**Section 1040.33 Suspension or Revocation of Driver's Licenses/Permits for Fictitious or Unlawfully Altered Disability License Plate or Parking Decal or Device or Fraudulent Disability License Plate or Parking Decal or Device**

a) The Secretary of State has discretionary authority to suspend or revoke the driving privileges of any person upon receipt of evidence that the person has committed one or more of the following offenses listed in IVC Section 6-206:

1) If the person has knowingly possessed any fictitious or unlawfully altered disability license plate or parking decal or device in violation of IVC Section 11-1301.5(b)(1), the Department shall take the following action pursuant to Section 6-206(a)(34) (prior to 7/30/98 authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

2) If the person has knowingly issued or assisted in the issuance of, by the Secretary of State or unit of local government, any fictitious disability license plate or parking decal or device in violation of IVC Section 11-1301.5(b)(2), the Department shall take the following action pursuant to Section 6-206(a)(34) (prior to 7/30/98 the authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

3) If the person has knowingly altered any disability license plate or parking decal or device in violation of IVC Section 11-1301.5(b)(3), the Department shall take the following action pursuant to Section 6-206(a)(34) (prior to 7/30/98 the authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

4) If the person manufactures, possesses, transfers, or provides any documentation used in the application process whether real or fictitious, for the purpose of obtaining a fictitious disability license plate or parking decal or device in violation of IVC Section 11-1301.5(b)(4), the Department shall take the following action pursuant to IVC Section 6-206(a)(34) (prior to 7/30/98 the authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

5) If the person knowingly provides any false information to the Secretary of State or a unit of local government in order to obtain a disability license plate or parking decal or device in violation of IVC Section 11-1301.5(b)(5), the Department shall take the following action pursuant to IVC Section 6-206(a)(34) (prior to 7/30/98 the authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

6) If the person knowingly transfers a disability license plate or parking decal or device for the purpose of exercising the privileges granted to an authorized holder of a disability license plate or parking decal or device under the Illinois Vehicle Code in the absence of the authorized holder in violation of IVC Section 11-1301.5(b)(6), the Department shall take the following action pursuant to IVC Section 6-206(a)(34) (prior to 7/30/98 the authority was IVC Section 6-206(a)(35)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

7) If the person has knowingly possessed any fraudulent disability license plate or parking decal or device in violation of IVC Section 11-1301.6(b)(1), the Department shall take the following action pursuant to IVC Section 6-206(a)(35) (prior to 7/30/98 the authority was IVC Section 6-206(a)(36)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

8) If the person has knowingly possessed without authority any disability license plate or parking decal or device-making implement in violation of IVC Section 11-1301.6(b)(2), the Department shall take the following action pursuant to IVC Section 6-206(a)(35) (prior to 7/30/98 the authority was IVC Section 6-206(a)(36)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

9) If the person knowingly duplicates, manufactures, sells or transfers any fraudulent or stolen disability license plate or parking decal or device in violation of IVC Section 11-1301.6(b)(3), the Department shall take the following action pursuant to IVC Section 6-206(a)(35) (prior to 7/30/98 the authority was IVC Section 6-206(a)(36)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

10) If the person has knowingly assisted in the duplication, manufacture, sales or transfer of any fraudulent or stolen disability license plate or parking decal or device in violation of IVC Section 11-1301.6(b)(4), the Department shall take the following action pursuant to IVC Section 6-206(a)(35) (prior to 7/30/98 the authority was IVC Section 6-206(a)(36)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation; or |

11) If the person has advertised or distributes a fraudulent disability license plate or parking decal or device in violation of IVC Section 11-1301.6(b)(5), the Department shall take the following action pursuant to IVC Section 6-206(a)(35) (prior to 7/30/98 the authority was IVC Section 6-206(a)(36)):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Offenses |  | Action |
| 1st Offense |  | 12-month Suspension |
| 1st Offense (with open or pending revocation) |  | Revocation |
| 2nd or subsequent Offense |  | Revocation. |

b) If the person has been convicted of violating IVC Section 11-1301.3(a-1) for the use of a disabled decal or device, who is not the holder or is not transporting the holder or the person who uses the decal or device for privileges granted, the Department shall take the following action pursuant to IVC Section 6-206(a)(42):

ACTION TABLE

|  |  |  |
| --- | --- | --- |
| Convictions |  | Action |
| 1st Conviction |  | 1-month Suspension if offense occurred prior to 6/1/08 or between 12/31/09 and 6/30/12 |
| 1st Conviction  |  | No action if the arrest occurred between 5/31/08 and 12/30/09 |
| 1st Conviction |  | 6-month Suspensionif offense occurs 7/1/12 or after |
| 1st Conviction (with open or pending revocation) |  | Revocation (arrest date prior to 6/1/08 or after 12/31/09) |
| 2nd Conviction |  | 6-month Suspensionif offense occurred on or prior to 7/1/12 |
| 2nd Conviction |  | 12-month suspension if offense occurred on or after 7/1/12 |
| 2nd Conviction (with open or pending revocation) |  | Revocation |
| 3rd or subsequent Conviction |  | Revocation |

c) The sources of acceptable proof of the offenses described in subsections (a) and (b) are court documents, Department of Vehicle Services applications, Driver Services facility applications, government entity documents and law enforcement correspondence/reports.

(Source: Amended at 36 Ill. Reg. 11211, effective July 5, 2012)