**Section 1001.300 Applicability**

a) Lower Level Hearing; No Right to Appeal. This Subpart applies to informal hearings conducted by driver license hearing officers in the Department of Administrative Hearings of the Office of the Secretary of State in various locations throughout Illinois. They are a lower level hearing than the formal hearings conducted pursuant to Subpart A of this Part. There is no appeal from an informal hearing to a formal hearing because the formal hearing is a de novo proceeding. These informal hearings are limited to the consideration of and the making of recommendations on driver's license suspension and revocation matters and the recommendations may include any recommendation able to be made by a formal hearing, except as provided in subsection (b).

b) Petitions Not Subject of Informal Hearings. An informal hearing shall not, however, consider petitions for driving relief in the following cases:

1) the current suspension, revocation or cancellation resulted from an offense, the facts of which involved a death;

2) for the rescission or modification of suspensions or revocations;

3) the petitioner has 2 or more DUI dispositions during the petitioner's lifetime, at least one of which resulted in the current open revocation or suspension of driving privileges;

4) an open revocation entered pursuant to Section 6-206(a)1 of the Code and 92 Ill. Adm. Code 1040.35;

5) for a restricted driving permit after an extension or reimposition of a summary suspension entered pursuant to Section 6-206.1(l) of the Code;

6) a renewal of any restricted driving permit if there were BAIID violations while driving on the restricted driving permit which were not satisfactorily explained to the BAIID Division.

7) any hearing for reinstatement of driving privileges for which a formal hearing was required for issuance of the restricted driving permit;

8) a person subject to a life-time prohibition from making an application for a driver's license under Section 6-208(b)4 of the Code regardless of the nature of the current loss of driving privileges.

c) Jurisdiction of Informal Hearings − Renewal of Permits. An informal hearing may, however, consider, after initial approval or issuance at a formal hearing, a petition for the continuation/renewal of restricted driving permits in the above cases if:

1) a restricted driving permit was granted from a formal hearing;

2) a permit is still in effect or has expired no more than 30 days from the date of the informal hearing;

3) the petitioner has not been subsequently convicted or received court supervision for any of the following offenses: driving under the influence or aggravated driving under the influence, leaving the scene of a fatal or personal injury collision, drag racing, reckless driving, driving while suspended or revoked, fleeing or attempting to elude a peace officer, or any of the felony offenses listed in Section 6-206(a)28 of the Code;

4) the petitioner has driven on the current permit for at least 75% of the length of the permit; and

5) the petitioner is now eligible for and requests the continuation of the previously issued permits.

(Source: Amended at 45 Ill. Reg. 14985, effective November 12, 2021)