



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB2829

by Rep. Charles Meier

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-707  
625 ILCS 5/6-205

from Ch. 95 1/2, par. 3-707

Amends the Illinois Vehicle Code. Provides that uninsured operation of a motor vehicle causing great bodily harm, permanent disability, or death to another person is a Class 4 felony, with a minimum fine of \$10,000 and a driver's license revocation for one year. Provides that a second or subsequent violation of operation of a motor vehicle resulting in great bodily harm, permanent disability, or death to another person is a Class 3 felony, with a minimum fine of \$20,000 and a lifetime driving privilege revocation. Provides that if a person convicted of uninsured operation of a motor vehicle resulting in great bodily harm, permanent disability, or death to another person has previously been convicted of one or more violations of driving without liability insurance, a fine of \$3,000 (rather than \$2,500) shall be imposed. Makes conforming changes.

LRB100 07390 AXK 17454 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

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 3-707 and 6-205 as follows:

6 (625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

7 Sec. 3-707. Operation of uninsured motor vehicle - penalty.

8 (a) No person shall operate a motor vehicle unless the  
9 motor vehicle is covered by a liability insurance policy in  
10 accordance with Section 7-601 of this Code.

11 (a-5) A person commits the offense of operation of  
12 uninsured motor vehicle causing great bodily harm, permanent  
13 disability, or death when the person:

14 (1) operates a motor vehicle in violation of Section  
15 7-601 of this Code; and

16 (2) causes, as a proximate result of the person's  
17 operation of the motor vehicle, great bodily harm, ,  
18 permanent disability, or death to another person.

19 (a-6) Uninsured operation of a motor vehicle under  
20 subsection (a-5) is a Class 4 felony with a minimum fine of  
21 \$10,000 ~~A misdemeanor~~. If a person is convicted of the offense  
22 of operation of a motor vehicle for a second or subsequent  
23 violation ~~under subsection (a-5) has previously been convicted~~

1 ~~of 2 or more violations~~ of subsection (a-5) of this Section, he  
2 or she is guilty of a Class 3 felony, and shall be fined a  
3 minimum of \$20,000. If a person convicted of the offense of  
4 operation of a motor vehicle under subsection (a-5) has  
5 previously been convicted of one or more violations ~~or~~ of  
6 Section 7-601 of this Code, a fine of \$3,000 ~~\$2,500~~, in  
7 addition to any sentence of incarceration, must be imposed.

8 (b) Any person who fails to comply with a request by a law  
9 enforcement officer for display of evidence of insurance, as  
10 required under Section 7-602 of this Code, shall be deemed to  
11 be operating an uninsured motor vehicle.

12 (c) Except as provided in subsections (a-6) and (c-5), any  
13 operator of a motor vehicle subject to registration under this  
14 Code who is convicted of violating this Section is guilty of a  
15 petty offense and shall be required to pay a fine in excess of  
16 \$500, but not more than \$1,000, except a person convicted of a  
17 second ~~third~~ or subsequent violation of this Section shall be  
18 guilty of a business offense and shall be required to pay a  
19 fine of \$1,000. However, no person charged with violating this  
20 Section shall be convicted if such person produces in court  
21 satisfactory evidence that at the time of the arrest the motor  
22 vehicle was covered by a liability insurance policy in  
23 accordance with Section 7-601 of this Code. The chief judge of  
24 each circuit may designate an officer of the court to review  
25 the documentation demonstrating that at the time of arrest the  
26 motor vehicle was covered by a liability insurance policy in

1 accordance with Section 7-601 of this Code.

2 (c-1) Except for subsection (a-5), a ~~A~~ person convicted of  
3 violating this Section shall also have his or her driver's  
4 license, permit, or privileges suspended for 3 months. After  
5 the expiration of the 3 months, the person's driver's license,  
6 permit, or privileges shall not be reinstated until he or she  
7 has paid a reinstatement fee of \$100. A person convicted of  
8 violating subsection (a-5) for a first violation shall have his  
9 or her driver's license, permit, or privileges revoked for one  
10 year. For a second or subsequent violation of subsection (a-5),  
11 he or she shall be subject to lifetime revocation of driving  
12 privileges. If a person violates this Section while his or her  
13 driver's license, permit, or privileges are suspended under  
14 this subsection (c-1), his or her driver's license, permit, or  
15 privileges shall be suspended for an additional 6 months and  
16 until he or she pays the reinstatement fee.

17 (c-5) A person who (i) has not previously been convicted of  
18 or received a disposition of court supervision for violating  
19 this Section and (ii) produces at his or her court appearance  
20 satisfactory evidence that the motor vehicle is covered, as of  
21 the date of the court appearance, by a liability insurance  
22 policy in accordance with Section 7-601 of this Code shall, for  
23 a violation of this Section, other than a violation of  
24 subsection (a-5), pay a fine of \$100 and receive a disposition  
25 of court supervision. The person must, on the date that the  
26 period of court supervision is scheduled to terminate, produce

1 satisfactory evidence that the vehicle was covered by the  
2 required liability insurance policy during the entire period of  
3 court supervision.

4 An officer of the court designated under subsection (c) may  
5 also review liability insurance documentation under this  
6 subsection (c-5) to determine if the motor vehicle is, as of  
7 the date of the court appearance, covered by a liability  
8 insurance policy in accordance with Section 7-601 of this Code.  
9 The officer of the court shall also determine, on the date the  
10 period of court supervision is scheduled to terminate, whether  
11 the vehicle was covered by the required policy during the  
12 entire period of court supervision.

13 (d) A person convicted a third or subsequent time of  
14 violating this Section or a similar provision of a local  
15 ordinance must give proof to the Secretary of State of the  
16 person's financial responsibility as defined in Section 7-315.  
17 The person must maintain the proof in a manner satisfactory to  
18 the Secretary for a minimum period of 3 years after the date  
19 the proof is first filed. The Secretary must suspend the  
20 driver's license of any person determined by the Secretary not  
21 to have provided adequate proof of financial responsibility as  
22 required by this subsection.

23 (Source: P.A. 99-613, eff. 1-1-17.)

24 (625 ILCS 5/6-205)

25 Sec. 6-205. Mandatory revocation of license or permit;

1 Hardship cases.

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

6 1. Reckless homicide resulting from the operation of a  
7 motor vehicle;

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

14 3. Any felony under the laws of any State or the  
15 federal government in the commission of which a motor  
16 vehicle was used;

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

20 5. Perjury or the making of a false affidavit or  
21 statement under oath to the Secretary of State under this  
22 Code or under any other law relating to the ownership or  
23 operation of motor vehicles;

24 6. Conviction upon 3 charges of violation of Section  
25 11-503 of this Code relating to the offense of reckless  
26 driving committed within a period of 12 months;

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

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

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

6           10. Violation of Section 12-5 of the Criminal Code of  
7 1961 or the Criminal Code of 2012 arising from the use of a  
8 motor vehicle;

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

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

16           13. Violation of paragraph (a) of Section 11-502 of  
17 this Code or a similar provision of a local ordinance if  
18 the driver has been previously convicted of a violation of  
19 that Section or a similar provision of a local ordinance  
20 and the driver was less than 21 years of age at the time of  
21 the offense;

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

25           15. A second or subsequent conviction of driving while  
26 the person's driver's license, permit or privileges was

1           revoked for reckless homicide or a similar out-of-state  
2           offense;

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

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

14          18. A second or subsequent conviction of illegal  
15          possession, while operating or in actual physical control,  
16          as a driver, of a motor vehicle, of any controlled  
17          substance prohibited under the Illinois Controlled  
18          Substances Act, any cannabis prohibited under the Cannabis  
19          Control Act, or any methamphetamine prohibited under the  
20          Methamphetamine Control and Community Protection Act. A  
21          defendant found guilty of this offense while operating a  
22          motor vehicle shall have an entry made in the court record  
23          by the presiding judge that this offense did occur while  
24          the defendant was operating a motor vehicle and order the  
25          clerk of the court to report the violation to the Secretary  
26          of State;=



1           19. Conviction of an offense under subsection (a-5) of  
2           Section 3-707 of this Code relating to the operation of an  
3           uninsured motor vehicle causing great bodily harm,  
4           permanent disability, or death to another person. A second  
5           or subsequent conviction of an offense under subsection  
6           (a-5) of Section 3-707 of this Code shall result in a  
7           lifetime revocation of driving privileges.

8           (b) The Secretary of State shall also immediately revoke  
9           the license or permit of any driver in the following  
10          situations:

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

16           2. Of any person when any other law of this State  
17           requires either the revocation or suspension of a license  
18           or permit;

19           3. Of any person adjudicated under the Juvenile Court  
20           Act of 1987 based on an offense determined to have been  
21           committed in furtherance of the criminal activities of an  
22           organized gang as provided in Section 5-710 of that Act,  
23           and that involved the operation or use of a motor vehicle  
24           or the use of a driver's license or permit. The revocation  
25           shall remain in effect for the period determined by the  
26           court.

1           (c)(1) Whenever a person is convicted of any of the  
2 offenses enumerated in this Section, the court may recommend  
3 and the Secretary of State in his discretion, without regard to  
4 whether the recommendation is made by the court may, upon  
5 application, issue to the person a restricted driving permit  
6 granting the privilege of driving a motor vehicle between the  
7 petitioner's residence and petitioner's place of employment or  
8 within the scope of the petitioner's employment related duties,  
9 or to allow the petitioner to transport himself or herself or a  
10 family member of the petitioner's household to a medical  
11 facility for the receipt of necessary medical care or to allow  
12 the petitioner to transport himself or herself to and from  
13 alcohol or drug remedial or rehabilitative activity  
14 recommended by a licensed service provider, or to allow the  
15 petitioner to transport himself or herself or a family member  
16 of the petitioner's household to classes, as a student, at an  
17 accredited educational institution, or to allow the petitioner  
18 to transport children, elderly persons, or persons with  
19 disabilities who do not hold driving privileges and are living  
20 in the petitioner's household to and from daycare; if the  
21 petitioner is able to demonstrate that no alternative means of  
22 transportation is reasonably available and that the petitioner  
23 will not endanger the public safety or welfare; provided that  
24 the Secretary's discretion shall be limited to cases where  
25 undue hardship, as defined by the rules of the Secretary of  
26 State, would result from a failure to issue the restricted

1 driving permit.

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

12 (A) a minimum of 3 years of uninterrupted  
13 abstinence from alcohol and the unlawful use or  
14 consumption of cannabis under the Cannabis Control  
15 Act, a controlled substance under the Illinois  
16 Controlled Substances Act, an intoxicating compound  
17 under the Use of Intoxicating Compounds Act, or  
18 methamphetamine under the Methamphetamine Control and  
19 Community Protection Act; and

20 (B) the successful completion of any  
21 rehabilitative treatment and involvement in any  
22 ongoing rehabilitative activity that may be  
23 recommended by a properly licensed service provider  
24 according to an assessment of the person's alcohol or  
25 drug use under Section 11-501.01 of this Code.

26 In determining whether an applicant is eligible for a

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

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

22 A restricted driving permit issued under this  
23 paragraph (1.5) shall be revoked, and the holder barred  
24 from applying for or being issued a restricted driving  
25 permit in the future, if the holder is subsequently  
26 convicted of a violation of Section 11-501 of this Code, a

1 similar provision of a local ordinance, or a similar  
2 offense in another state.

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

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

1 (iii) a suspension pursuant to Section  
2 6-203.1;

3 arising out of separate occurrences; or

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

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

15 (4) The person issued a permit conditioned on the use  
16 of an ignition interlock device must pay to the Secretary  
17 of State DUI Administration Fund an amount not to exceed  
18 \$30 per month. The Secretary shall establish by rule the  
19 amount and the procedures, terms, and conditions relating  
20 to these fees.

21 (5) If the restricted driving permit is issued for  
22 employment purposes, then the prohibition against  
23 operating a motor vehicle that is not equipped with an  
24 ignition interlock device does not apply to the operation  
25 of an occupational vehicle owned or leased by that person's  
26 employer when used solely for employment purposes. For any

1 person who, within a 5-year period, is convicted of a  
2 second or subsequent offense under Section 11-501 of this  
3 Code, or a similar provision of a local ordinance or  
4 similar out-of-state offense, this employment exemption  
5 does not apply until either a one-year period has elapsed  
6 during which that person had his or her driving privileges  
7 revoked or a one-year period has elapsed during which that  
8 person had a restricted driving permit which required the  
9 use of an ignition interlock device on every motor vehicle  
10 owned or operated by that person.

11 (6) In each case the Secretary of State may issue a  
12 restricted driving permit for a period he deems  
13 appropriate, except that the permit shall expire within one  
14 year from the date of issuance. A restricted driving permit  
15 issued under this Section shall be subject to cancellation,  
16 revocation, and suspension by the Secretary of State in  
17 like manner and for like cause as a driver's license issued  
18 under this Code may be cancelled, revoked, or suspended;  
19 except that a conviction upon one or more offenses against  
20 laws or ordinances regulating the movement of traffic shall  
21 be deemed sufficient cause for the revocation, suspension,  
22 or cancellation of a restricted driving permit. The  
23 Secretary of State may, as a condition to the issuance of a  
24 restricted driving permit, require the petitioner to  
25 participate in a designated driver remedial or  
26 rehabilitative program. The Secretary of State is

1 authorized to cancel a restricted driving permit if the  
2 permit holder does not successfully complete the program.  
3 However, if an individual's driving privileges have been  
4 revoked in accordance with paragraph 13 of subsection (a)  
5 of this Section, no restricted driving permit shall be  
6 issued until the individual has served 6 months of the  
7 revocation period.

8 (c-5) (Blank).

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

21 (c-7) If a person is convicted of a third or subsequent  
22 violation of operating a motor vehicle while the person's  
23 driver's license, permit or privilege was revoked, where the  
24 revocation was for a violation of Section 9-3 of the Criminal  
25 Code of 1961 or the Criminal Code of 2012 relating to the  
26 offense of reckless homicide or a similar out-of-state offense,



1 the person may never apply for a license or permit.

2 (d) (1) Whenever a person under the age of 21 is convicted  
3 under Section 11-501 of this Code or a similar provision of a  
4 local ordinance or a similar out-of-state offense, the  
5 Secretary of State shall revoke the driving privileges of that  
6 person. One year after the date of revocation, and upon  
7 application, the Secretary of State may, if satisfied that the  
8 person applying will not endanger the public safety or welfare,  
9 issue a restricted driving permit granting the privilege of  
10 driving a motor vehicle only between the hours of 5 a.m. and 9  
11 p.m. or as otherwise provided by this Section for a period of  
12 one year. After this one-year period, and upon reapplication  
13 for a license as provided in Section 6-106, upon payment of the  
14 appropriate reinstatement fee provided under paragraph (b) of  
15 Section 6-118, the Secretary of State, in his discretion, may  
16 reinstate the petitioner's driver's license and driving  
17 privileges, or extend the restricted driving permit as many  
18 times as the Secretary of State deems appropriate, by  
19 additional periods of not more than 12 months each.

20 (2) If a person's license or permit is revoked or  
21 suspended due to 2 or more convictions of violating Section  
22 11-501 of this Code or a similar provision of a local  
23 ordinance or a similar out-of-state offense, or Section 9-3  
24 of the Criminal Code of 1961 or the Criminal Code of 2012,  
25 where the use of alcohol or other drugs is recited as an  
26 element of the offense, or a similar out-of-state offense,

1 or a combination of these offenses, arising out of separate  
2 occurrences, that person, if issued a restricted driving  
3 permit, may not operate a vehicle unless it has been  
4 equipped with an ignition interlock device as defined in  
5 Section 1-129.1.

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

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

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

17 (C) a suspension pursuant to Section 6-203.1;

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

22 (3.5) If a person's license or permit is revoked or  
23 suspended due to a conviction for a violation of  
24 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
25 of Section 11-501 of this Code, or a similar provision of a  
26 local ordinance or similar out-of-state offense, that

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

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

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

26 (6) A restricted driving permit issued under this

1 Section shall be subject to cancellation, revocation, and  
2 suspension by the Secretary of State in like manner and for  
3 like cause as a driver's license issued under this Code may  
4 be cancelled, revoked, or suspended; except that a  
5 conviction upon one or more offenses against laws or  
6 ordinances regulating the movement of traffic shall be  
7 deemed sufficient cause for the revocation, suspension, or  
8 cancellation of a restricted driving permit.

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

18 (e) This Section is subject to the provisions of the Driver  
19 License Compact.

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

24 (g) The Secretary of State shall not issue a restricted  
25 driving permit to a person under the age of 16 years whose  
26 driving privileges have been revoked under any provisions of

1 this Code.

2 (h) The Secretary of State shall require the use of  
3 ignition interlock devices for a period not less than 5 years  
4 on all vehicles owned by a person who has been convicted of a  
5 second or subsequent offense under Section 11-501 of this Code  
6 or a similar provision of a local ordinance. The person must  
7 pay to the Secretary of State DUI Administration Fund an amount  
8 not to exceed \$30 for each month that he or she uses the  
9 device. The Secretary shall establish by rule and regulation  
10 the procedures for certification and use of the interlock  
11 system, the amount of the fee, and the procedures, terms, and  
12 conditions relating to these fees. During the time period in  
13 which a person is required to install an ignition interlock  
14 device under this subsection (h), that person shall only  
15 operate vehicles in which ignition interlock devices have been  
16 installed, except as allowed by subdivision (c) (5) or (d) (5) of  
17 this Section.

18 (i) (Blank).

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

24 (k) The Secretary of State shall notify by mail any person  
25 whose driving privileges have been revoked under paragraph 16  
26 of subsection (a) of this Section that his or her driving

1 privileges and driver's license will be revoked 90 days from  
2 the date of the mailing of the notice.

3 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;  
4 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;  
5 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff.  
6 7-28-16.)