

1 AN ACT regarding vehicles.

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  
5 changing Section 6-514 as follows:

6 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)  
7 Sec. 6-514. Commercial Driver's License (CDL) -  
8 Disqualifications.

9 (a) A person ~~is shall-be~~ disqualified from driving a  
10 commercial motor vehicle for a period of not less than 12  
11 months for the first violation of:

12 (1) Refusing to submit to or failure to complete a  
13 test or tests to determine the driver's blood  
14 concentration of alcohol, other drug, or both, while  
15 driving a commercial motor vehicle; or

16 (2) Operating a commercial motor vehicle while the  
17 alcohol concentration of the person's blood, breath or  
18 urine is at least 0.04, or any amount of a drug,  
19 substance, or compound in the person's blood or urine  
20 resulting from the unlawful use or consumption of  
21 cannabis listed in the Cannabis Control Act or a  
22 controlled substance listed in the Illinois Controlled  
23 Substances Act as indicated by a police officer's sworn  
24 report or other verified evidence; or

25 (3) Conviction for a first violation of:  
26 (i) Driving a commercial motor vehicle while  
27 under the influence of alcohol, or any other drug,  
28 or combination of drugs to a degree which renders  
29 such person incapable of safely driving; or

30 (ii) Knowingly and wilfully leaving the scene  
31 of an accident while operating a commercial motor

1 vehicle; or

2 (iii) Driving a commercial motor vehicle while  
3 committing any felony.

4 If any of the above violations or refusals occurred  
5 while transporting hazardous material(s) required to be  
6 placarded, the person shall be disqualified for a period  
7 of not less than 3 years.

8 (b) A person is disqualified for life for a second  
9 conviction of any of the offenses specified in paragraph (a),  
10 or any combination of those offenses, arising from 2 or more  
11 separate incidents.

12 (c) A person is disqualified from driving a commercial  
13 motor vehicle for life who uses a commercial motor vehicle in  
14 the commission of any felony involving the manufacture,  
15 distribution, or dispensing of a controlled substance, or  
16 possession with intent to manufacture, distribute or dispense  
17 a controlled substance.

18 (d) The Secretary of State may, when the United States  
19 Secretary of Transportation so authorizes, issue regulations  
20 in which a disqualification for life under paragraph (b) may  
21 be reduced to a period of not less than 10 years. If a  
22 reinstated driver is subsequently convicted of another  
23 disqualifying offense, as specified in subsection (a) of this  
24 Section, he or she shall be permanently disqualified for life  
25 and shall be ineligible to again apply for a reduction of the  
26 lifetime disqualification.

27 (e) A person is disqualified from driving a commercial  
28 motor vehicle for a period of not less than 2 months if  
29 convicted of 2 serious traffic violations, committed in a  
30 commercial motor vehicle, arising from separate incidents,  
31 occurring within a 3 year period. However, a person will be  
32 disqualified from driving a commercial motor vehicle for a  
33 period of not less than 4 months if convicted of 3 serious  
34 traffic violations, committed in a commercial motor vehicle,

1 arising from separate incidents, occurring within a 3 year  
2 period.

3 (f) Notwithstanding any other provision of this Code,  
4 any driver disqualified from operating a commercial motor  
5 vehicle, pursuant to this UCDLA, shall not be eligible for  
6 restoration of commercial driving privileges during any such  
7 period of disqualification.

8 (g) After suspending, revoking, or cancelling a  
9 commercial driver's license, the Secretary of State must  
10 update the driver's records to reflect such action within 10  
11 days. After suspending or revoking the driving privilege of  
12 any person who has been issued a CDL or commercial driver  
13 instruction permit from another jurisdiction, the Secretary  
14 shall originate notification to such issuing jurisdiction  
15 within 10 days.

16 (h) The "disqualifications" referred to in this Section  
17 shall not be imposed upon any commercial motor vehicle  
18 driver, by the Secretary of State, unless the prohibited  
19 action(s) occurred after March 31, 1992.

20 (i) A person is disqualified from driving a commercial  
21 motor vehicle in accordance with the following:

22 (1) For 6 months upon a first conviction of  
23 paragraph (2) of subsection (b) of Section 6-507 of this  
24 Code.

25 (2) For one year upon a second conviction of  
26 paragraph (2) of subsection (b) of Section 6-507 of this  
27 Code within a 10-year period.

28 (3) For 3 years upon a third or subsequent  
29 conviction of paragraph (2) of subsection (b) of Section  
30 6-507 of this Code within a 10-year period.

31 (4) For one year upon a first conviction of  
32 paragraph (3) of subsection (b) of Section 6-507 of this  
33 Code.

34 (5) For 3 years upon a second conviction of

1 paragraph (3) of subsection (b) of Section 6-507 of this  
2 Code within a 10-year period.

3 (6) For 5 years upon a third or subsequent  
4 conviction of paragraph (3) of subsection (b) of Section  
5 6-507 of this Code within a 10-year period.

6 (j) Disqualification for railroad-highway grade crossing  
7 violation.

8 (1) General rule. A driver who is convicted of a  
9 violation of a federal, State, or local law or regulation  
10 pertaining to one of the following 6 offenses at a  
11 railroad-highway grade crossing must be disqualified from  
12 operating a commercial motor vehicle for the period of  
13 time specified in paragraph (2) of this subsection (j) if  
14 the offense was committed while operating a commercial  
15 motor vehicle:

16 (i) For drivers who are not required to always  
17 stop, failing to slow down and check that the tracks  
18 are clear of an approaching train, as described in  
19 subsection (a-5) of Section 11-1201 of this Code;

20 (ii) For drivers who are not required to  
21 always stop, failing to stop before reaching the  
22 crossing, if the tracks are not clear, as described  
23 in subsection (a) of Section 11-1201 of this Code;

24 (iii) For drivers who are always required to  
25 stop, failing to stop before driving onto the  
26 crossing, as described in Section 11-1202 of this  
27 Code;

28 (iv) For all drivers, failing to have  
29 sufficient space to drive completely through the  
30 crossing without stopping, as described in  
31 subsection (b) of Section 11-1425 of this Code;

32 (v) For all drivers, failing to obey a traffic  
33 control device or the directions of an enforcement  
34 official at the crossing, as described in

1 subdivision (a)2 of Section 11-1201 of this Code;

2 (vi) For all drivers, failing to negotiate a  
3 crossing because of insufficient undercarriage  
4 clearance, as described in subsection (d-1) of  
5 Section 11-1201 of this Code.

6 (2) Duration of disqualification for  
7 railroad-highway grade crossing violation.

8 (i) First violation. A driver must be  
9 disqualified from operating a commercial motor  
10 vehicle for not less than 60 days if the driver is  
11 convicted of a violation described in paragraph (1)  
12 of this subsection (j) and, in the three-year period  
13 preceding the conviction, the driver had no  
14 convictions for a violation described in paragraph  
15 (1) of this subsection (j).

16 (ii) Second violation. A driver must be  
17 disqualified from operating a commercial motor  
18 vehicle for not less than 120 days if the driver is  
19 convicted of a violation described in paragraph (1)  
20 of this subsection (j) and, in the three-year period  
21 preceding the conviction, the driver had one other  
22 conviction for a violation described in paragraph  
23 (1) of this subsection (j) that was committed in a  
24 separate incident.

25 (iii) Third or subsequent violation. A driver  
26 must be disqualified from operating a commercial  
27 motor vehicle for not less than one year if the  
28 driver is convicted of a violation described in  
29 paragraph (1) of this subsection (j) and, in the  
30 three-year period preceding the conviction, the  
31 driver had 2 or more other convictions for  
32 violations described in paragraph (1) of this  
33 subsection (j) that were committed in separate  
34 incidents.

1 (Source: P.A. 92-249, eff. 1-1-02; 92-834, eff. 8-22-02.)