



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3752

by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-205
625 ILCS 5/6-206
625 ILCS 5/6-208

from Ch. 95 1/2, par. 6-208

Amends the Illinois Vehicle Code. Provides that as a condition to an issuance of a restricted driving permit or a reissuance of a revoked driver's license, the Secretary of State shall require the person to participate in a behavioral-based driver retraining program. Removes authority of the Secretary to cancel a restricted driving permit if the permit holder does not subsequently complete the program. Provides that upon notice of suspension of a person's driver's license, the Secretary shall give the person an option to complete a behavioral-based driver retraining program within 45 days of notice, the completion of which shall terminate the license suspension if the Secretary receives the necessary documentation from the driver retraining course provider and the person does not commit a similar driving offense within 6 months of the notice.

LRB100 08959 AXK 19105 b

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 6-205, 6-206, and 6-208 as follows:

6 (625 ILCS 5/6-205)

7 Sec. 6-205. Mandatory revocation of license or permit;
8 Hardship cases.

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

13 1. Reckless homicide resulting from the operation of a
14 motor vehicle;

15 2. Violation of Section 11-501 of this Code or a
16 similar provision of a local ordinance relating to the
17 offense of operating or being in physical control of a
18 vehicle while under the influence of alcohol, other drug or
19 drugs, intoxicating compound or compounds, or any
20 combination thereof;

21 3. Any felony under the laws of any State or the
22 federal government in the commission of which a motor
23 vehicle was used;

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

4 5. Perjury or the making of a false affidavit or
5 statement under oath to the Secretary of State under this
6 Code or under any other law relating to the ownership or
7 operation of motor vehicles;

8 6. Conviction upon 3 charges of violation of Section
9 11-503 of this Code relating to the offense of reckless
10 driving committed within a period of 12 months;

11 7. Conviction of any offense defined in Section 4-102
12 of this Code;

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

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

16 10. Violation of Section 12-5 of the Criminal Code of
17 1961 or the Criminal Code of 2012 arising from the use of a
18 motor vehicle;

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

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

26 13. Violation of paragraph (a) of Section 11-502 of

1 this Code or a similar provision of a local ordinance if
2 the driver has been previously convicted of a violation of
3 that Section or a similar provision of a local ordinance
4 and the driver was less than 21 years of age at the time of
5 the offense;

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

9 15. A second or subsequent conviction of driving while
10 the person's driver's license, permit or privileges was
11 revoked for reckless homicide or a similar out-of-state
12 offense;

13 16. Any offense against any provision in this Code, or
14 any local ordinance, regulating the movement of traffic
15 when that offense was the proximate cause of the death of
16 any person. Any person whose driving privileges have been
17 revoked pursuant to this paragraph may seek to have the
18 revocation terminated or to have the length of revocation
19 reduced by requesting an administrative hearing with the
20 Secretary of State prior to the projected driver's license
21 application eligibility date;

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

24 18. A second or subsequent conviction of illegal
25 possession, while operating or in actual physical control,
26 as a driver, of a motor vehicle, of any controlled

1 substance prohibited under the Illinois Controlled
2 Substances Act, any cannabis prohibited under the Cannabis
3 Control Act, or any methamphetamine prohibited under the
4 Methamphetamine Control and Community Protection Act. A
5 defendant found guilty of this offense while operating a
6 motor vehicle shall have an entry made in the court record
7 by the presiding judge that this offense did occur while
8 the defendant was operating a motor vehicle and order the
9 clerk of the court to report the violation to the Secretary
10 of State.

11 (b) The Secretary of State shall also immediately revoke
12 the license or permit of any driver in the following
13 situations:

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

19 2. Of any person when any other law of this State
20 requires either the revocation or suspension of a license
21 or permit;

22 3. Of any person adjudicated under the Juvenile Court
23 Act of 1987 based on an offense determined to have been
24 committed in furtherance of the criminal activities of an
25 organized gang as provided in Section 5-710 of that Act,
26 and that involved the operation or use of a motor vehicle

1 or the use of a driver's license or permit. The revocation
2 shall remain in effect for the period determined by the
3 court.

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

1 the Secretary's discretion shall be limited to cases where
2 undue hardship, as defined by the rules of the Secretary of
3 State, would result from a failure to issue the restricted
4 driving permit.

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

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

23 (B) the successful completion of any
24 rehabilitative treatment and involvement in any
25 ongoing rehabilitative activity that may be
26 recommended by a properly licensed service provider

1 according to an assessment of the person's alcohol or
2 drug use under Section 11-501.01 of this Code.

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

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

25 A restricted driving permit issued under this
26 paragraph (1.5) shall be revoked, and the holder barred

1 from applying for or being issued a restricted driving
2 permit in the future, if the holder is subsequently
3 convicted of a violation of Section 11-501 of this Code, a
4 similar provision of a local ordinance, or a similar
5 offense in another state.

6 (2) If a person's license or permit is revoked or
7 suspended due to 2 or more convictions of violating Section
8 11-501 of this Code or a similar provision of a local
9 ordinance or a similar out-of-state offense, or Section 9-3
10 of the Criminal Code of 1961 or the Criminal Code of 2012,
11 where the use of alcohol or other drugs is recited as an
12 element of the offense, or a similar out-of-state offense,
13 or a combination of these offenses, arising out of separate
14 occurrences, that person, if issued a restricted driving
15 permit, may not operate a vehicle unless it has been
16 equipped with an ignition interlock device as defined in
17 Section 1-129.1.

18 (3) If:

19 (A) a person's license or permit is revoked or
20 suspended 2 or more times due to any combination of:

21 (i) a single conviction of violating Section
22 11-501 of this Code or a similar provision of a
23 local ordinance or a similar out-of-state offense,
24 or Section 9-3 of the Criminal Code of 1961 or the
25 Criminal Code of 2012, where the use of alcohol or
26 other drugs is recited as an element of the

1 offense, or a similar out-of-state offense; or
2 (ii) a statutory summary suspension or
3 revocation under Section 11-501.1; or
4 (iii) a suspension pursuant to Section
5 6-203.1;

6 arising out of separate occurrences; or

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

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

18 (4) The person issued a permit conditioned on the use
19 of an ignition interlock device must pay to the Secretary
20 of State DUI Administration Fund an amount not to exceed
21 \$30 per month. The Secretary shall establish by rule the
22 amount and the procedures, terms, and conditions relating
23 to these fees.

24 (5) If the restricted driving permit is issued for
25 employment purposes, then the prohibition against
26 operating a motor vehicle that is not equipped with an

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

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

1 issuance of a restricted driving permit, require the
2 petitioner to participate in a behavioral-based driver
3 retraining program ~~designated driver remedial or~~
4 ~~rehabilitative program. The Secretary of State is~~
5 ~~authorized to cancel a restricted driving permit if the~~
6 ~~permit holder does not successfully complete the program.~~

7 However, if an individual's driving privileges have been
8 revoked in accordance with paragraph 13 of subsection (a)
9 of this Section, no restricted driving permit shall be
10 issued until the individual has served 6 months of the
11 revocation period.

12 (c-5) (Blank).

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

25 (c-7) If a person is convicted of a third or subsequent
26 violation of operating a motor vehicle while the person's

1 driver's license, permit or privilege was revoked, where the
2 revocation was for a violation of Section 9-3 of the Criminal
3 Code of 1961 or the Criminal Code of 2012 relating to the
4 offense of reckless homicide or a similar out-of-state offense,
5 the person may never apply for a license or permit.

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

24 (2) If a person's license or permit is revoked or
25 suspended due to 2 or more convictions of violating Section
26 11-501 of this Code or a similar provision of a local

1 ordinance or a similar out-of-state offense, or Section 9-3
2 of the Criminal Code of 1961 or the Criminal Code of 2012,
3 where the use of alcohol or other drugs is recited as an
4 element of the offense, or a similar out-of-state offense,
5 or a combination of these offenses, arising out of separate
6 occurrences, that person, if issued a restricted driving
7 permit, may not operate a vehicle unless it has been
8 equipped with an ignition interlock device as defined in
9 Section 1-129.1.

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

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

19 (B) a statutory summary suspension or revocation
20 under Section 11-501.1; or

21 (C) a suspension pursuant to Section 6-203.1;
22 arising out of separate occurrences, that person, if issued
23 a restricted driving permit, may not operate a vehicle
24 unless it has been equipped with an ignition interlock
25 device as defined in Section 1-129.1.

26 (3.5) If a person's license or permit is revoked or

1 suspended due to a conviction for a violation of
2 subparagraph (C) or (F) of paragraph (1) of subsection (d)
3 of Section 11-501 of this Code, or a similar provision of a
4 local ordinance or similar out-of-state offense, that
5 person, if issued a restricted driving permit, may not
6 operate a vehicle unless it has been equipped with an
7 ignition interlock device as defined in Section 1-129.1.

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

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

1 restricted driving permit which required the use of an
2 ignition interlock device on every motor vehicle owned or
3 operated by that person.

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

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

22 (e) This Section is subject to the provisions of the Driver
23 License Compact.

24 (f) Any revocation imposed upon any person under
25 subsections 2 and 3 of paragraph (b) that is in effect on
26 December 31, 1988 shall be converted to a suspension for a like

1 period of time.

2 (g) The Secretary of State shall not issue a restricted
3 driving permit to a person under the age of 16 years whose
4 driving privileges have been revoked under any provisions of
5 this Code.

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

22 (i) (Blank).

23 (j) In accordance with 49 C.F.R. 384, the Secretary of
24 State may not issue a restricted driving permit for the
25 operation of a commercial motor vehicle to a person holding a
26 CDL whose driving privileges have been revoked, suspended,

1 cancelled, or disqualified under any provisions of this Code.

2 (k) The Secretary of State shall notify by mail any person
3 whose driving privileges have been revoked under paragraph 16
4 of subsection (a) of this Section that his or her driving
5 privileges and driver's license will be revoked 90 days from
6 the date of the mailing of the notice.

7 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
8 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
9 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff.
10 7-28-16.)

11 (625 ILCS 5/6-206)

12 Sec. 6-206. Discretionary authority to suspend or revoke
13 license or permit; right to a hearing.

14 (a) The Secretary of State is authorized to suspend or
15 revoke the driving privileges of any person without preliminary
16 hearing upon a showing of the person's records or other
17 sufficient evidence that the person:

18 1. Has committed an offense for which mandatory
19 revocation of a driver's license or permit is required upon
20 conviction;

21 2. Has been convicted of not less than 3 offenses
22 against traffic regulations governing the movement of
23 vehicles committed within any 12 month period. No
24 revocation or suspension shall be entered more than 6
25 months after the date of last conviction;

1 3. Has been repeatedly involved as a driver in motor
2 vehicle collisions or has been repeatedly convicted of
3 offenses against laws and ordinances regulating the
4 movement of traffic, to a degree that indicates lack of
5 ability to exercise ordinary and reasonable care in the
6 safe operation of a motor vehicle or disrespect for the
7 traffic laws and the safety of other persons upon the
8 highway;

9 4. Has by the unlawful operation of a motor vehicle
10 caused or contributed to an accident resulting in injury
11 requiring immediate professional treatment in a medical
12 facility or doctor's office to any person, except that any
13 suspension or revocation imposed by the Secretary of State
14 under the provisions of this subsection shall start no
15 later than 6 months after being convicted of violating a
16 law or ordinance regulating the movement of traffic, which
17 violation is related to the accident, or shall start not
18 more than one year after the date of the accident,
19 whichever date occurs later;

20 5. Has permitted an unlawful or fraudulent use of a
21 driver's license, identification card, or permit;

22 6. Has been lawfully convicted of an offense or
23 offenses in another state, including the authorization
24 contained in Section 6-203.1, which if committed within
25 this State would be grounds for suspension or revocation;

26 7. Has refused or failed to submit to an examination

1 provided for by Section 6-207 or has failed to pass the
2 examination;

3 8. Is ineligible for a driver's license or permit under
4 the provisions of Section 6-103;

5 9. Has made a false statement or knowingly concealed a
6 material fact or has used false information or
7 identification in any application for a license,
8 identification card, or permit;

9 10. Has possessed, displayed, or attempted to
10 fraudulently use any license, identification card, or
11 permit not issued to the person;

12 11. Has operated a motor vehicle upon a highway of this
13 State when the person's driving privilege or privilege to
14 obtain a driver's license or permit was revoked or
15 suspended unless the operation was authorized by a
16 monitoring device driving permit, judicial driving permit
17 issued prior to January 1, 2009, probationary license to
18 drive, or a restricted driving permit issued under this
19 Code;

20 12. Has submitted to any portion of the application
21 process for another person or has obtained the services of
22 another person to submit to any portion of the application
23 process for the purpose of obtaining a license,
24 identification card, or permit for some other person;

25 13. Has operated a motor vehicle upon a highway of this
26 State when the person's driver's license or permit was

1 invalid under the provisions of Sections 6-107.1 and 6-110;

2 14. Has committed a violation of Section 6-301,
3 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
4 14B of the Illinois Identification Card Act;

5 15. Has been convicted of violating Section 21-2 of the
6 Criminal Code of 1961 or the Criminal Code of 2012 relating
7 to criminal trespass to vehicles in which case, the
8 suspension shall be for one year;

9 16. Has been convicted of violating Section 11-204 of
10 this Code relating to fleeing from a peace officer;

11 17. Has refused to submit to a test, or tests, as
12 required under Section 11-501.1 of this Code and the person
13 has not sought a hearing as provided for in Section
14 11-501.1;

15 18. Has, since issuance of a driver's license or
16 permit, been adjudged to be afflicted with or suffering
17 from any mental disability or disease;

18 19. Has committed a violation of paragraph (a) or (b)
19 of Section 6-101 relating to driving without a driver's
20 license;

21 20. Has been convicted of violating Section 6-104
22 relating to classification of driver's license;

23 21. Has been convicted of violating Section 11-402 of
24 this Code relating to leaving the scene of an accident
25 resulting in damage to a vehicle in excess of \$1,000, in
26 which case the suspension shall be for one year;

1 22. Has used a motor vehicle in violating paragraph
2 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
3 the Criminal Code of 1961 or the Criminal Code of 2012
4 relating to unlawful use of weapons, in which case the
5 suspension shall be for one year;

6 23. Has, as a driver, been convicted of committing a
7 violation of paragraph (a) of Section 11-502 of this Code
8 for a second or subsequent time within one year of a
9 similar violation;

10 24. Has been convicted by a court-martial or punished
11 by non-judicial punishment by military authorities of the
12 United States at a military installation in Illinois or in
13 another state of or for a traffic related offense that is
14 the same as or similar to an offense specified under
15 Section 6-205 or 6-206 of this Code;

16 25. Has permitted any form of identification to be used
17 by another in the application process in order to obtain or
18 attempt to obtain a license, identification card, or
19 permit;

20 26. Has altered or attempted to alter a license or has
21 possessed an altered license, identification card, or
22 permit;

23 27. Has violated Section 6-16 of the Liquor Control Act
24 of 1934;

25 28. Has been convicted for a first time of the illegal
26 possession, while operating or in actual physical control,

1 as a driver, of a motor vehicle, of any controlled
2 substance prohibited under the Illinois Controlled
3 Substances Act, any cannabis prohibited under the Cannabis
4 Control Act, or any methamphetamine prohibited under the
5 Methamphetamine Control and Community Protection Act, in
6 which case the person's driving privileges shall be
7 suspended for one year. Any defendant found guilty of this
8 offense while operating a motor vehicle, shall have an
9 entry made in the court record by the presiding judge that
10 this offense did occur while the defendant was operating a
11 motor vehicle and order the clerk of the court to report
12 the violation to the Secretary of State;

13 29. Has been convicted of the following offenses that
14 were committed while the person was operating or in actual
15 physical control, as a driver, of a motor vehicle: criminal
16 sexual assault, predatory criminal sexual assault of a
17 child, aggravated criminal sexual assault, criminal sexual
18 abuse, aggravated criminal sexual abuse, juvenile pimping,
19 soliciting for a juvenile prostitute, promoting juvenile
20 prostitution as described in subdivision (a)(1), (a)(2),
21 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
22 or the Criminal Code of 2012, and the manufacture, sale or
23 delivery of controlled substances or instruments used for
24 illegal drug use or abuse in which case the driver's
25 driving privileges shall be suspended for one year;

26 30. Has been convicted a second or subsequent time for

1 any combination of the offenses named in paragraph 29 of
2 this subsection, in which case the person's driving
3 privileges shall be suspended for 5 years;

4 31. Has refused to submit to a test as required by
5 Section 11-501.6 of this Code or Section 5-16c of the Boat
6 Registration and Safety Act or has submitted to a test
7 resulting in an alcohol concentration of 0.08 or more or
8 any amount of a drug, substance, or compound resulting from
9 the unlawful use or consumption of cannabis as listed in
10 the Cannabis Control Act, a controlled substance as listed
11 in the Illinois Controlled Substances Act, an intoxicating
12 compound as listed in the Use of Intoxicating Compounds
13 Act, or methamphetamine as listed in the Methamphetamine
14 Control and Community Protection Act, in which case the
15 penalty shall be as prescribed in Section 6-208.1;

16 32. Has been convicted of Section 24-1.2 of the
17 Criminal Code of 1961 or the Criminal Code of 2012 relating
18 to the aggravated discharge of a firearm if the offender
19 was located in a motor vehicle at the time the firearm was
20 discharged, in which case the suspension shall be for 3
21 years;

22 33. Has as a driver, who was less than 21 years of age
23 on the date of the offense, been convicted a first time of
24 a violation of paragraph (a) of Section 11-502 of this Code
25 or a similar provision of a local ordinance;

26 34. Has committed a violation of Section 11-1301.5 of

1 this Code or a similar provision of a local ordinance;

2 35. Has committed a violation of Section 11-1301.6 of
3 this Code or a similar provision of a local ordinance;

4 36. Is under the age of 21 years at the time of arrest
5 and has been convicted of not less than 2 offenses against
6 traffic regulations governing the movement of vehicles
7 committed within any 24 month period. No revocation or
8 suspension shall be entered more than 6 months after the
9 date of last conviction;

10 37. Has committed a violation of subsection (c) of
11 Section 11-907 of this Code that resulted in damage to the
12 property of another or the death or injury of another;

13 38. Has been convicted of a violation of Section 6-20
14 of the Liquor Control Act of 1934 or a similar provision of
15 a local ordinance;

16 39. Has committed a second or subsequent violation of
17 Section 11-1201 of this Code;

18 40. Has committed a violation of subsection (a-1) of
19 Section 11-908 of this Code;

20 41. Has committed a second or subsequent violation of
21 Section 11-605.1 of this Code, a similar provision of a
22 local ordinance, or a similar violation in any other state
23 within 2 years of the date of the previous violation, in
24 which case the suspension shall be for 90 days;

25 42. Has committed a violation of subsection (a-1) of
26 Section 11-1301.3 of this Code or a similar provision of a

1 local ordinance;

2 43. Has received a disposition of court supervision for
3 a violation of subsection (a), (d), or (e) of Section 6-20
4 of the Liquor Control Act of 1934 or a similar provision of
5 a local ordinance, in which case the suspension shall be
6 for a period of 3 months;

7 44. Is under the age of 21 years at the time of arrest
8 and has been convicted of an offense against traffic
9 regulations governing the movement of vehicles after
10 having previously had his or her driving privileges
11 suspended or revoked pursuant to subparagraph 36 of this
12 Section;

13 45. Has, in connection with or during the course of a
14 formal hearing conducted under Section 2-118 of this Code:
15 (i) committed perjury; (ii) submitted fraudulent or
16 falsified documents; (iii) submitted documents that have
17 been materially altered; or (iv) submitted, as his or her
18 own, documents that were in fact prepared or composed for
19 another person;

20 46. Has committed a violation of subsection (j) of
21 Section 3-413 of this Code;

22 47. Has committed a violation of Section 11-502.1 of
23 this Code; or

24 48. Has submitted a falsified or altered medical
25 examiner's certificate to the Secretary of State or
26 provided false information to obtain a medical examiner's

1 certificate.

2 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
3 and 27 of this subsection, license means any driver's license,
4 any traffic ticket issued when the person's driver's license is
5 deposited in lieu of bail, a suspension notice issued by the
6 Secretary of State, a duplicate or corrected driver's license,
7 a probationary driver's license or a temporary driver's
8 license.

9 (b) If any conviction forming the basis of a suspension or
10 revocation authorized under this Section is appealed, the
11 Secretary of State may rescind or withhold the entry of the
12 order of suspension or revocation, as the case may be, provided
13 that a certified copy of a stay order of a court is filed with
14 the Secretary of State. If the conviction is affirmed on
15 appeal, the date of the conviction shall relate back to the
16 time the original judgment of conviction was entered and the 6
17 month limitation prescribed shall not apply.

18 (c) 1. Upon suspending or revoking the driver's license or
19 permit of any person as authorized in this Section, the
20 Secretary of State shall immediately notify the person in
21 writing of the revocation or suspension. The notice to be
22 deposited in the United States mail, postage prepaid, to the
23 last known address of the person.

24 2. If the Secretary of State suspends the driver's license
25 of a person under subsection 2 of paragraph (a) of this
26 Section, a person's privilege to operate a vehicle as an

1 occupation shall not be suspended, provided an affidavit is
2 properly completed, the appropriate fee received, and a permit
3 issued prior to the effective date of the suspension, unless 5
4 offenses were committed, at least 2 of which occurred while
5 operating a commercial vehicle in connection with the driver's
6 regular occupation. All other driving privileges shall be
7 suspended by the Secretary of State. Any driver prior to
8 operating a vehicle for occupational purposes only must submit
9 the affidavit on forms to be provided by the Secretary of State
10 setting forth the facts of the person's occupation. The
11 affidavit shall also state the number of offenses committed
12 while operating a vehicle in connection with the driver's
13 regular occupation. The affidavit shall be accompanied by the
14 driver's license. Upon receipt of a properly completed
15 affidavit, the Secretary of State shall issue the driver a
16 permit to operate a vehicle in connection with the driver's
17 regular occupation only. Unless the permit is issued by the
18 Secretary of State prior to the date of suspension, the
19 privilege to drive any motor vehicle shall be suspended as set
20 forth in the notice that was mailed under this Section. If an
21 affidavit is received subsequent to the effective date of this
22 suspension, a permit may be issued for the remainder of the
23 suspension period.

24 The provisions of this subparagraph shall not apply to any
25 driver required to possess a CDL for the purpose of operating a
26 commercial motor vehicle.

1 Any person who falsely states any fact in the affidavit
2 required herein shall be guilty of perjury under Section 6-302
3 and upon conviction thereof shall have all driving privileges
4 revoked without further rights.

5 3. At the conclusion of a hearing under Section 2-118 of
6 this Code, the Secretary of State shall either rescind or
7 continue an order of revocation or shall substitute an order of
8 suspension; or, good cause appearing therefor, rescind,
9 continue, change, or extend the order of suspension. If the
10 Secretary of State does not rescind the order, the Secretary
11 may upon application, to relieve undue hardship (as defined by
12 the rules of the Secretary of State), issue a restricted
13 driving permit granting the privilege of driving a motor
14 vehicle between the petitioner's residence and petitioner's
15 place of employment or within the scope of the petitioner's
16 employment related duties, or to allow the petitioner to
17 transport himself or herself, or a family member of the
18 petitioner's household to a medical facility, to receive
19 necessary medical care, to allow the petitioner to transport
20 himself or herself to and from alcohol or drug remedial or
21 rehabilitative activity recommended by a licensed service
22 provider, or to allow the petitioner to transport himself or
23 herself or a family member of the petitioner's household to
24 classes, as a student, at an accredited educational
25 institution, or to allow the petitioner to transport children,
26 elderly persons, or persons with disabilities who do not hold

1 driving privileges and are living in the petitioner's household
2 to and from daycare. The petitioner must demonstrate that no
3 alternative means of transportation is reasonably available
4 and that the petitioner will not endanger the public safety or
5 welfare.

6 (A) If a person's license or permit is revoked or
7 suspended due to 2 or more convictions of violating Section
8 11-501 of this Code or a similar provision of a local
9 ordinance or a similar out-of-state offense, or Section 9-3
10 of the Criminal Code of 1961 or the Criminal Code of 2012,
11 where the use of alcohol or other drugs is recited as an
12 element of the offense, or a similar out-of-state offense,
13 or a combination of these offenses, arising out of separate
14 occurrences, that person, if issued a restricted driving
15 permit, may not operate a vehicle unless it has been
16 equipped with an ignition interlock device as defined in
17 Section 1-129.1.

18 (B) If a person's license or permit is revoked or
19 suspended 2 or more times due to any combination of:

20 (i) a single conviction of violating Section
21 11-501 of this Code or a similar provision of a local
22 ordinance or a similar out-of-state offense or Section
23 9-3 of the Criminal Code of 1961 or the Criminal Code
24 of 2012, where the use of alcohol or other drugs is
25 recited as an element of the offense, or a similar
26 out-of-state offense; or

1 (ii) a statutory summary suspension or revocation
2 under Section 11-501.1; or

3 (iii) a suspension under Section 6-203.1;
4 arising out of separate occurrences; that person, if issued
5 a restricted driving permit, may not operate a vehicle
6 unless it has been equipped with an ignition interlock
7 device as defined in Section 1-129.1.

8 (B-5) If a person's license or permit is revoked or
9 suspended due to a conviction for a violation of
10 subparagraph (C) or (F) of paragraph (1) of subsection (d)
11 of Section 11-501 of this Code, or a similar provision of a
12 local ordinance or similar out-of-state offense, that
13 person, if issued a restricted driving permit, may not
14 operate a vehicle unless it has been equipped with an
15 ignition interlock device as defined in Section 1-129.1.

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

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

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

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

1 rehabilitative program. The Secretary of State is
2 authorized to cancel a restricted driving permit if the
3 permit holder does not successfully complete the program.

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

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

22 (ii) the successful completion of any
23 rehabilitative treatment and involvement in any
24 ongoing rehabilitative activity that may be
25 recommended by a properly licensed service provider
26 according to an assessment of the person's alcohol or

1 drug use under Section 11-501.01 of this Code.

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

13 A restricted driving permit issued under this
14 subparagraph (F) shall provide that the holder may only
15 operate motor vehicles equipped with an ignition interlock
16 device as required under paragraph (2) of subsection (c) of
17 Section 6-205 of this Code and subparagraph (A) of
18 paragraph 3 of subsection (c) of this Section. The
19 Secretary may revoke a restricted driving permit or amend
20 the conditions of a restricted driving permit issued under
21 this subparagraph (F) if the holder operates a vehicle that
22 is not equipped with an ignition interlock device, or for
23 any other reason authorized under this Code.

24 A restricted driving permit issued under this
25 subparagraph (F) shall be revoked, and the holder barred
26 from applying for or being issued a restricted driving

1 permit in the future, if the holder is convicted of a
2 violation of Section 11-501 of this Code, a similar
3 provision of a local ordinance, or a similar offense in
4 another state.

5 (c-3) In the case of a suspension under paragraph 43 of
6 subsection (a), reports received by the Secretary of State
7 under this Section shall, except during the actual time the
8 suspension is in effect, be privileged information and for use
9 only by the courts, police officers, prosecuting authorities,
10 the driver licensing administrator of any other state, the
11 Secretary of State, or the parent or legal guardian of a driver
12 under the age of 18. However, beginning January 1, 2008, if the
13 person is a CDL holder, the suspension shall also be made
14 available to the driver licensing administrator of any other
15 state, the U.S. Department of Transportation, and the affected
16 driver or motor carrier or prospective motor carrier upon
17 request.

18 (c-4) In the case of a suspension under paragraph 43 of
19 subsection (a), the Secretary of State shall notify the person
20 by mail that his or her driving privileges and driver's license
21 will be suspended one month after the date of the mailing of
22 the notice.

23 (c-5) The Secretary of State may, as a condition of the
24 reissuance of a driver's license or permit to an applicant
25 whose driver's license or permit has been suspended before he
26 or she reached the age of 21 years pursuant to any of the

1 provisions of this Section, require the applicant to
2 participate in a driver remedial education course and be
3 retested under Section 6-109 of this Code.

4 (c-10) The Secretary shall, upon providing notice of
5 suspension of a person's driver's license under this Section,
6 provide notice of an option of enrollment in a behavioral-based
7 driver retraining program, which, upon the person completing
8 the program within 45 days and upon committing no offense under
9 this Section for a period of 6 months, shall result in
10 termination of the license suspension. After completion of the
11 program, the course provider shall report the completion to the
12 Secretary and submit any documentation the Secretary deems
13 necessary. This subsection (c-10) shall not apply to
14 suspensions as a result of a violation of Section 11-501 of
15 this Code or a similar provision of a local ordinance or any
16 similar out-of-state offense, Section 9-3 of the Criminal Code
17 of 2012, or any other Section or subsection in which the use of
18 alcohol or other drugs is an element of the offense.

19 (d) This Section is subject to the provisions of the
20 Drivers License Compact.

21 (e) The Secretary of State shall not issue a restricted
22 driving permit to a person under the age of 16 years whose
23 driving privileges have been suspended or revoked under any
24 provisions of this Code.

25 (f) In accordance with 49 C.F.R. 384, the Secretary of
26 State may not issue a restricted driving permit for the

1 operation of a commercial motor vehicle to a person holding a
2 CDL whose driving privileges have been suspended, revoked,
3 cancelled, or disqualified under any provisions of this Code.

4 (Source: P.A. 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; 98-726,
5 eff. 1-1-15; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15;
6 99-290, eff. 1-1-16; 99-467, eff. 1-1-16; 99-483, eff. 1-1-16;
7 99-607, eff. 7-22-16; 99-642, eff. 7-28-16.)

8 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

9 Sec. 6-208. Period of suspension - application after
10 revocation.

11 (a) Except as otherwise provided by this Code or any other
12 law of this State, the Secretary of State shall not suspend a
13 driver's license, permit, or privilege to drive a motor vehicle
14 on the highways for a period of more than one year.

15 (b) Any person whose license, permit, or privilege to drive
16 a motor vehicle on the highways has been revoked shall not be
17 entitled to have such license, permit, or privilege renewed or
18 restored. However, such person may, except as provided under
19 subsections (d) and (d-5) of Section 6-205, make application
20 for a license pursuant to Section 6-106 (i) if the revocation
21 was for a cause that has been removed or (ii) as provided in
22 the following subparagraphs:

23 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,
24 4, and 5, the person may make application for a license (A)
25 after the expiration of one year from the effective date of

1 the revocation, (B) in the case of a violation of paragraph
2 (b) of Section 11-401 of this Code or a similar provision
3 of a local ordinance, after the expiration of 3 years from
4 the effective date of the revocation, or (C) in the case of
5 a violation of Section 9-3 of the Criminal Code of 1961 or
6 the Criminal Code of 2012 or a similar provision of a law
7 of another state relating to the offense of reckless
8 homicide or a violation of subparagraph (F) of paragraph 1
9 of subsection (d) of Section 11-501 of this Code relating
10 to aggravated driving under the influence of alcohol, other
11 drug or drugs, intoxicating compound or compounds, or any
12 combination thereof, if the violation was the proximate
13 cause of a death, after the expiration of 2 years from the
14 effective date of the revocation or after the expiration of
15 24 months from the date of release from a period of
16 imprisonment as provided in Section 6-103 of this Code,
17 whichever is later.

18 1.3. If the person is convicted of a second or
19 subsequent violation of Section 11-501 of this Code or a
20 similar provision of a local ordinance or a similar
21 out-of-state offense, or Section 9-3 of the Criminal Code
22 of 1961 or the Criminal Code of 2012, in which the use of
23 alcohol or other drugs is recited as an element of the
24 offense, or a similar out-of-state offense, or a
25 combination of these offenses, arising out of separate
26 occurrences, that person may not make application for a

1 driver's license until:

2 (A) the person has first been issued a restricted
3 driving permit by the Secretary of State; and

4 (B) the expiration of a continuous period of not
5 less than 5 years following the issuance of the
6 restricted driving permit during which the person's
7 restricted driving permit is not suspended, cancelled,
8 or revoked for a violation of any provision of law, or
9 any rule or regulation of the Secretary of State
10 relating to the required use of an ignition interlock
11 device.

12 1.5. If the person is convicted of a violation of
13 Section 6-303 of this Code committed while his or her
14 driver's license, permit, or privilege was revoked because
15 of a violation of Section 9-3 of the Criminal Code of 1961
16 or the Criminal Code of 2012, relating to the offense of
17 reckless homicide, or a similar provision of a law of
18 another state, the person may not make application for a
19 license or permit until the expiration of 3 years from the
20 date of the conviction.

21 2. If such person is convicted of committing a second
22 violation within a 20-year period of:

23 (A) Section 11-501 of this Code or a similar
24 provision of a local ordinance;

25 (B) Paragraph (b) of Section 11-401 of this Code or
26 a similar provision of a local ordinance;

1 (C) Section 9-3 of the Criminal Code of 1961 or the
2 Criminal Code of 2012, relating to the offense of
3 reckless homicide; or

4 (D) any combination of the above offenses
5 committed at different instances;

6 then such person may not make application for a license
7 until after the expiration of 5 years from the effective
8 date of the most recent revocation. The 20-year period
9 shall be computed by using the dates the offenses were
10 committed and shall also include similar out-of-state
11 offenses and similar offenses committed on a military
12 installation.

13 2.5. If a person is convicted of a second violation of
14 Section 6-303 of this Code committed while the person's
15 driver's license, permit, or privilege was revoked because
16 of a violation of Section 9-3 of the Criminal Code of 1961
17 or the Criminal Code of 2012, relating to the offense of
18 reckless homicide, or a similar provision of a law of
19 another state, the person may not make application for a
20 license or permit until the expiration of 5 years from the
21 date of release from a term of imprisonment.

22 3. However, except as provided in subparagraph 4, if
23 such person is convicted of committing a third violation or
24 any combination of the above offenses, including similar
25 out-of-state offenses and similar offenses committed on a
26 military installation, contained in subparagraph 2, then

1 such person may not make application for a license until
2 after the expiration of 10 years from the effective date of
3 the most recent revocation.

4 4. Except as provided in paragraph (1.5) of subsection
5 (c) of Section 6-205 and subparagraph (F) of paragraph 3 of
6 subsection (c) of Section 6-206 of this Code, the person
7 may not make application for a license if the person is
8 convicted of committing a fourth or subsequent violation of
9 Section 11-501 of this Code or a similar provision of a
10 local ordinance, Section 11-401 of this Code, Section 9-3
11 of the Criminal Code of 1961 or the Criminal Code of 2012,
12 or a combination of these offenses, similar provisions of
13 local ordinances, similar out-of-state offenses, or
14 similar offenses committed on a military installation.

15 4.5. A bona fide resident of a foreign jurisdiction who
16 is subject to the provisions of subparagraph 4 of this
17 subsection (b) may make application for termination of the
18 revocation after a period of 10 years from the effective
19 date of the most recent revocation. However, if a person
20 who has been granted a termination of revocation under this
21 subparagraph 4.5 subsequently becomes a resident of this
22 State, the revocation shall be reinstated and the person
23 shall be subject to the provisions of subparagraph 4.

24 5. The person may not make application for a license or
25 permit if the person is convicted of a third or subsequent
26 violation of Section 6-303 of this Code committed while his

1 or her driver's license, permit, or privilege was revoked
2 because of a violation of Section 9-3 of the Criminal Code
3 of 1961 or the Criminal Code of 2012, relating to the
4 offense of reckless homicide, or a similar provision of a
5 law of another state.

6 Notwithstanding any other provision of this Code, all
7 persons referred to in this paragraph (b) may not have their
8 privileges restored until the Secretary receives payment of the
9 required reinstatement fee pursuant to subsection (b) of
10 Section 6-118.

11 The Secretary shall, as a condition of reissuance of a
12 revoked driver's license, require the person to participate in
13 a behavioral-based driver retraining program. This condition
14 shall not apply to a revocation resulting from a violation of
15 Section 11-501 of this Code or a similar provision of a local
16 ordinance or any similar out-of-state offense, or Section 9-3
17 of the Criminal Code of 2012, or any other Section or
18 subsection in which the use of alcohol or other drugs is an
19 element of the offense.

20 In no event shall the Secretary issue such license unless
21 and until such person has had a hearing pursuant to this Code
22 and the appropriate administrative rules and the Secretary is
23 satisfied, after a review or investigation of such person, that
24 to grant the privilege of driving a motor vehicle on the
25 highways will not endanger the public safety or welfare.

26 (c) (Blank).

1 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-642,
2 eff. 7-28-16.)