

1 AMENDMENT TO SENATE BILL 67

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 67, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The State Finance Act is amended by adding  
6 Section 5.595 as follows:

7 (30 ILCS 105/5.595 new)

8 Sec. 5.595. The Secretary of State Immigrant License  
9 Fund.

10 Section 10. The Illinois Vehicle Code is amended by  
11 changing Sections 2-119, 6-106, and 6-118 as follows:

12 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

13 Sec. 2-119. Disposition of fees and taxes.

14 (a) All moneys received from Salvage Certificates shall  
15 be deposited in the Common School Fund in the State Treasury.

16 (b) Beginning January 1, 1990 and concluding December  
17 31, 1994, of the money collected for each certificate of  
18 title, duplicate certificate of title and corrected  
19 certificate of title, \$0.50 shall be deposited into the Used  
20 Tire Management Fund. Beginning January 1, 1990 and

1 concluding December 31, 1994, of the money collected for each  
2 certificate of title, duplicate certificate of title and  
3 corrected certificate of title, \$1.50 shall be deposited in  
4 the Park and Conservation Fund.

5 Beginning January 1, 1995, of the money collected for  
6 each certificate of title, duplicate certificate of title and  
7 corrected certificate of title, \$2 shall be deposited in the  
8 Park and Conservation Fund. The moneys deposited in the Park  
9 and Conservation Fund pursuant to this Section shall be used  
10 for the acquisition and development of bike paths as provided  
11 for in Section 805-420 of the Department of Natural Resources  
12 (Conservation) Law (20 ILCS 805/805-420).

13 Beginning January 1, 2000, of the moneys collected for  
14 each certificate of title, duplicate certificate of title,  
15 and corrected certificate of title, \$48 shall be deposited  
16 into the Road Fund and \$4 shall be deposited into the Motor  
17 Vehicle License Plate Fund, except that if the balance in the  
18 Motor Vehicle License Plate Fund exceeds \$40,000,000 on the  
19 last day of a calendar month, then during the next calendar  
20 month the \$4 shall instead be deposited into the Road Fund.

21 Except as otherwise provided in this Code, all remaining  
22 moneys collected for certificates of title, and all moneys  
23 collected for filing of security interests, shall be placed  
24 in the General Revenue Fund in the State Treasury.

25 (c) All moneys collected for that portion of a driver's  
26 license fee designated for driver education under Section  
27 6-118 shall be placed in the Driver Education Fund in the  
28 State Treasury.

29 (d) Beginning January 1, 1999, of the monies collected  
30 as a registration fee for each motorcycle, motor driven cycle  
31 and motorized pedalcycle, 27% of each annual registration fee  
32 for such vehicle and 27% of each semiannual registration fee  
33 for such vehicle is deposited in the Cycle Rider Safety  
34 Training Fund.

1 (e) Of the monies received by the Secretary of State as  
2 registration fees or taxes or as payment of any other fee, as  
3 provided in this Act, except fees received by the Secretary  
4 under paragraph (7) of subsection (b) of Section 5-101 and  
5 Section 5-109 of this Code, 37% shall be deposited into the  
6 State Construction Fund.

7 (f) Of the total money collected for a CDL instruction  
8 permit or original or renewal issuance of a commercial  
9 driver's license (CDL) pursuant to the Uniform Commercial  
10 Driver's License Act (UCDLA): (i) \$6 of the total fee for an  
11 original or renewal CDL, and \$6 of the total CDL instruction  
12 permit fee when such permit is issued to any person holding a  
13 valid Illinois driver's license, shall be paid into the  
14 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
15 Information System/American Association of Motor Vehicle  
16 Administrators network Trust Fund) and shall be used for the  
17 purposes provided in Section 6z-23 of the State Finance Act  
18 and (ii) \$20 of the total fee for an original or renewal CDL  
19 or commercial driver instruction permit shall be paid into  
20 the Motor Carrier Safety Inspection Fund, which is hereby  
21 created as a special fund in the State Treasury, to be used  
22 by the Department of State Police, subject to appropriation,  
23 to hire additional officers to conduct motor carrier safety  
24 inspections pursuant to Chapter 18b of this Code.

25 (g) All remaining moneys received by the Secretary of  
26 State as registration fees or taxes or as payment of any  
27 other fee, as provided in this Act, except fees received by  
28 the Secretary under paragraph (7)(A) of subsection (b) of  
29 Section 5-101 and Section 5-109 of this Code, shall be  
30 deposited in the Road Fund in the State Treasury. Moneys in  
31 the Road Fund shall be used for the purposes provided in  
32 Section 8.3 of the State Finance Act.

33 (h) (Blank).

34 (i) (Blank).

1 (j) (Blank).

2 (k) There is created in the State Treasury a special  
3 fund to be known as the Secretary of State Special License  
4 Plate Fund. Money deposited into the Fund shall, subject to  
5 appropriation, be used by the Office of the Secretary of  
6 State (i) to help defray plate manufacturing and plate  
7 processing costs for the issuance and, when applicable,  
8 renewal of any new or existing registration plates authorized  
9 under this Code and (ii) for grants made by the Secretary of  
10 State to benefit Illinois Veterans Home libraries.

11 On or before October 1, 1995, the Secretary of State  
12 shall direct the State Comptroller and State Treasurer to  
13 transfer any unexpended balance in the Special Environmental  
14 License Plate Fund, the Special Korean War Veteran License  
15 Plate Fund, and the Retired Congressional License Plate Fund  
16 to the Secretary of State Special License Plate Fund.

17 (l) The Motor Vehicle Review Board Fund is created as a  
18 special fund in the State Treasury. Moneys deposited into  
19 the Fund under paragraph (7) of subsection (b) of Section  
20 5-101 and Section 5-109 shall, subject to appropriation, be  
21 used by the Office of the Secretary of State to administer  
22 the Motor Vehicle Review Board, including without limitation  
23 payment of compensation and all necessary expenses incurred  
24 in administering the Motor Vehicle Review Board under the  
25 Motor Vehicle Franchise Act.

26 (m) Effective July 1, 1996, there is created in the  
27 State Treasury a special fund to be known as the Family  
28 Responsibility Fund. Moneys deposited into the Fund shall,  
29 subject to appropriation, be used by the Office of the  
30 Secretary of State for the purpose of enforcing the Family  
31 Financial Responsibility Law.

32 (n) The Illinois Fire Fighters' Memorial Fund is created  
33 as a special fund in the State Treasury. Moneys deposited  
34 into the Fund shall, subject to appropriation, be used by the

1 Office of the State Fire Marshal for construction of the  
2 Illinois Fire Fighters' Memorial to be located at the State  
3 Capitol grounds in Springfield, Illinois. Upon the  
4 completion of the Memorial, moneys in the Fund shall be used  
5 in accordance with Section 3-634.

6 (o) Of the money collected for each certificate of title  
7 for all-terrain vehicles and off-highway motorcycles, \$17  
8 shall be deposited into the Off-Highway Vehicle Trails Fund.

9 (p) For audits conducted on or after July 1, 2003  
10 pursuant to Section 2-124(d) of this Code, 50% of the money  
11 collected as audit fees shall be deposited into the General  
12 Revenue Fund.

13 (q) The Secretary of State Immigrant License Fund is  
14 created as a special fund in the State treasury. Moneys  
15 deposited into the fund shall, subject to appropriation, be  
16 used by the Secretary of State to pay for the increase in the  
17 costs associated with additional immigrant applicants for  
18 drivers licenses and costs associated with specialized  
19 verification procedures regarding those applicants.

20 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03.)

21 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

22 Sec. 6-106. Application for license or instruction  
23 permit.

24 (a) Every application for any permit or license  
25 authorized to be issued under this Act shall be made upon a  
26 form furnished by the Secretary of State. Every application  
27 shall be accompanied by the proper fee and payment of such  
28 fee shall entitle the applicant to not more than 3 attempts  
29 to pass the examination within a period of 1 year after the  
30 date of application.

31 (b) Every application shall state the name, social  
32 security number, zip code, date of birth, sex, and residence  
33 address of the applicant; briefly describe the applicant;

1 state whether the applicant has theretofore been licensed as  
2 a driver, and, if so, when and by what state or country, and  
3 whether any such license has ever been cancelled, suspended,  
4 revoked or refused, and, if so, the date and reason for such  
5 cancellation, suspension, revocation or refusal; shall  
6 include an affirmation by the applicant that all information  
7 set forth is true and correct; and shall bear the applicant's  
8 signature. The application form may also require the  
9 statement of such additional relevant information as the  
10 Secretary of State shall deem necessary to determine the  
11 applicant's competency and eligibility.

12 The Secretary of State may in his discretion substitute a  
13 federal tax number in lieu of a social security number, or he  
14 may instead assign an additional distinctive number in lieu  
15 thereof, where an applicant is prohibited by bona fide  
16 religious convictions from applying or is exempt from  
17 applying for a social security number. The Secretary of State  
18 shall, however, determine which religious orders or sects  
19 have such bona fide religious convictions. The Secretary of  
20 State shall issue a drivers license to an applicant who is an  
21 immigrant and ineligible for a social security number if the  
22 applicant has (i) provided the Secretary with an individual  
23 tax identification number; (ii) filed with the Secretary, at  
24 the time of application, an affidavit stating that the  
25 applicant is an immigrant and not eligible for a social  
26 security number and that the applicant will file an  
27 application to become a permanent resident of the United  
28 States at the earliest opportunity the applicant is eligible  
29 to do so; (iii) provided a current foreign passport and a  
30 foreign birth certificate; and (iv) surrendered all illegally  
31 obtained forms of drivers licenses or State identification  
32 cards issued to the applicant by the Secretary.  
33 Relinquishment of State issued identification shall be  
34 handled by the Secretary at his or her discretion. The

1 Secretary may also require any combination of additional  
2 documents, as set forth by administrative rule, as sufficient  
3 proof of residency or identification. The foreign passport  
4 and foreign birth certificate and any additional documents  
5 required may be accepted only if: (i) the passport and birth  
6 certificate and any additional documents are difficult to  
7 duplicate and (ii) the passport and birth certificate and any  
8 additional documents are verifiable with the issuing agency.  
9 This amendatory Act of the 93rd General Assembly does not  
10 affect the issuance of any commercial driver's license or  
11 school bus driver's permit under the Illinois Vehicle Code or  
12 any State identification card under the Illinois  
13 Identification Card Act.

14       The Secretary of State may, in his discretion, by rule or  
15 regulation, provide that an application for a drivers license  
16 or permit may include a suitable photograph of the applicant  
17 in the form prescribed by the Secretary, and he may further  
18 provide that each drivers license shall include a photograph  
19 of the driver. The Secretary of State may utilize a  
20 photograph process or system most suitable to deter  
21 alteration or improper reproduction of a drivers license and  
22 to prevent substitution of another photo thereon.

23       (c) The application form shall include a notice to the  
24 applicant of the registration obligations of sex offenders  
25 under the Sex Offender Registration Act. The notice shall be  
26 provided in a form and manner prescribed by the Secretary of  
27 State. For purposes of this subsection (c), "sex offender"  
28 has the meaning ascribed to it in Section 2 of the Sex  
29 Offender Registration Act.

30       (d) Any male United States citizen or immigrant who  
31 applies for any permit or license authorized to be issued  
32 under this Act or for a renewal of any permit or license, and  
33 who is at least 18 years of age but less than 26 years of  
34 age, must be registered in compliance with the requirements

1 of the federal Military Selective Service Act. The Secretary  
 2 of State must forward in an electronic format the necessary  
 3 personal information regarding the applicants identified in  
 4 this subsection (d) to the Selective Service System. The  
 5 applicant's signature on the application serves as an  
 6 indication that the applicant either has already registered  
 7 with the Selective Service System or that he is authorizing  
 8 the Secretary to forward to the Selective Service System the  
 9 necessary information for registration. The Secretary must  
 10 notify the applicant at the time of application that his  
 11 signature constitutes consent to registration with the  
 12 Selective Service System, if he is not already registered.  
 13 (Source: P.A. 92-117, eff. 1-1-02.)

14 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)  
 15 Sec. 6-118. Fees.

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

- 18 Original driver's license
  - 19 issued to a person who has provided
  - 20 the Secretary with his or her social
  - 21 security number or a person who has
  - 22 not provided a social security number
  - 23 for religious reasons or because he or
  - 24 she is exempt from applying for a
  - 25 social security number.....\$10
- 26 Original drivers license issued
  - 27 to a person who has not provided
  - 28 the Secretary with a social security
  - 29 number because the person is an immigrant
  - 30 and is not eligible to receive a
  - 31 social security number.....60
- 32 Original or renewal driver's license
  - 33 issued to 18, 19 and 20 year olds.....5



1 All driver's licenses for persons  
2 age 69 through age 80.....5  
3 All driver's licenses for persons  
4 age 81 through age 86.....2  
5 All driver's licenses for persons  
6 age 87 or older.....0  
7 Renewal driver's license (except for  
8 applicants ages 18, 19 and 20 or  
9 age 69 and older).....10  
10 Original instruction permit issued to  
11 persons (except those age 69 and older)  
12 who do not hold or have not previously  
13 held an Illinois instruction permit or  
14 driver's license.....20  
15 Instruction permit issued to any person  
16 holding an Illinois driver's license  
17 who wishes a change in classifications,  
18 other than at the time of renewal.....5  
19 Any instruction permit issued to a person  
20 age 69 and older.....5  
21 Instruction permit issued to any person,  
22 under age 69, not currently holding a  
23 valid Illinois driver's license or  
24 instruction permit but who has  
25 previously been issued either document  
26 in Illinois.....10  
27 Restricted driving permit.....8  
28 Duplicate or corrected driver's license  
29 or permit.....5  
30 Duplicate or corrected restricted  
31 driving permit.....5  
32 Original or renewal M or L endorsement.....5  
33 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE  
34 The fees for commercial driver licenses and permits

1 under Article V shall be as follows:

2 Commercial driver's license:

3 \$6 for the CDLIS/AAMVAnet Fund  
 4 (Commercial Driver's License Information  
 5 System/American Association of Motor Vehicle  
 6 Administrators network Trust Fund);  
 7 \$20 for the Motor Carrier Safety Inspection Fund;  
 8 \$10 for the driver's license;  
 9 and \$24 for the CDL:.....\$60

10 Renewal commercial driver's license:

11 \$6 for the CDLIS/AAMVAnet Trust Fund;  
 12 \$20 for the Motor Carrier Safety Inspection Fund;  
 13 \$10 for the driver's license; and  
 14 \$24 for the CDL:.....\$60

15 Commercial driver instruction permit

16 issued to any person holding a valid  
 17 Illinois driver's license for the  
 18 purpose of changing to a  
 19 CDL classification: \$6 for the  
 20 CDLIS/AAMVAnet Trust Fund;  
 21 \$20 for the Motor Carrier  
 22 Safety Inspection Fund; and  
 23 \$24 for the CDL classification.....\$50

24 Commercial driver instruction permit

25 issued to any person holding a valid  
 26 Illinois CDL for the purpose of  
 27 making a change in a classification,  
 28 endorsement or restriction.....\$5

29 CDL duplicate or corrected license.....\$5

30 In order to ensure the proper implementation of the  
 31 Uniform Commercial Driver License Act, Article V of this  
 32 Chapter, the Secretary of State is empowered to pro-rate the  
 33 \$24 fee for the commercial driver's license proportionate to  
 34 the expiration date of the applicant's Illinois driver's

1 license.

2 The fee for any duplicate license or permit shall be  
3 waived for any person age 60 or older who presents the  
4 Secretary of State's office with a police report showing that  
5 his license or permit was stolen.

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

11 (b) Any person whose license or privilege to operate a  
12 motor vehicle in this State has been suspended or revoked  
13 under any provision of Chapter 6, Chapter 11, or Section  
14 7-205, 7-303, or 7-702 of the Family Financial Responsibility  
15 Law of this Code, shall in addition to any other fees  
16 required by this Code, pay a reinstatement fee as follows:

- 17 Summary suspension under Section 11-501.1.....\$250
- 18 Other suspension.....\$70
- 19 Revocation.....\$500

20 However, any person whose license or privilege to operate  
21 a motor vehicle in this State has been suspended or revoked  
22 for a second or subsequent time for a violation of Section  
23 11-501 or 11-501.1 of this Code or a similar provision of a  
24 local ordinance or a similar out-of-state offense or Section  
25 9-3 of the Criminal Code of 1961 and each suspension or  
26 revocation was for a violation of Section 11-501 or 11-501.1  
27 of this Code or a similar provision of a local ordinance or a  
28 similar out-of-state offense or Section 9-3 of the Criminal  
29 Code of 1961 shall pay, in addition to any other fees  
30 required by this Code, a reinstatement fee as follows:

- 31 Summary suspension under Section 11-501.1.....\$500
- 32 Revocation.....\$500

33 (c) All fees collected under the provisions of this  
34 Chapter 6 shall be paid into the Road Fund in the State

1 Treasury except as follows:

2 1. The following amounts shall be paid into the  
3 Driver Education Fund:

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

6 (B) \$5 of the \$20 fee for an original driver's  
7 license;

8 (C) \$5 of the \$20 fee for a 4 year renewal  
9 driver's license; and

10 (D) \$4 of the \$8 fee for a restricted driving  
11 permit.

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

25 3. \$6 of such original or renewal fee for a  
26 commercial driver's license and \$6 of the commercial  
27 driver instruction permit fee when such permit is issued  
28 to any person holding a valid Illinois driver's license,  
29 shall be paid into the CDLIS/AAMVAnet Trust Fund.

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

34 5. The \$5 fee for each original or renewal M or L

1 endorsement shall be deposited into the Cycle Rider  
2 Safety Training Fund.

3 6. \$20 of any original or renewal fee for a  
4 commercial driver's license or commercial driver  
5 instruction permit shall be paid into the Motor Carrier  
6 Safety Inspection Fund.

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

9 (A) \$190 of the \$250 reinstatement fee for a  
10 summary suspension under Section 11-501.1;

11 (B) \$40 of the \$70 reinstatement fee for any  
12 other suspension provided in subsection (b) of this  
13 Section; and

14 (C) \$440 of the \$500 reinstatement fee for a  
15 first offense revocation and \$310 of the \$500  
16 reinstatement fee for a second or subsequent  
17 revocation.

18 8. \$50 of any original fee for a driver's license  
19 issued to an immigrant ineligible to receive a social  
20 security number shall be deposited into the Secretary of  
21 State Immigrant License Fund.

22 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04.)

23 Section 99. Effective date. This Act takes effect July  
24 1, 2004."