2, par. 6-108)

7 Sec. 6-108. Cancellation of license issued to minor.

8 (a) The Secretary of State shall cancel the license or
9 permit of any minor under the age of 18 years in any of the
10 following events:

11 1. Upon the verified written request of the person who
12 consented to the application of the minor that the license
13 or permit be cancelled;

14 2. Upon receipt of satisfactory evidence of the death
15 of the person who consented to the application of the
16 minor;

17 3. Upon receipt of satisfactory evidence that the
18 person who consented to the application of a minor no
19 longer has legal custody of the minor;

20 4. Upon receipt of information, submitted on a form
21 prescribed by the Secretary of State under Section 26-3a of
22 the School Code and provided voluntarily by nonpublic
23 schools, that a license-holding minor no longer meets the

1 school attendance requirements defined in Section 6-107 of
2 this Code.

3 A minor who provides proof acceptable to the Secretary
4 that the minor has resumed regular school attendance or
5 home instruction or that his or her license or permit was
6 cancelled in error shall have his or her license
7 reinstated. The Secretary shall adopt rules for
8 implementing this subdivision (a)4;

9 5. Upon determination by the Secretary that at the time
10 of license issuance, the minor held an instruction permit
11 and had a traffic citation for which a disposition had not
12 been rendered.

13 After cancellation, the Secretary of State shall not issue
14 a new license or permit until the applicant meets the
15 provisions of Section 6-107 of this Code.

16 (b) The Secretary of State shall cancel the license or
17 permit of any person under the age of 18 years if he or she is
18 convicted of violating the Cannabis Control Act, the Illinois
19 Controlled Substances Act, or the Methamphetamine Control and
20 Community Protection Act while that person was in actual
21 physical control of a motor vehicle. For purposes of this
22 Section, any person placed on probation under Section 10 of the
23 Cannabis Control Act, Section 410 of the Illinois Controlled
24 Substances Act, or Section 70 of the Methamphetamine Control
25 and Community Protection Act shall not be considered convicted.
26 Any person found guilty of this offense, while in actual

1 physical control of a motor vehicle, shall have an entry made
2 in the court record by the judge that this offense did occur
3 while the person was in actual physical control of a motor
4 vehicle and order the clerk of the court to report the
5 violation to the Secretary of State as such. After the
6 cancellation, the Secretary of State shall not issue a new
7 license or permit for a period of one year after the date of
8 cancellation or until the minor attains the age of 18 years,
9 whichever is longer. However, upon application, the Secretary
10 of State may, if satisfied that the person applying will not
11 endanger the public safety, or welfare, issue a restricted
12 driving permit granting the privilege of driving a motor
13 vehicle between the person's residence and person's place of
14 employment or within the scope of the person's employment
15 related duties, or to allow transportation for the person or a
16 household member of the person's family for the receipt of
17 necessary medical care or, if the professional evaluation
18 indicates, provide transportation for the petitioner for
19 alcohol remedial or rehabilitative activity, or for the person
20 to attend classes, as a student, in an accredited educational
21 institution; if the person is able to demonstrate that no
22 alternative means of transportation is reasonably available;
23 provided that the Secretary's discretion shall be limited to
24 cases where undue hardship would result from a failure to issue
25 such restricted driving permit. In each case the Secretary of
26 State may issue a restricted driving permit for a period as he

1 deems appropriate, except that the permit shall expire no later
 2 than 2 years ~~within one year~~ from the date of issuance. A
 3 restricted driving permit issued hereunder shall be subject to
 4 cancellation, revocation, and suspension by the Secretary of
 5 State in like manner and for like cause as a driver's license
 6 issued hereunder may be cancelled, revoked, or suspended;
 7 except that a conviction upon one or more offenses against laws
 8 or ordinances regulating the movement of traffic shall be
 9 deemed sufficient cause for the revocation, suspension, or
 10 cancellation of a restricted driving permit. The Secretary of
 11 State may, as a condition to the issuance of a restricted
 12 driving permit, require the applicant to participate in a
 13 driver remedial or rehabilitative program. Thereafter, upon
 14 reapplication for a license as provided in Section 6-106 of
 15 this Code or a permit as provided in Section 6-105 of this Code
 16 and upon payment of the appropriate application fee, the
 17 Secretary of State shall issue the applicant a license as
 18 provided in Section 6-106 of this Code or shall issue the
 19 applicant a permit as provided in Section 6-105.

20 (Source: P.A. 98-168, eff. 1-1-14; 98-756, eff. 7-16-14.)

21 (625 ILCS 5/6-118)

22 Sec. 6-118. Fees.

23 (a) The fee for licenses and permits under this Article is
 24 as follows:

25 Original driver's license \$30

1 Original or renewal driver's license

2 issued to 18, 19 and 20 year olds 5

3 All driver's licenses for persons

4 age 69 through age 80 5

5 All driver's licenses for persons

6 age 81 through age 86 2

7 All driver's licenses for persons

8 age 87 or older 0

9 Renewal driver's license (except for

10 applicants ages 18, 19 and 20 or

11 age 69 and older) 30

12 Original instruction permit issued to

13 persons (except those age 69 and older)

14 who do not hold or have not previously

15 held an Illinois instruction permit or

16 driver's license 20

17 Instruction permit issued to any person

18 holding an Illinois driver's license

19 who wishes a change in classifications,

20 other than at the time of renewal 5

21 Any instruction permit issued to a person

22 age 69 and older 5

23 Instruction permit issued to any person,

24 under age 69, not currently holding a

25 valid Illinois driver's license or

26 instruction permit but who has

1 previously been issued either document

2 in Illinois..... 10

3 Restricted driving permit 8

4 Monitoring device driving permit 8

5 Duplicate or corrected driver's license

6 or permit..... 5

7 Duplicate or corrected restricted

8 driving permit 5

9 Duplicate or corrected monitoring

10 device driving permit 5

11 Duplicate driver's license or permit issued to

12 an active-duty member of the

13 United States Armed Forces,

14 the member's spouse, or

15 the dependent children living

16 with the member 0

17 Original or renewal M or L endorsement..... 5

18 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

19 The fees for commercial driver licenses and permits
20 under Article V shall be as follows:

21 Commercial driver's license:

22 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund

23 (Commercial Driver's License Information

24 System/American Association of Motor Vehicle

25 Administrators network/National Motor Vehicle

26 Title Information Service Trust Fund);

1 \$20 for the Motor Carrier Safety Inspection Fund;
 2 \$10 for the driver's license;
 3 and \$24 for the CDL: \$60

4 Renewal commercial driver's license:

5 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
 6 \$20 for the Motor Carrier Safety Inspection Fund;
 7 \$10 for the driver's license; and
 8 \$24 for the CDL: \$60

9 Commercial learner's permit

10 issued to any person holding a valid
 11 Illinois driver's license for the
 12 purpose of changing to a
 13 CDL classification: \$6 for the
 14 CDLIS/AAMVAnet/NMVTIS Trust Fund;
 15 \$20 for the Motor Carrier
 16 Safety Inspection Fund; and
 17 \$24 for the CDL classification \$50

18 Commercial learner's permit

19 issued to any person holding a valid
 20 Illinois CDL for the purpose of
 21 making a change in a classification,
 22 endorsement or restriction \$5

23 CDL duplicate or corrected license \$5

24 In order to ensure the proper implementation of the Uniform
 25 Commercial Driver License Act, Article V of this Chapter, the
 26 Secretary of State is empowered to pro-rate the \$24 fee for the

1 commercial driver's license proportionate to the expiration
2 date of the applicant's Illinois driver's license.

3 The fee for any duplicate license or permit shall be waived
4 for any person who presents the Secretary of State's office
5 with a police report showing that his license or permit was
6 stolen.

7 The fee for any duplicate license or permit shall be waived
8 for any person age 60 or older whose driver's license or permit
9 has been lost or stolen.

10 No additional fee shall be charged for a driver's license,
11 or for a commercial driver's license, when issued to the holder
12 of an instruction permit for the same classification or type of
13 license who becomes eligible for such license.

14 The fee for a restricted driving permit under this
15 subsection (a) shall be imposed annually until the expiration
16 of the permit.

17 (b) Any person whose license or privilege to operate a
18 motor vehicle in this State has been suspended or revoked under
19 Section 3-707, any provision of Chapter 6, Chapter 11, or
20 Section 7-205, 7-303, or 7-702 of the Family Financial
21 Responsibility Law of this Code, shall in addition to any other
22 fees required by this Code, pay a reinstatement fee as follows:

23	Suspension under Section 3-707	\$100
24	Suspension under Section 11-1431	\$100
25	Summary suspension under Section 11-501.1	\$250
26	Suspension under Section 11-501.9	\$250

1	Summary revocation under Section 11-501.1	\$500
2	Other suspension	\$70
3	Revocation	\$500

4 However, any person whose license or privilege to operate a
5 motor vehicle in this State has been suspended or revoked for a
6 second or subsequent time for a violation of Section 11-501,
7 11-501.1, or 11-501.9 of this Code or a similar provision of a
8 local ordinance or a similar out-of-state offense or Section
9 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
10 and each suspension or revocation was for a violation of
11 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
12 provision of a local ordinance or a similar out-of-state
13 offense or Section 9-3 of the Criminal Code of 1961 or the
14 Criminal Code of 2012 shall pay, in addition to any other fees
15 required by this Code, a reinstatement fee as follows:

16	Summary suspension under Section 11-501.1	\$500
17	Suspension under Section 11-501.9	\$500
18	Summary revocation under Section 11-501.1	\$500
19	Revocation	\$500

20 (c) All fees collected under the provisions of this Chapter
21 6 shall be disbursed under subsection (g) of Section 2-119 of
22 this Code, except as follows:

23 1. The following amounts shall be paid into the Drivers
24 Education Fund:

25 (A) \$16 of the \$20 fee for an original driver's
26 instruction permit;

1 (B) \$5 of the \$30 fee for an original driver's
2 license;

3 (C) \$5 of the \$30 fee for a 4 year renewal driver's
4 license;

5 (D) \$4 of the \$8 fee for a restricted driving
6 permit; and

7 (E) \$4 of the \$8 fee for a monitoring device
8 driving permit.

9 2. \$30 of the \$250 fee for reinstatement of a license
10 summarily suspended under Section 11-501.1 or suspended
11 under Section 11-501.9 shall be deposited into the Drunk
12 and Drugged Driving Prevention Fund. However, for a person
13 whose license or privilege to operate a motor vehicle in
14 this State has been suspended or revoked for a second or
15 subsequent time for a violation of Section 11-501,
16 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
17 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of
18 the \$500 fee for reinstatement of a license summarily
19 suspended under Section 11-501.1 or suspended under
20 Section 11-501.9, and \$190 of the \$500 fee for
21 reinstatement of a revoked license shall be deposited into
22 the Drunk and Drugged Driving Prevention Fund. \$190 of the
23 \$500 fee for reinstatement of a license summarily revoked
24 pursuant to Section 11-501.1 shall be deposited into the
25 Drunk and Drugged Driving Prevention Fund.

26 3. \$6 of the original or renewal fee for a commercial

1 driver's license and \$6 of the commercial learner's permit
2 fee when the permit is issued to any person holding a valid
3 Illinois driver's license, shall be paid into the
4 CDLIS/AAMVAnet/NMVTIS Trust Fund.

5 4. \$30 of the \$70 fee for reinstatement of a license
6 suspended under the Family Financial Responsibility Law
7 shall be paid into the Family Responsibility Fund.

8 5. The \$5 fee for each original or renewal M or L
9 endorsement shall be deposited into the Cycle Rider Safety
10 Training Fund.

11 6. \$20 of any original or renewal fee for a commercial
12 driver's license or commercial learner's permit shall be
13 paid into the Motor Carrier Safety Inspection Fund.

14 7. The following amounts shall be paid into the General
15 Revenue Fund:

16 (A) \$190 of the \$250 reinstatement fee for a
17 summary suspension under Section 11-501.1 or a
18 suspension under Section 11-501.9;

19 (B) \$40 of the \$70 reinstatement fee for any other
20 suspension provided in subsection (b) of this Section;
21 and

22 (C) \$440 of the \$500 reinstatement fee for a first
23 offense revocation and \$310 of the \$500 reinstatement
24 fee for a second or subsequent revocation.

25 8. Fees collected under paragraph (4) of subsection (d)
26 and subsection (h) of Section 6-205 of this Code;

1 subparagraph (C) of paragraph 3 of subsection (c) of
2 Section 6-206 of this Code; and paragraph (4) of subsection
3 (a) of Section 6-206.1 of this Code, shall be paid into the
4 funds set forth in those Sections.

5 (d) All of the proceeds of the additional fees imposed by
6 this amendatory Act of the 96th General Assembly shall be
7 deposited into the Capital Projects Fund.

8 (e) The additional fees imposed by this amendatory Act of
9 the 96th General Assembly shall become effective 90 days after
10 becoming law.

11 (f) As used in this Section, "active-duty member of the
12 United States Armed Forces" means a member of the Armed
13 Services or Reserve Forces of the United States or a member of
14 the Illinois National Guard who is called to active duty
15 pursuant to an executive order of the President of the United
16 States, an act of the Congress of the United States, or an
17 order of the Governor.

18 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section
19 10 of P.A. 99-414 for the effective date of changes made by
20 P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;
21 98-1172, eff. 1-12-15; 99-127, eff. 1-1-16; 99-438, eff.
22 1-1-16; 99-642, eff. 7-28-16; 99-933, eff. 1-27-17.)

23 (625 ILCS 5/6-201)

24 Sec. 6-201. Authority to cancel licenses and permits.

25 (a) The Secretary of State is authorized to cancel any

1 license or permit upon determining that the holder thereof:

2 1. was not entitled to the issuance thereof hereunder;

3 or

4 2. failed to give the required or correct information
5 in his application; or

6 3. failed to pay any fees, civil penalties owed to the
7 Illinois Commerce Commission, or taxes due under this Act
8 and upon reasonable notice and demand; or

9 4. committed any fraud in the making of such
10 application; or

11 5. is ineligible therefor under the provisions of
12 Section 6-103 of this Act, as amended; or

13 6. has refused or neglected to submit an alcohol, drug,
14 and intoxicating compound evaluation or to submit to
15 examination or re-examination as required under this Act;

16 or

17 7. has been convicted of violating the Cannabis Control
18 Act, the Illinois Controlled Substances Act, the
19 Methamphetamine Control and Community Protection Act, or
20 the Use of Intoxicating Compounds Act while that individual
21 was in actual physical control of a motor vehicle. For
22 purposes of this Section, any person placed on probation
23 under Section 10 of the Cannabis Control Act, Section 410
24 of the Illinois Controlled Substances Act, or Section 70 of
25 the Methamphetamine Control and Community Protection Act
26 shall not be considered convicted. Any person found guilty

1 of this offense, while in actual physical control of a
2 motor vehicle, shall have an entry made in the court record
3 by the judge that this offense did occur while the person
4 was in actual physical control of a motor vehicle and order
5 the clerk of the court to report the violation to the
6 Secretary of State as such. After the cancellation, the
7 Secretary of State shall not issue a new license or permit
8 for a period of one year after the date of cancellation.
9 However, upon application, the Secretary of State may, if
10 satisfied that the person applying will not endanger the
11 public safety, or welfare, issue a restricted driving
12 permit granting the privilege of driving a motor vehicle
13 between the petitioner's residence and petitioner's place
14 of employment or within the scope of the petitioner's
15 employment related duties, or to allow transportation for
16 the petitioner or a household member of the petitioner's
17 family for the receipt of necessary medical care, or
18 provide transportation for the petitioner to and from
19 alcohol or drug remedial or rehabilitative activity
20 recommended by a licensed service provider, or for the
21 petitioner to attend classes, as a student, in an
22 accredited educational institution. The petitioner must
23 demonstrate that no alternative means of transportation is
24 reasonably available; provided that the Secretary's
25 discretion shall be limited to cases where undue hardship,
26 as defined by the rules of the Secretary of State, would

1 result from a failure to issue such restricted driving
2 permit. In each case the Secretary of State may issue such
3 restricted driving permit for such period as he deems
4 appropriate, except that such permit shall expire no later
5 than 2 years ~~within one year~~ from the date of issuance. A
6 restricted driving permit issued hereunder shall be
7 subject to cancellation, revocation and suspension by the
8 Secretary of State in like manner and for like cause as a
9 driver's license issued hereunder may be cancelled,
10 revoked or suspended; except that a conviction upon one or
11 more offenses against laws or ordinances regulating the
12 movement of traffic shall be deemed sufficient cause for
13 the revocation, suspension or cancellation of a restricted
14 driving permit. The Secretary of State may, as a condition
15 to the issuance of a restricted driving permit, require the
16 applicant to participate in a driver remedial or
17 rehabilitative program. In accordance with 49 C.F.R. 384,
18 the Secretary of State may not issue a restricted driving
19 permit for the operation of a commercial motor vehicle to a
20 person holding a CDL whose driving privileges have been
21 revoked, suspended, cancelled, or disqualified under this
22 Code; or

23 8. failed to submit a report as required by Section
24 6-116.5 of this Code; or

25 9. has been convicted of a sex offense as defined in
26 the Sex Offender Registration Act. The driver's license

1 shall remain cancelled until the driver registers as a sex
2 offender as required by the Sex Offender Registration Act,
3 proof of the registration is furnished to the Secretary of
4 State and the sex offender provides proof of current
5 address to the Secretary; or

6 10. is ineligible for a license or permit under Section
7 6-107, 6-107.1, or 6-108 of this Code; or

8 11. refused or neglected to appear at a Driver Services
9 facility to have the license or permit corrected and a new
10 license or permit issued or to present documentation for
11 verification of identity; or

12 12. failed to submit a medical examiner's certificate
13 or medical variance as required by 49 C.F.R. 383.71 or
14 submitted a fraudulent medical examiner's certificate or
15 medical variance; or

16 13. has had his or her medical examiner's certificate,
17 medical variance, or both removed or rescinded by the
18 Federal Motor Carrier Safety Administration; or

19 14. failed to self-certify as to the type of driving in
20 which the CDL driver engages or expects to engage; or

21 15. has submitted acceptable documentation indicating
22 out-of-state residency to the Secretary of State to be
23 released from the requirement of showing proof of financial
24 responsibility in this State; or

25 16. was convicted of fraud relating to the testing or
26 issuance of a CDL or CLP, in which case only the CDL or CLP

1 shall be cancelled. After cancellation, the Secretary
2 shall not issue a CLP or CDL for a period of one year from
3 the date of cancellation; or

4 17. has a special restricted license under subsection
5 (g) of Section 6-113 of this Code and failed to submit the
6 required annual vision specialist report that the special
7 restricted license holder's vision has not changed; or

8 18. has a special restricted license under subsection
9 (g) of Section 6-113 of this Code and was convicted or
10 received court supervision for a violation of this Code
11 that occurred during nighttime hours or was involved in a
12 motor vehicle accident during nighttime hours in which the
13 restricted license holder was at fault; or

14 19. has assisted an out-of-state resident in acquiring
15 an Illinois driver's license or identification card by
16 providing or allowing the out-of-state resident to use his
17 or her Illinois address of residence and is complicit in
18 distributing and forwarding the Illinois driver's license
19 or identification card to the out-of-state resident.

20 (b) Upon such cancellation the licensee or permittee must
21 surrender the license or permit so cancelled to the Secretary
22 of State.

23 (c) Except as provided in Sections 6-206.1 and 7-702.1, the
24 Secretary of State shall have exclusive authority to grant,
25 issue, deny, cancel, suspend and revoke driving privileges,
26 drivers' licenses and restricted driving permits.

1 (d) The Secretary of State may adopt rules to implement
2 this Section.

3 (Source: P.A. 100-409, eff. 8-25-17.)

4 (625 ILCS 5/6-205)

5 Sec. 6-205. Mandatory revocation of license or permit;
6 hardship cases.

7 (a) Except as provided in this Section, the Secretary of
8 State shall immediately revoke the license, permit, or driving
9 privileges of any driver upon receiving a report of the
10 driver's conviction of any of the following offenses:

11 1. Reckless homicide resulting from the operation of a
12 motor vehicle;

13 2. Violation of Section 11-501 of this Code or a
14 similar provision of a local ordinance relating to the
15 offense of operating or being in physical control of a
16 vehicle while under the influence of alcohol, other drug or
17 drugs, intoxicating compound or compounds, or any
18 combination thereof;

19 3. Any felony under the laws of any State or the
20 federal government in the commission of which a motor
21 vehicle was used;

22 4. Violation of Section 11-401 of this Code relating to
23 the offense of leaving the scene of a traffic accident
24 involving death or personal injury;

25 5. Perjury or the making of a false affidavit or

1 statement under oath to the Secretary of State under this
2 Code or under any other law relating to the ownership or
3 operation of motor vehicles;

4 6. Conviction upon 3 charges of violation of Section
5 11-503 of this Code relating to the offense of reckless
6 driving committed within a period of 12 months;

7 7. Conviction of any offense defined in Section 4-102
8 of this Code;

9 8. Violation of Section 11-504 of this Code relating to
10 the offense of drag racing;

11 9. Violation of Chapters 8 and 9 of this Code;

12 10. Violation of Section 12-5 of the Criminal Code of
13 1961 or the Criminal Code of 2012 arising from the use of a
14 motor vehicle;

15 11. Violation of Section 11-204.1 of this Code relating
16 to aggravated fleeing or attempting to elude a peace
17 officer;

18 12. Violation of paragraph (1) of subsection (b) of
19 Section 6-507, or a similar law of any other state,
20 relating to the unlawful operation of a commercial motor
21 vehicle;

22 13. Violation of paragraph (a) of Section 11-502 of
23 this Code or a similar provision of a local ordinance if
24 the driver has been previously convicted of a violation of
25 that Section or a similar provision of a local ordinance
26 and the driver was less than 21 years of age at the time of

1 the offense;

2 14. Violation of paragraph (a) of Section 11-506 of
3 this Code or a similar provision of a local ordinance
4 relating to the offense of street racing;

5 15. A second or subsequent conviction of driving while
6 the person's driver's license, permit or privileges was
7 revoked for reckless homicide or a similar out-of-state
8 offense;

9 16. Any offense against any provision in this Code, or
10 any local ordinance, regulating the movement of traffic
11 when that offense was the proximate cause of the death of
12 any person. Any person whose driving privileges have been
13 revoked pursuant to this paragraph may seek to have the
14 revocation terminated or to have the length of revocation
15 reduced by requesting an administrative hearing with the
16 Secretary of State prior to the projected driver's license
17 application eligibility date;

18 17. Violation of subsection (a-2) of Section 11-1301.3
19 of this Code or a similar provision of a local ordinance;

20 18. A second or subsequent conviction of illegal
21 possession, while operating or in actual physical control,
22 as a driver, of a motor vehicle, of any controlled
23 substance prohibited under the Illinois Controlled
24 Substances Act, any cannabis prohibited under the Cannabis
25 Control Act, or any methamphetamine prohibited under the
26 Methamphetamine Control and Community Protection Act. A

1 defendant found guilty of this offense while operating a
2 motor vehicle shall have an entry made in the court record
3 by the presiding judge that this offense did occur while
4 the defendant was operating a motor vehicle and order the
5 clerk of the court to report the violation to the Secretary
6 of State;

7 19. Violation of subsection (a) of Section 11-1414 of
8 this Code, or a similar provision of a local ordinance,
9 relating to the offense of overtaking or passing of a
10 school bus when the driver, in committing the violation, is
11 involved in a motor vehicle accident that results in death
12 to another and the violation is a proximate cause of the
13 death.

14 (b) The Secretary of State shall also immediately revoke
15 the license or permit of any driver in the following
16 situations:

17 1. Of any minor upon receiving the notice provided for
18 in Section 5-901 of the Juvenile Court Act of 1987 that the
19 minor has been adjudicated under that Act as having
20 committed an offense relating to motor vehicles prescribed
21 in Section 4-103 of this Code;

22 2. Of any person when any other law of this State
23 requires either the revocation or suspension of a license
24 or permit;

25 3. Of any person adjudicated under the Juvenile Court
26 Act of 1987 based on an offense determined to have been

1 committed in furtherance of the criminal activities of an
2 organized gang as provided in Section 5-710 of that Act,
3 and that involved the operation or use of a motor vehicle
4 or the use of a driver's license or permit. The revocation
5 shall remain in effect for the period determined by the
6 court.

7 (c) (1) Whenever a person is convicted of any of the
8 offenses enumerated in this Section, the court may recommend
9 and the Secretary of State in his discretion, without regard to
10 whether the recommendation is made by the court may, upon
11 application, issue to the person a restricted driving permit
12 granting the privilege of driving a motor vehicle between the
13 petitioner's residence and petitioner's place of employment or
14 within the scope of the petitioner's employment related duties,
15 or to allow the petitioner to transport himself or herself or a
16 family member of the petitioner's household to a medical
17 facility for the receipt of necessary medical care or to allow
18 the petitioner to transport himself or herself to and from
19 alcohol or drug remedial or rehabilitative activity
20 recommended by a licensed service provider, or to allow the
21 petitioner to transport himself or herself or a family member
22 of the petitioner's household to classes, as a student, at an
23 accredited educational institution, or to allow the petitioner
24 to transport children, elderly persons, or persons with
25 disabilities who do not hold driving privileges and are living
26 in the petitioner's household to and from daycare; if the

1 petitioner is able to demonstrate that no alternative means of
2 transportation is reasonably available and that the petitioner
3 will not endanger the public safety or welfare; provided that
4 the Secretary's discretion shall be limited to cases where
5 undue hardship, as defined by the rules of the Secretary of
6 State, would result from a failure to issue the restricted
7 driving permit.

8 (1.5) A person subject to the provisions of paragraph 4 of
9 subsection (b) of Section 6-208 of this Code may make
10 application for a restricted driving permit at a hearing
11 conducted under Section 2-118 of this Code after the expiration
12 of 5 years from the effective date of the most recent
13 revocation, or after 5 years from the date of release from a
14 period of imprisonment resulting from a conviction of the most
15 recent offense, whichever is later, provided the person, in
16 addition to all other requirements of the Secretary, shows by
17 clear and convincing evidence:

18 (A) a minimum of 3 years of uninterrupted abstinence
19 from alcohol and the unlawful use or consumption of
20 cannabis under the Cannabis Control Act, a controlled
21 substance under the Illinois Controlled Substances Act, an
22 intoxicating compound under the Use of Intoxicating
23 Compounds Act, or methamphetamine under the
24 Methamphetamine Control and Community Protection Act; and

25 (B) the successful completion of any rehabilitative
26 treatment and involvement in any ongoing rehabilitative

1 activity that may be recommended by a properly licensed
2 service provider according to an assessment of the person's
3 alcohol or drug use under Section 11-501.01 of this Code.

4 In determining whether an applicant is eligible for a
5 restricted driving permit under this paragraph (1.5), the
6 Secretary may consider any relevant evidence, including, but
7 not limited to, testimony, affidavits, records, and the results
8 of regular alcohol or drug tests. Persons subject to the
9 provisions of paragraph 4 of subsection (b) of Section 6-208 of
10 this Code and who have been convicted of more than one
11 violation of paragraph (3), paragraph (4), or paragraph (5) of
12 subsection (a) of Section 11-501 of this Code shall not be
13 eligible to apply for a restricted driving permit.

14 A restricted driving permit issued under this paragraph
15 (1.5) shall provide that the holder may only operate motor
16 vehicles equipped with an ignition interlock device as required
17 under paragraph (2) of subsection (c) of this Section and
18 subparagraph (A) of paragraph 3 of subsection (c) of Section
19 6-206 of this Code. The Secretary may revoke a restricted
20 driving permit or amend the conditions of a restricted driving
21 permit issued under this paragraph (1.5) if the holder operates
22 a vehicle that is not equipped with an ignition interlock
23 device, or for any other reason authorized under this Code.

24 A restricted driving permit issued under this paragraph
25 (1.5) shall be revoked, and the holder barred from applying for
26 or being issued a restricted driving permit in the future, if

1 the holder is subsequently convicted of a violation of Section
2 11-501 of this Code, a similar provision of a local ordinance,
3 or a similar offense in another state.

4 (2) If a person's license or permit is revoked or suspended
5 due to 2 or more convictions of violating Section 11-501 of
6 this Code or a similar provision of a local ordinance or a
7 similar out-of-state offense, or Section 9-3 of the Criminal
8 Code of 1961 or the Criminal Code of 2012, where the use of
9 alcohol or other drugs is recited as an element of the offense,
10 or a similar out-of-state offense, or a combination of these
11 offenses, arising out of separate occurrences, that person, if
12 issued a restricted driving permit, may not operate a vehicle
13 unless it has been equipped with an ignition interlock device
14 as defined in Section 1-129.1.

15 (3) If:

16 (A) a person's license or permit is revoked or
17 suspended 2 or more times due to any combination of:

18 (i) a single conviction of violating Section
19 11-501 of this Code or a similar provision of a local
20 ordinance or a similar out-of-state offense, or
21 Section 9-3 of the Criminal Code of 1961 or the
22 Criminal Code of 2012, where the use of alcohol or
23 other drugs is recited as an element of the offense, or
24 a similar out-of-state offense; or

25 (ii) a statutory summary suspension or revocation
26 under Section 11-501.1; or

1 (iii) a suspension pursuant to Section 6-203.1;

2 arising out of separate occurrences; or

3 (B) a person has been convicted of one violation of
4 subparagraph (C) or (F) of paragraph (1) of subsection (d)
5 of Section 11-501 of this Code, Section 9-3 of the Criminal
6 Code of 1961 or the Criminal Code of 2012, relating to the
7 offense of reckless homicide where the use of alcohol or
8 other drugs was recited as an element of the offense, or a
9 similar provision of a law of another state;

10 that person, if issued a restricted driving permit, may not
11 operate a vehicle unless it has been equipped with an ignition
12 interlock device as defined in Section 1-129.1.

13 (4) The person issued a permit conditioned on the use of an
14 ignition interlock device must pay to the Secretary of State
15 DUI Administration Fund an amount not to exceed \$30 per month.
16 The Secretary shall establish by rule the amount and the
17 procedures, terms, and conditions relating to these fees.

18 (5) If the restricted driving permit is issued for
19 employment purposes, then the prohibition against operating a
20 motor vehicle that is not equipped with an ignition interlock
21 device does not apply to the operation of an occupational
22 vehicle owned or leased by that person's employer when used
23 solely for employment purposes. For any person who, within a
24 5-year period, is convicted of a second or subsequent offense
25 under Section 11-501 of this Code, or a similar provision of a
26 local ordinance or similar out-of-state offense, this

1 employment exemption does not apply until either a one-year
2 period has elapsed during which that person had his or her
3 driving privileges revoked or a one-year period has elapsed
4 during which that person had a restricted driving permit which
5 required the use of an ignition interlock device on every motor
6 vehicle owned or operated by that person.

7 (6) In each case the Secretary of State may issue a
8 restricted driving permit for a period he deems appropriate,
9 except that the permit shall expire no later than 2 years
10 ~~within one year~~ from the date of issuance. A restricted driving
11 permit issued under this Section shall be subject to
12 cancellation, revocation, and suspension by the Secretary of
13 State in like manner and for like cause as a driver's license
14 issued under this Code may be cancelled, revoked, or suspended;
15 except that a conviction upon one or more offenses against laws
16 or ordinances regulating the movement of traffic shall be
17 deemed sufficient cause for the revocation, suspension, or
18 cancellation of a restricted driving permit. The Secretary of
19 State may, as a condition to the issuance of a restricted
20 driving permit, require the petitioner to participate in a
21 designated driver remedial or rehabilitative program. The
22 Secretary of State is authorized to cancel a restricted driving
23 permit if the permit holder does not successfully complete the
24 program. However, if an individual's driving privileges have
25 been revoked in accordance with paragraph 13 of subsection (a)
26 of this Section, no restricted driving permit shall be issued

1 until the individual has served 6 months of the revocation
2 period.

3 (c-5) (Blank).

4 (c-6) If a person is convicted of a second violation of
5 operating a motor vehicle while the person's driver's license,
6 permit or privilege was revoked, where the revocation was for a
7 violation of Section 9-3 of the Criminal Code of 1961 or the
8 Criminal Code of 2012 relating to the offense of reckless
9 homicide or a similar out-of-state offense, the person's
10 driving privileges shall be revoked pursuant to subdivision
11 (a)(15) of this Section. The person may not make application
12 for a license or permit until the expiration of five years from
13 the effective date of the revocation or the expiration of five
14 years from the date of release from a term of imprisonment,
15 whichever is later.

16 (c-7) If a person is convicted of a third or subsequent
17 violation of operating a motor vehicle while the person's
18 driver's license, permit or privilege was revoked, where the
19 revocation was for a violation of Section 9-3 of the Criminal
20 Code of 1961 or the Criminal Code of 2012 relating to the
21 offense of reckless homicide or a similar out-of-state offense,
22 the person may never apply for a license or permit.

23 (d)(1) Whenever a person under the age of 21 is convicted
24 under Section 11-501 of this Code or a similar provision of a
25 local ordinance or a similar out-of-state offense, the
26 Secretary of State shall revoke the driving privileges of that

1 person. One year after the date of revocation, and upon
2 application, the Secretary of State may, if satisfied that the
3 person applying will not endanger the public safety or welfare,
4 issue a restricted driving permit granting the privilege of
5 driving a motor vehicle only between the hours of 5 a.m. and 9
6 p.m. or as otherwise provided by this Section for a period of
7 one year. After this one-year period, and upon reapplication
8 for a license as provided in Section 6-106, upon payment of the
9 appropriate reinstatement fee provided under paragraph (b) of
10 Section 6-118, the Secretary of State, in his discretion, may
11 reinstate the petitioner's driver's license and driving
12 privileges, or extend the restricted driving permit as many
13 times as the Secretary of State deems appropriate, by
14 additional periods of not more than 24 ~~12~~ months each.

15 (2) If a person's license or permit is revoked or
16 suspended due to 2 or more convictions of violating Section
17 11-501 of this Code or a similar provision of a local
18 ordinance or a similar out-of-state offense, or Section 9-3
19 of the Criminal Code of 1961 or the Criminal Code of 2012,
20 where the use of alcohol or other drugs is recited as an
21 element of the offense, or a similar out-of-state offense,
22 or a combination of these offenses, arising out of separate
23 occurrences, that person, if issued a restricted driving
24 permit, may not operate a vehicle unless it has been
25 equipped with an ignition interlock device as defined in
26 Section 1-129.1.

1 (3) If a person's license or permit is revoked or
2 suspended 2 or more times due to any combination of:

3 (A) a single conviction of violating Section
4 11-501 of this Code or a similar provision of a local
5 ordinance or a similar out-of-state offense, or
6 Section 9-3 of the Criminal Code of 1961 or the
7 Criminal Code of 2012, where the use of alcohol or
8 other drugs is recited as an element of the offense, or
9 a similar out-of-state offense; or

10 (B) a statutory summary suspension or revocation
11 under Section 11-501.1; or

12 (C) a suspension pursuant to Section 6-203.1;
13 arising out of separate occurrences, that person, if issued
14 a restricted driving permit, may not operate a vehicle
15 unless it has been equipped with an ignition interlock
16 device as defined in Section 1-129.1.

17 (3.5) If a person's license or permit is revoked or
18 suspended due to a conviction for a violation of
19 subparagraph (C) or (F) of paragraph (1) of subsection (d)
20 of Section 11-501 of this Code, or a similar provision of a
21 local ordinance or similar out-of-state offense, that
22 person, if issued a restricted driving permit, may not
23 operate a vehicle unless it has been equipped with an
24 ignition interlock device as defined in Section 1-129.1.

25 (4) The person issued a permit conditioned upon the use
26 of an interlock device must pay to the Secretary of State

1 DUI Administration Fund an amount not to exceed \$30 per
2 month. The Secretary shall establish by rule the amount and
3 the procedures, terms, and conditions relating to these
4 fees.

5 (5) If the restricted driving permit is issued for
6 employment purposes, then the prohibition against driving
7 a vehicle that is not equipped with an ignition interlock
8 device does not apply to the operation of an occupational
9 vehicle owned or leased by that person's employer when used
10 solely for employment purposes. For any person who, within
11 a 5-year period, is convicted of a second or subsequent
12 offense under Section 11-501 of this Code, or a similar
13 provision of a local ordinance or similar out-of-state
14 offense, this employment exemption does not apply until
15 either a one-year period has elapsed during which that
16 person had his or her driving privileges revoked or a
17 one-year period has elapsed during which that person had a
18 restricted driving permit which required the use of an
19 ignition interlock device on every motor vehicle owned or
20 operated by that person.

21 (6) A restricted driving permit issued under this
22 Section shall be subject to cancellation, revocation, and
23 suspension by the Secretary of State in like manner and for
24 like cause as a driver's license issued under this Code may
25 be cancelled, revoked, or suspended; except that a
26 conviction upon one or more offenses against laws or

1 ordinances regulating the movement of traffic shall be
2 deemed sufficient cause for the revocation, suspension, or
3 cancellation of a restricted driving permit.

4 (d-5) The revocation of the license, permit, or driving
5 privileges of a person convicted of a third or subsequent
6 violation of Section 6-303 of this Code committed while his or
7 her driver's license, permit, or privilege was revoked because
8 of a violation of Section 9-3 of the Criminal Code of 1961 or
9 the Criminal Code of 2012, relating to the offense of reckless
10 homicide, or a similar provision of a law of another state, is
11 permanent. The Secretary may not, at any time, issue a license
12 or permit to that person.

13 (e) This Section is subject to the provisions of the Driver
14 License Compact.

15 (f) Any revocation imposed upon any person under
16 subsections 2 and 3 of paragraph (b) that is in effect on
17 December 31, 1988 shall be converted to a suspension for a like
18 period of time.

19 (g) The Secretary of State shall not issue a restricted
20 driving permit to a person under the age of 16 years whose
21 driving privileges have been revoked under any provisions of
22 this Code.

23 (h) The Secretary of State shall require the use of
24 ignition interlock devices for a period not less than 5 years
25 on all vehicles owned by a person who has been convicted of a
26 second or subsequent offense under Section 11-501 of this Code

1 or a similar provision of a local ordinance. The person must
2 pay to the Secretary of State DUI Administration Fund an amount
3 not to exceed \$30 for each month that he or she uses the
4 device. The Secretary shall establish by rule and regulation
5 the procedures for certification and use of the interlock
6 system, the amount of the fee, and the procedures, terms, and
7 conditions relating to these fees. During the time period in
8 which a person is required to install an ignition interlock
9 device under this subsection (h), that person shall only
10 operate vehicles in which ignition interlock devices have been
11 installed, except as allowed by subdivision (c) (5) or (d) (5) of
12 this Section.

13 (i) (Blank).

14 (j) In accordance with 49 C.F.R. 384, the Secretary of
15 State may not issue a restricted driving permit for the
16 operation of a commercial motor vehicle to a person holding a
17 CDL whose driving privileges have been revoked, suspended,
18 cancelled, or disqualified under any provisions of this Code.

19 (k) The Secretary of State shall notify by mail any person
20 whose driving privileges have been revoked under paragraph 16
21 of subsection (a) of this Section that his or her driving
22 privileges and driver's license will be revoked 90 days from
23 the date of the mailing of the notice.

24 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
25 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
26 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff. 7-28-16;

1 100-223, eff. 8-18-17.)

2 (625 ILCS 5/6-206)

3 Sec. 6-206. Discretionary authority to suspend or revoke
4 license or permit; right to a hearing.

5 (a) The Secretary of State is authorized to suspend or
6 revoke the driving privileges of any person without preliminary
7 hearing upon a showing of the person's records or other
8 sufficient evidence that the person:

9 1. Has committed an offense for which mandatory
10 revocation of a driver's license or permit is required upon
11 conviction;

12 2. Has been convicted of not less than 3 offenses
13 against traffic regulations governing the movement of
14 vehicles committed within any 12 month period. No
15 revocation or suspension shall be entered more than 6
16 months after the date of last conviction;

17 3. Has been repeatedly involved as a driver in motor
18 vehicle collisions or has been repeatedly convicted of
19 offenses against laws and ordinances regulating the
20 movement of traffic, to a degree that indicates lack of
21 ability to exercise ordinary and reasonable care in the
22 safe operation of a motor vehicle or disrespect for the
23 traffic laws and the safety of other persons upon the
24 highway;

25 4. Has by the unlawful operation of a motor vehicle

1 caused or contributed to an accident resulting in injury
2 requiring immediate professional treatment in a medical
3 facility or doctor's office to any person, except that any
4 suspension or revocation imposed by the Secretary of State
5 under the provisions of this subsection shall start no
6 later than 6 months after being convicted of violating a
7 law or ordinance regulating the movement of traffic, which
8 violation is related to the accident, or shall start not
9 more than one year after the date of the accident,
10 whichever date occurs later;

11 5. Has permitted an unlawful or fraudulent use of a
12 driver's license, identification card, or permit;

13 6. Has been lawfully convicted of an offense or
14 offenses in another state, including the authorization
15 contained in Section 6-203.1, which if committed within
16 this State would be grounds for suspension or revocation;

17 7. Has refused or failed to submit to an examination
18 provided for by Section 6-207 or has failed to pass the
19 examination;

20 8. Is ineligible for a driver's license or permit under
21 the provisions of Section 6-103;

22 9. Has made a false statement or knowingly concealed a
23 material fact or has used false information or
24 identification in any application for a license,
25 identification card, or permit;

26 10. Has possessed, displayed, or attempted to

1 fraudulently use any license, identification card, or
2 permit not issued to the person;

3 11. Has operated a motor vehicle upon a highway of this
4 State when the person's driving privilege or privilege to
5 obtain a driver's license or permit was revoked or
6 suspended unless the operation was authorized by a
7 monitoring device driving permit, judicial driving permit
8 issued prior to January 1, 2009, probationary license to
9 drive, or a restricted driving permit issued under this
10 Code;

11 12. Has submitted to any portion of the application
12 process for another person or has obtained the services of
13 another person to submit to any portion of the application
14 process for the purpose of obtaining a license,
15 identification card, or permit for some other person;

16 13. Has operated a motor vehicle upon a highway of this
17 State when the person's driver's license or permit was
18 invalid under the provisions of Sections 6-107.1 and 6-110;

19 14. Has committed a violation of Section 6-301,
20 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
21 14B of the Illinois Identification Card Act;

22 15. Has been convicted of violating Section 21-2 of the
23 Criminal Code of 1961 or the Criminal Code of 2012 relating
24 to criminal trespass to vehicles in which case, the
25 suspension shall be for one year;

26 16. Has been convicted of violating Section 11-204 of

1 this Code relating to fleeing from a peace officer;

2 17. Has refused to submit to a test, or tests, as
3 required under Section 11-501.1 of this Code and the person
4 has not sought a hearing as provided for in Section
5 11-501.1;

6 18. Has, since issuance of a driver's license or
7 permit, been adjudged to be afflicted with or suffering
8 from any mental disability or disease;

9 19. Has committed a violation of paragraph (a) or (b)
10 of Section 6-101 relating to driving without a driver's
11 license;

12 20. Has been convicted of violating Section 6-104
13 relating to classification of driver's license;

14 21. Has been convicted of violating Section 11-402 of
15 this Code relating to leaving the scene of an accident
16 resulting in damage to a vehicle in excess of \$1,000, in
17 which case the suspension shall be for one year;

18 22. Has used a motor vehicle in violating paragraph
19 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
20 the Criminal Code of 1961 or the Criminal Code of 2012
21 relating to unlawful use of weapons, in which case the
22 suspension shall be for one year;

23 23. Has, as a driver, been convicted of committing a
24 violation of paragraph (a) of Section 11-502 of this Code
25 for a second or subsequent time within one year of a
26 similar violation;

1 24. Has been convicted by a court-martial or punished
2 by non-judicial punishment by military authorities of the
3 United States at a military installation in Illinois or in
4 another state of or for a traffic related offense that is
5 the same as or similar to an offense specified under
6 Section 6-205 or 6-206 of this Code;

7 25. Has permitted any form of identification to be used
8 by another in the application process in order to obtain or
9 attempt to obtain a license, identification card, or
10 permit;

11 26. Has altered or attempted to alter a license or has
12 possessed an altered license, identification card, or
13 permit;

14 27. Has violated Section 6-16 of the Liquor Control Act
15 of 1934;

16 28. Has been convicted for a first time of the illegal
17 possession, while operating or in actual physical control,
18 as a driver, of a motor vehicle, of any controlled
19 substance prohibited under the Illinois Controlled
20 Substances Act, any cannabis prohibited under the Cannabis
21 Control Act, or any methamphetamine prohibited under the
22 Methamphetamine Control and Community Protection Act, in
23 which case the person's driving privileges shall be
24 suspended for one year. Any defendant found guilty of this
25 offense while operating a motor vehicle, shall have an
26 entry made in the court record by the presiding judge that

1 this offense did occur while the defendant was operating a
2 motor vehicle and order the clerk of the court to report
3 the violation to the Secretary of State;

4 29. Has been convicted of the following offenses that
5 were committed while the person was operating or in actual
6 physical control, as a driver, of a motor vehicle: criminal
7 sexual assault, predatory criminal sexual assault of a
8 child, aggravated criminal sexual assault, criminal sexual
9 abuse, aggravated criminal sexual abuse, juvenile pimping,
10 soliciting for a juvenile prostitute, promoting juvenile
11 prostitution as described in subdivision (a) (1), (a) (2),
12 or (a) (3) of Section 11-14.4 of the Criminal Code of 1961
13 or the Criminal Code of 2012, and the manufacture, sale or
14 delivery of controlled substances or instruments used for
15 illegal drug use or abuse in which case the driver's
16 driving privileges shall be suspended for one year;

17 30. Has been convicted a second or subsequent time for
18 any combination of the offenses named in paragraph 29 of
19 this subsection, in which case the person's driving
20 privileges shall be suspended for 5 years;

21 31. Has refused to submit to a test as required by
22 Section 11-501.6 of this Code or Section 5-16c of the Boat
23 Registration and Safety Act or has submitted to a test
24 resulting in an alcohol concentration of 0.08 or more or
25 any amount of a drug, substance, or compound resulting from
26 the unlawful use or consumption of cannabis as listed in

1 the Cannabis Control Act, a controlled substance as listed
2 in the Illinois Controlled Substances Act, an intoxicating
3 compound as listed in the Use of Intoxicating Compounds
4 Act, or methamphetamine as listed in the Methamphetamine
5 Control and Community Protection Act, in which case the
6 penalty shall be as prescribed in Section 6-208.1;

7 32. Has been convicted of Section 24-1.2 of the
8 Criminal Code of 1961 or the Criminal Code of 2012 relating
9 to the aggravated discharge of a firearm if the offender
10 was located in a motor vehicle at the time the firearm was
11 discharged, in which case the suspension shall be for 3
12 years;

13 33. Has as a driver, who was less than 21 years of age
14 on the date of the offense, been convicted a first time of
15 a violation of paragraph (a) of Section 11-502 of this Code
16 or a similar provision of a local ordinance;

17 34. Has committed a violation of Section 11-1301.5 of
18 this Code or a similar provision of a local ordinance;

19 35. Has committed a violation of Section 11-1301.6 of
20 this Code or a similar provision of a local ordinance;

21 36. Is under the age of 21 years at the time of arrest
22 and has been convicted of not less than 2 offenses against
23 traffic regulations governing the movement of vehicles
24 committed within any 24 month period. No revocation or
25 suspension shall be entered more than 6 months after the
26 date of last conviction;

1 37. Has committed a violation of subsection (c) of
2 Section 11-907 of this Code that resulted in damage to the
3 property of another or the death or injury of another;

4 38. Has been convicted of a violation of Section 6-20
5 of the Liquor Control Act of 1934 or a similar provision of
6 a local ordinance;

7 39. Has committed a second or subsequent violation of
8 Section 11-1201 of this Code;

9 40. Has committed a violation of subsection (a-1) of
10 Section 11-908 of this Code;

11 41. Has committed a second or subsequent violation of
12 Section 11-605.1 of this Code, a similar provision of a
13 local ordinance, or a similar violation in any other state
14 within 2 years of the date of the previous violation, in
15 which case the suspension shall be for 90 days;

16 42. Has committed a violation of subsection (a-1) of
17 Section 11-1301.3 of this Code or a similar provision of a
18 local ordinance;

19 43. Has received a disposition of court supervision for
20 a violation of subsection (a), (d), or (e) of Section 6-20
21 of the Liquor Control Act of 1934 or a similar provision of
22 a local ordinance, in which case the suspension shall be
23 for a period of 3 months;

24 44. Is under the age of 21 years at the time of arrest
25 and has been convicted of an offense against traffic
26 regulations governing the movement of vehicles after

1 having previously had his or her driving privileges
2 suspended or revoked pursuant to subparagraph 36 of this
3 Section;

4 45. Has, in connection with or during the course of a
5 formal hearing conducted under Section 2-118 of this Code:
6 (i) committed perjury; (ii) submitted fraudulent or
7 falsified documents; (iii) submitted documents that have
8 been materially altered; or (iv) submitted, as his or her
9 own, documents that were in fact prepared or composed for
10 another person;

11 46. Has committed a violation of subsection (j) of
12 Section 3-413 of this Code;

13 47. Has committed a violation of Section 11-502.1 of
14 this Code; or

15 48. Has submitted a falsified or altered medical
16 examiner's certificate to the Secretary of State or
17 provided false information to obtain a medical examiner's
18 certificate.

19 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
20 and 27 of this subsection, license means any driver's license,
21 any traffic ticket issued when the person's driver's license is
22 deposited in lieu of bail, a suspension notice issued by the
23 Secretary of State, a duplicate or corrected driver's license,
24 a probationary driver's license or a temporary driver's
25 license.

26 (b) If any conviction forming the basis of a suspension or

1 revocation authorized under this Section is appealed, the
2 Secretary of State may rescind or withhold the entry of the
3 order of suspension or revocation, as the case may be, provided
4 that a certified copy of a stay order of a court is filed with
5 the Secretary of State. If the conviction is affirmed on
6 appeal, the date of the conviction shall relate back to the
7 time the original judgment of conviction was entered and the 6
8 month limitation prescribed shall not apply.

9 (c) 1. Upon suspending or revoking the driver's license or
10 permit of any person as authorized in this Section, the
11 Secretary of State shall immediately notify the person in
12 writing of the revocation or suspension. The notice to be
13 deposited in the United States mail, postage prepaid, to the
14 last known address of the person.

15 2. If the Secretary of State suspends the driver's license
16 of a person under subsection 2 of paragraph (a) of this
17 Section, a person's privilege to operate a vehicle as an
18 occupation shall not be suspended, provided an affidavit is
19 properly completed, the appropriate fee received, and a permit
20 issued prior to the effective date of the suspension, unless 5
21 offenses were committed, at least 2 of which occurred while
22 operating a commercial vehicle in connection with the driver's
23 regular occupation. All other driving privileges shall be
24 suspended by the Secretary of State. Any driver prior to
25 operating a vehicle for occupational purposes only must submit
26 the affidavit on forms to be provided by the Secretary of State

1 setting forth the facts of the person's occupation. The
2 affidavit shall also state the number of offenses committed
3 while operating a vehicle in connection with the driver's
4 regular occupation. The affidavit shall be accompanied by the
5 driver's license. Upon receipt of a properly completed
6 affidavit, the Secretary of State shall issue the driver a
7 permit to operate a vehicle in connection with the driver's
8 regular occupation only. Unless the permit is issued by the
9 Secretary of State prior to the date of suspension, the
10 privilege to drive any motor vehicle shall be suspended as set
11 forth in the notice that was mailed under this Section. If an
12 affidavit is received subsequent to the effective date of this
13 suspension, a permit may be issued for the remainder of the
14 suspension period.

15 The provisions of this subparagraph shall not apply to any
16 driver required to possess a CDL for the purpose of operating a
17 commercial motor vehicle.

18 Any person who falsely states any fact in the affidavit
19 required herein shall be guilty of perjury under Section 6-302
20 and upon conviction thereof shall have all driving privileges
21 revoked without further rights.

22 3. At the conclusion of a hearing under Section 2-118 of
23 this Code, the Secretary of State shall either rescind or
24 continue an order of revocation or shall substitute an order of
25 suspension; or, good cause appearing therefor, rescind,
26 continue, change, or extend the order of suspension. If the

1 Secretary of State does not rescind the order, the Secretary
2 may upon application, to relieve undue hardship (as defined by
3 the rules of the Secretary of State), issue a restricted
4 driving permit granting the privilege of driving a motor
5 vehicle between the petitioner's residence and petitioner's
6 place of employment or within the scope of the petitioner's
7 employment related duties, or to allow the petitioner to
8 transport himself or herself, or a family member of the
9 petitioner's household to a medical facility, to receive
10 necessary medical care, to allow the petitioner to transport
11 himself or herself to and from alcohol or drug remedial or
12 rehabilitative activity recommended by a licensed service
13 provider, or to allow the petitioner to transport himself or
14 herself or a family member of the petitioner's household to
15 classes, as a student, at an accredited educational
16 institution, or to allow the petitioner to transport children,
17 elderly persons, or persons with disabilities who do not hold
18 driving privileges and are living in the petitioner's household
19 to and from daycare. The petitioner must demonstrate that no
20 alternative means of transportation is reasonably available
21 and that the petitioner will not endanger the public safety or
22 welfare.

23 (A) If a person's license or permit is revoked or
24 suspended due to 2 or more convictions of violating Section
25 11-501 of this Code or a similar provision of a local
26 ordinance or a similar out-of-state offense, or Section 9-3

1 of the Criminal Code of 1961 or the Criminal Code of 2012,
2 where the use of alcohol or other drugs is recited as an
3 element of the offense, or a similar out-of-state offense,
4 or a combination of these offenses, arising out of separate
5 occurrences, that person, if issued a restricted driving
6 permit, may not operate a vehicle unless it has been
7 equipped with an ignition interlock device as defined in
8 Section 1-129.1.

9 (B) If a person's license or permit is revoked or
10 suspended 2 or more times due to any combination of:

11 (i) a single conviction of violating Section
12 11-501 of this Code or a similar provision of a local
13 ordinance or a similar out-of-state offense or Section
14 9-3 of the Criminal Code of 1961 or the Criminal Code
15 of 2012, where the use of alcohol or other drugs is
16 recited as an element of the offense, or a similar
17 out-of-state offense; or

18 (ii) a statutory summary suspension or revocation
19 under Section 11-501.1; or

20 (iii) a suspension under Section 6-203.1;

21 arising out of separate occurrences; that person, if issued
22 a restricted driving permit, may not operate a vehicle
23 unless it has been equipped with an ignition interlock
24 device as defined in Section 1-129.1.

25 (B-5) If a person's license or permit is revoked or
26 suspended due to a conviction for a violation of

1 subparagraph (C) or (F) of paragraph (1) of subsection (d)
2 of Section 11-501 of this Code, or a similar provision of a
3 local ordinance or similar out-of-state offense, that
4 person, if issued a restricted driving permit, may not
5 operate a vehicle unless it has been equipped with an
6 ignition interlock device as defined in Section 1-129.1.

7 (C) The person issued a permit conditioned upon the use
8 of an ignition interlock device must pay to the Secretary
9 of State DUI Administration Fund an amount not to exceed
10 \$30 per month. The Secretary shall establish by rule the
11 amount and the procedures, terms, and conditions relating
12 to these fees.

13 (D) If the restricted driving permit is issued for
14 employment purposes, then the prohibition against
15 operating a motor vehicle that is not equipped with an
16 ignition interlock device does not apply to the operation
17 of an occupational vehicle owned or leased by that person's
18 employer when used solely for employment purposes. For any
19 person who, within a 5-year period, is convicted of a
20 second or subsequent offense under Section 11-501 of this
21 Code, or a similar provision of a local ordinance or
22 similar out-of-state offense, this employment exemption
23 does not apply until either a one-year period has elapsed
24 during which that person had his or her driving privileges
25 revoked or a one-year period has elapsed during which that
26 person had a restricted driving permit which required the

1 use of an ignition interlock device on every motor vehicle
2 owned or operated by that person.

3 (E) In each case the Secretary may issue a restricted
4 driving permit for a period deemed appropriate, except that
5 all permits shall expire no later than 2 years ~~within one~~
6 ~~year~~ from the date of issuance. A restricted driving permit
7 issued under this Section shall be subject to cancellation,
8 revocation, and suspension by the Secretary of State in
9 like manner and for like cause as a driver's license issued
10 under this Code may be cancelled, revoked, or suspended;
11 except that a conviction upon one or more offenses against
12 laws or ordinances regulating the movement of traffic shall
13 be deemed sufficient cause for the revocation, suspension,
14 or cancellation of a restricted driving permit. The
15 Secretary of State may, as a condition to the issuance of a
16 restricted driving permit, require the applicant to
17 participate in a designated driver remedial or
18 rehabilitative program. The Secretary of State is
19 authorized to cancel a restricted driving permit if the
20 permit holder does not successfully complete the program.

21 (F) A person subject to the provisions of paragraph 4
22 of subsection (b) of Section 6-208 of this Code may make
23 application for a restricted driving permit at a hearing
24 conducted under Section 2-118 of this Code after the
25 expiration of 5 years from the effective date of the most
26 recent revocation or after 5 years from the date of release

1 from a period of imprisonment resulting from a conviction
2 of the most recent offense, whichever is later, provided
3 the person, in addition to all other requirements of the
4 Secretary, shows by clear and convincing evidence:

5 (i) a minimum of 3 years of uninterrupted
6 abstinence from alcohol and the unlawful use or
7 consumption of cannabis under the Cannabis Control
8 Act, a controlled substance under the Illinois
9 Controlled Substances Act, an intoxicating compound
10 under the Use of Intoxicating Compounds Act, or
11 methamphetamine under the Methamphetamine Control and
12 Community Protection Act; and

13 (ii) the successful completion of any
14 rehabilitative treatment and involvement in any
15 ongoing rehabilitative activity that may be
16 recommended by a properly licensed service provider
17 according to an assessment of the person's alcohol or
18 drug use under Section 11-501.01 of this Code.

19 In determining whether an applicant is eligible for a
20 restricted driving permit under this subparagraph (F), the
21 Secretary may consider any relevant evidence, including,
22 but not limited to, testimony, affidavits, records, and the
23 results of regular alcohol or drug tests. Persons subject
24 to the provisions of paragraph 4 of subsection (b) of
25 Section 6-208 of this Code and who have been convicted of
26 more than one violation of paragraph (3), paragraph (4), or

1 paragraph (5) of subsection (a) of Section 11-501 of this
2 Code shall not be eligible to apply for a restricted
3 driving permit under this subparagraph (F).

4 A restricted driving permit issued under this
5 subparagraph (F) shall provide that the holder may only
6 operate motor vehicles equipped with an ignition interlock
7 device as required under paragraph (2) of subsection (c) of
8 Section 6-205 of this Code and subparagraph (A) of
9 paragraph 3 of subsection (c) of this Section. The
10 Secretary may revoke a restricted driving permit or amend
11 the conditions of a restricted driving permit issued under
12 this subparagraph (F) if the holder operates a vehicle that
13 is not equipped with an ignition interlock device, or for
14 any other reason authorized under this Code.

15 A restricted driving permit issued under this
16 subparagraph (F) shall be revoked, and the holder barred
17 from applying for or being issued a restricted driving
18 permit in the future, if the holder is convicted of a
19 violation of Section 11-501 of this Code, a similar
20 provision of a local ordinance, or a similar offense in
21 another state.

22 (c-3) In the case of a suspension under paragraph 43 of
23 subsection (a), reports received by the Secretary of State
24 under this Section shall, except during the actual time the
25 suspension is in effect, be privileged information and for use
26 only by the courts, police officers, prosecuting authorities,

1 the driver licensing administrator of any other state, the
2 Secretary of State, or the parent or legal guardian of a driver
3 under the age of 18. However, beginning January 1, 2008, if the
4 person is a CDL holder, the suspension shall also be made
5 available to the driver licensing administrator of any other
6 state, the U.S. Department of Transportation, and the affected
7 driver or motor carrier or prospective motor carrier upon
8 request.

9 (c-4) In the case of a suspension under paragraph 43 of
10 subsection (a), the Secretary of State shall notify the person
11 by mail that his or her driving privileges and driver's license
12 will be suspended one month after the date of the mailing of
13 the notice.

14 (c-5) The Secretary of State may, as a condition of the
15 reissuance of a driver's license or permit to an applicant
16 whose driver's license or permit has been suspended before he
17 or she reached the age of 21 years pursuant to any of the
18 provisions of this Section, require the applicant to
19 participate in a driver remedial education course and be
20 retested under Section 6-109 of this Code.

21 (d) This Section is subject to the provisions of the
22 Drivers License Compact.

23 (e) The Secretary of State shall not issue a restricted
24 driving permit to a person under the age of 16 years whose
25 driving privileges have been suspended or revoked under any
26 provisions of this Code.

1 (f) In accordance with 49 C.F.R. 384, the Secretary of
2 State may not issue a restricted driving permit for the
3 operation of a commercial motor vehicle to a person holding a
4 CDL whose driving privileges have been suspended, revoked,
5 cancelled, or disqualified under any provisions of this Code.

6 (Source: P.A. 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; 98-726,
7 eff. 1-1-15; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15;
8 99-290, eff. 1-1-16; 99-467, eff. 1-1-16; 99-483, eff. 1-1-16;
9 99-607, eff. 7-22-16; 99-642, eff. 7-28-16.)

10 Section 99. Effective date. This Act takes effect January
11 1, 2019.