



Rep. Carol Ammons

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1 AMENDMENT TO HOUSE BILL 5340

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5340 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the License to  
5 Work Act.

6 Section 5. The Illinois Vehicle Code is amended by changing  
7 Sections 3-704.2, 6-201, 6-204, 6-205, 6-206, 6-209, 6-306.5,  
8 and 11-208.3 and by adding Sections 6-209.1, and 6-213 as  
9 follows:

10 (625 ILCS 5/3-704.2)

11 Sec. 3-704.2. Failure to satisfy fines or penalties for  
12 toll violations or evasions; suspension of vehicle  
13 registration.

14 (a) Upon receipt of a certified report, as prescribed by  
15 subsection (c) of this Section, from the Authority stating that

1 the owner of a registered vehicle has failed to satisfy any  
2 fine or penalty resulting from a final order issued by the  
3 Authority relating directly or indirectly to 5 or more toll  
4 violations, toll evasions, or both, the Secretary of State  
5 shall suspend the vehicle registration of the person in  
6 accordance with the procedures set forth in this Section.

7 (b) Following receipt of the certified report of the  
8 Authority as specified in the Section, the Secretary of State  
9 shall notify the person whose name appears on the certified  
10 report that the person's vehicle registration will be suspended  
11 at the end of a specified period unless the Secretary of State  
12 is presented with a notice from the Authority certifying that  
13 the fines or penalties owing the Authority have been satisfied  
14 or that inclusion of that person's name on the certified report  
15 was in error. The Secretary's notice shall state in substance  
16 the information contained in the Authority's certified report  
17 to the Secretary, and shall be effective as specified by  
18 subsection (c) of Section 6-211 of this Code.

19 (c) The report from the Authority notifying the Secretary  
20 of unsatisfied fines or penalties pursuant to this Section  
21 shall be certified and shall contain the following:

22 (1) The name, last known address, and driver's license  
23 number of the person who failed to satisfy the fines or  
24 penalties and the registration number of any vehicle known  
25 to be registered in this State to that person.

26 (2) A statement that the Authority sent a notice of

1           impending suspension of the person's driver's license,  
2           vehicle registration, or both, as prescribed by rules  
3           enacted pursuant to subsection (a-5) of Section 10 of the  
4           Toll Highway Act, to the person named in the report at the  
5           address recorded with the Secretary of State; the date on  
6           which the notice was sent; and the address to which the  
7           notice was sent.

8           (d) The Authority, after making a certified report to the  
9           Secretary pursuant to this Section, shall notify the Secretary,  
10          on a form prescribed by the Secretary, whenever a person named  
11          in the certified report has satisfied the previously reported  
12          fines or penalties or whenever the Authority determines that  
13          the original report was in error. A certified copy of the  
14          notification shall also be given upon request and at no  
15          additional charge to the person named therein. Upon receipt of  
16          the Authority's notification or presentation of a certified  
17          copy of the notification, the Secretary shall terminate the  
18          suspension.

19          (e) The Authority shall, by rule, establish procedures for  
20          persons to challenge the accuracy of the certified report made  
21          pursuant to this Section. The rule shall also provide the  
22          grounds for a challenge, which may be limited to:

23                 (1) the person not having been the owner or lessee of  
24                 the vehicle or vehicles receiving 5 or more toll violation  
25                 or toll evasion notices on the date or dates the notices  
26                 were issued; or

1           (2) the person having already satisfied the fines or  
2 penalties for the 5 or more toll violations or toll  
3 evasions indicated on the certified report.

4           (f) All notices sent by the Authority to persons involved  
5 in administrative adjudications, hearings, and final orders  
6 issued pursuant to rules implementing subsection (a-5) of  
7 Section 10 of the Toll Highway Act shall state, in clear and  
8 unambiguous language, the consequences of that failure to  
9 ~~satisfy any fine or penalty imposed by the Authority shall~~  
10 ~~result in the Secretary of State suspending the driving~~  
11 ~~privileges, vehicle registration, or both, of the person~~  
12 failing to satisfy the fines or penalties imposed by the  
13 Authority.

14           (g) A person may request an administrative hearing to  
15 contest an impending suspension or a suspension made pursuant  
16 to this Section upon filing a written request with the  
17 Secretary. The filing fee for this hearing is \$20, to be paid  
18 at the time of the request. The Authority shall reimburse the  
19 Secretary for all reasonable costs incurred by the Secretary as  
20 a result of the filing of a certified report pursuant to this  
21 Section, including, but not limited to, the costs of providing  
22 notice required pursuant to subsection (b) and the costs  
23 incurred by the Secretary in any hearing conducted with respect  
24 to the report pursuant to this subsection and any appeal from  
25 that hearing.

26           (h) The Secretary and the Authority may promulgate rules to

1 enable them to carry out their duties under this Section.

2 (i) The Authority shall cooperate with the Secretary in the  
3 administration of this Section and shall provide the Secretary  
4 with any information the Secretary may deem necessary for these  
5 purposes, including regular and timely access to toll violation  
6 enforcement records.

7 The Secretary shall cooperate with the Authority in the  
8 administration of this Section and shall provide the Authority  
9 with any information the Authority may deem necessary for the  
10 purposes of this Section, including regular and timely access  
11 to vehicle registration records. Section 2-123 of this Code  
12 shall not apply to the provision of this information, but the  
13 Secretary shall be reimbursed for the cost of providing this  
14 information.

15 (j) For purposes of this Section, the term "Authority"  
16 means the Illinois State Toll Highway Authority.

17 (Source: P.A. 91-277, eff. 1-1-00.)

18 (625 ILCS 5/6-201)

19 Sec. 6-201. Authority to cancel licenses and permits.

20 (a) The Secretary of State is authorized to cancel any  
21 license or permit upon determining that the holder thereof:

22 1. was not entitled to the issuance thereof hereunder;

23 or

24 2. failed to give the required or correct information  
25 in his application; or

1           3. failed to pay any fees owed to the Secretary of  
2           State under this Code for the license or permit, ~~civil~~  
3           ~~penalties owed to the Illinois Commerce Commission, or~~  
4           ~~taxes due under this Act and upon reasonable notice and~~  
5           ~~demand; or~~

6           4. committed any fraud in the making of such  
7           application; or

8           5. is ineligible therefor under the provisions of  
9           Section 6-103 of this Act, as amended; or

10          6. has refused or neglected to submit an alcohol, drug,  
11          and intoxicating compound evaluation or to submit to  
12          examination or re-examination as required under this Act;  
13          or

14          7. has been convicted of violating the Cannabis Control  
15          Act, the Illinois Controlled Substances Act, the  
16          Methamphetamine Control and Community Protection Act, or  
17          the Use of Intoxicating Compounds Act while that individual  
18          was in actual physical control of a motor vehicle. For  
19          purposes of this Section, any person placed on probation  
20          under Section 10 of the Cannabis Control Act, Section 410  
21          of the Illinois Controlled Substances Act, or Section 70 of  
22          the Methamphetamine Control and Community Protection Act  
23          shall not be considered convicted. Any person found guilty  
24          of this offense, while in actual physical control of a  
25          motor vehicle, shall have an entry made in the court record  
26          by the judge that this offense did occur while the person

1 was in actual physical control of a motor vehicle and order  
2 the clerk of the court to report the violation to the  
3 Secretary of State as such. After the cancellation, the  
4 Secretary of State shall not issue a new license or permit  
5 for a period of one year after the date of cancellation.  
6 However, upon application, the Secretary of State may, if  
7 satisfied that the person applying will not endanger the  
8 public safety, or welfare, issue a restricted driving  
9 permit granting the privilege of driving a motor vehicle  
10 between the petitioner's residence and petitioner's place  
11 of employment or within the scope of the petitioner's  
12 employment related duties, or to allow transportation for  
13 the petitioner or a household member of the petitioner's  
14 family for the receipt of necessary medical care, or  
15 provide transportation for the petitioner to and from  
16 alcohol or drug remedial or rehabilitative activity  
17 recommended by a licensed service provider, or for the  
18 petitioner to attend classes, as a student, in an  
19 accredited educational institution. The petitioner must  
20 demonstrate that no alternative means of transportation is  
21 reasonably available; provided that the Secretary's  
22 discretion shall be limited to cases where undue hardship,  
23 as defined by the rules of the Secretary of State, would  
24 result from a failure to issue such restricted driving  
25 permit. In each case the Secretary of State may issue such  
26 restricted driving permit for such period as he deems

1 appropriate, except that such permit shall expire within  
2 one year from the date of issuance. A restricted driving  
3 permit issued hereunder shall be subject to cancellation,  
4 revocation and suspension by the Secretary of State in like  
5 manner and for like cause as a driver's license issued  
6 hereunder may be cancelled, revoked or suspended; except  
7 that a conviction upon one or more offenses against laws or  
8 ordinances regulating the movement of traffic shall be  
9 deemed sufficient cause for the revocation, suspension or  
10 cancellation of a restricted driving permit. The Secretary  
11 of State may, as a condition to the issuance of a  
12 restricted driving permit, require the applicant to  
13 participate in a driver remedial or rehabilitative  
14 program. In accordance with 49 C.F.R. 384, the Secretary of  
15 State may not issue a restricted driving permit for the  
16 operation of a commercial motor vehicle to a person holding  
17 a CDL whose driving privileges have been revoked,  
18 suspended, cancelled, or disqualified under this Code; or

19 8. failed to submit a report as required by Section  
20 6-116.5 of this Code; or

21 9. has been convicted of a sex offense as defined in  
22 the Sex Offender Registration Act. The driver's license  
23 shall remain cancelled until the driver registers as a sex  
24 offender as required by the Sex Offender Registration Act,  
25 proof of the registration is furnished to the Secretary of  
26 State and the sex offender provides proof of current



1 address to the Secretary; or

2 10. is ineligible for a license or permit under Section  
3 6-107, 6-107.1, or 6-108 of this Code; or

4 11. refused or neglected to appear at a Driver Services  
5 facility to have the license or permit corrected and a new  
6 license or permit issued or to present documentation for  
7 verification of identity; or

8 12. failed to submit a medical examiner's certificate  
9 or medical variance as required by 49 C.F.R. 383.71 or  
10 submitted a fraudulent medical examiner's certificate or  
11 medical variance; or

12 13. has had his or her medical examiner's certificate,  
13 medical variance, or both removed or rescinded by the  
14 Federal Motor Carrier Safety Administration; or

15 14. failed to self-certify as to the type of driving in  
16 which the CDL driver engages or expects to engage; or

17 15. has submitted acceptable documentation indicating  
18 out-of-state residency to the Secretary of State to be  
19 released from the requirement of showing proof of financial  
20 responsibility in this State; or

21 16. was convicted of fraud relating to the testing or  
22 issuance of a CDL or CLP, in which case only the CDL or CLP  
23 shall be cancelled. After cancellation, the Secretary  
24 shall not issue a CLP or CDL for a period of one year from  
25 the date of cancellation; or

26 17. has a special restricted license under subsection

1 (g) of Section 6-113 of this Code and failed to submit the  
2 required annual vision specialist report that the special  
3 restricted license holder's vision has not changed; or

4 18. has a special restricted license under subsection  
5 (g) of Section 6-113 of this Code and was convicted or  
6 received court supervision for a violation of this Code  
7 that occurred during nighttime hours or was involved in a  
8 motor vehicle accident during nighttime hours in which the  
9 restricted license holder was at fault; or

10 19. has assisted an out-of-state resident in acquiring  
11 an Illinois driver's license or identification card by  
12 providing or allowing the out-of-state resident to use his  
13 or her Illinois address of residence and is complicit in  
14 distributing and forwarding the Illinois driver's license  
15 or identification card to the out-of-state resident.

16 (b) Upon such cancellation the licensee or permittee must  
17 surrender the license or permit so cancelled to the Secretary  
18 of State.

19 (c) Except as provided in Sections 6-206.1 and 7-702.1, the  
20 Secretary of State shall have exclusive authority to grant,  
21 issue, deny, cancel, suspend and revoke driving privileges,  
22 drivers' licenses and restricted driving permits.

23 (d) The Secretary of State may adopt rules to implement  
24 this Section.

25 (Source: P.A. 100-409, eff. 8-25-17.)

1 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)

2 Sec. 6-204. When court to forward license and reports.

3 (a) For the purpose of providing to the Secretary of State  
4 the records essential to the performance of the Secretary's  
5 duties under this Code to cancel, revoke or suspend the  
6 driver's license and privilege to drive motor vehicles of  
7 certain minors ~~adjudicated truant minors in need of~~  
8 ~~supervision, addicted, or delinquent~~ and of persons found  
9 guilty of the criminal offenses or traffic violations which  
10 this Code recognizes as evidence relating to unfitness to  
11 safely operate motor vehicles, the following duties are imposed  
12 upon public officials:

13 (1) Whenever any person is convicted of any offense for  
14 which this Code makes mandatory the cancellation or  
15 revocation of the driver's license or permit of such person  
16 by the Secretary of State, the judge of the court in which  
17 such conviction is had shall require the surrender to the  
18 clerk of the court of all driver's licenses or permits then  
19 held by the person so convicted, and the clerk of the court  
20 shall, within 5 days thereafter, forward the same, together  
21 with a report of such conviction, to the Secretary.

22 (2) Whenever any person is convicted of any offense  
23 under this Code or similar offenses under a municipal  
24 ordinance, other than regulations governing standing,  
25 parking or weights of vehicles, and excepting the following  
26 enumerated Sections of this Code: Sections 11-1406

1 (obstruction to driver's view or control), 11-1407  
2 (improper opening of door into traffic), 11-1410 (coasting  
3 on downgrade), 11-1411 (following fire apparatus),  
4 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving  
5 vehicle which is in unsafe condition or improperly  
6 equipped), 12-201(a) (daytime lights on motorcycles),  
7 12-202 (clearance, identification and side marker lamps),  
8 12-204 (lamp or flag on projecting load), 12-205 (failure  
9 to display the safety lights required), 12-401  
10 (restrictions as to tire equipment), 12-502 (mirrors),  
11 12-503 (windshields must be unobstructed and equipped with  
12 wipers), 12-601 (horns and warning devices), 12-602  
13 (mufflers, prevention of noise or smoke), 12-603 (seat  
14 safety belts), 12-702 (certain vehicles to carry flares or  
15 other warning devices), 12-703 (vehicles for oiling roads  
16 operated on highways), 12-710 (splash guards and  
17 replacements), 13-101 (safety tests), 15-101 (size, weight  
18 and load), 15-102 (width), 15-103 (height), 15-104 (name  
19 and address on second division vehicles), 15-107 (length of  
20 vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights),  
21 15-112 (weights), 15-301 (weights), 15-316 (weights),  
22 15-318 (weights), and also excepting the following  
23 enumerated Sections of the Chicago Municipal Code:  
24 Sections 27-245 (following fire apparatus), 27-254  
25 (obstruction of traffic), 27-258 (driving vehicle which is  
26 in unsafe condition), 27-259 (coasting on downgrade),

1 27-264 (use of horns and signal devices), 27-265  
2 (obstruction to driver's view or driver mechanism), 27-267  
3 (dimming of headlights), 27-268 (unattended motor  
4 vehicle), 27-272 (illegal funeral procession), 27-273  
5 (funeral procession on boulevard), 27-275 (driving freight  
6 hauling vehicles on boulevard), 27-276 (stopping and  
7 standing of buses or taxicabs), 27-277 (cruising of public  
8 passenger vehicles), 27-305 (parallel parking), 27-306  
9 (diagonal parking), 27-307 (parking not to obstruct  
10 traffic), 27-308 (stopping, standing or parking  
11 regulated), 27-311 (parking regulations), 27-312 (parking  
12 regulations), 27-313 (parking regulations), 27-314  
13 (parking regulations), 27-315 (parking regulations),  
14 27-316 (parking regulations), 27-317 (parking  
15 regulations), 27-318 (parking regulations), 27-319  
16 (parking regulations), 27-320 (parking regulations),  
17 27-321 (parking regulations), 27-322 (parking  
18 regulations), 27-324 (loading and unloading at an angle),  
19 27-333 (wheel and axle loads), 27-334 (load restrictions in  
20 the downtown district), 27-335 (load restrictions in  
21 residential areas), 27-338 (width of vehicles), 27-339  
22 (height of vehicles), 27-340 (length of vehicles), 27-352  
23 (reflectors on trailers), 27-353 (mufflers), 27-354  
24 (display of plates), 27-355 (display of city vehicle tax  
25 sticker), 27-357 (identification of vehicles), 27-358  
26 (projecting of loads), and also excepting the following

1 enumerated paragraphs of Section 2-201 of the Rules and  
2 Regulations of the Illinois State Toll Highway Authority:  
3 (l) (driving unsafe vehicle on tollway), (m) (vehicles  
4 transporting dangerous cargo not properly indicated), it  
5 shall be the duty of the clerk of the court in which such  
6 conviction is had within 5 days thereafter to forward to  
7 the Secretary of State a report of the conviction and the  
8 court may recommend the suspension of the driver's license  
9 or permit of the person so convicted.

10 The reporting requirements of this subsection shall  
11 apply to all violations stated in paragraphs (1) and (2) of  
12 this subsection when the individual has been adjudicated  
13 under the Juvenile Court Act or the Juvenile Court Act of  
14 1987. Such reporting requirements shall also apply to  
15 individuals adjudicated under the Juvenile Court Act or the  
16 Juvenile Court Act of 1987 who have committed a violation  
17 of Section 11-501 of this Code, or similar provision of a  
18 local ordinance, or Section 9-3 of the Criminal Code of  
19 1961 or the Criminal Code of 2012, relating to the offense  
20 of reckless homicide, or Section 5-7 of the Snowmobile  
21 Registration and Safety Act or Section 5-16 of the Boat  
22 Registration and Safety Act, relating to the offense of  
23 operating a snowmobile or a watercraft while under the  
24 influence of alcohol, other drug or drugs, intoxicating  
25 compound or compounds, or combination thereof. These  
26 reporting requirements also apply to individuals

1 adjudicated under the Juvenile Court Act of 1987 based on  
2 any offense determined to have been committed in  
3 furtherance of the criminal activities of an organized  
4 gang, as provided in Section 5-710 of that Act, if those  
5 activities ~~and that~~ involved the operation or use of a  
6 motor vehicle ~~or the use of a driver's license or permit.~~  
7 ~~The reporting requirements of this subsection shall also~~  
8 ~~apply to a truant minor in need of supervision, an addicted~~  
9 ~~minor, or a delinquent minor and whose driver's license and~~  
10 ~~privilege to drive a motor vehicle has been ordered~~  
11 ~~suspended for such times as determined by the court, but~~  
12 ~~only until he or she attains 18 years of age.~~ It shall be  
13 the duty of the clerk of the court in which adjudication is  
14 had within 5 days thereafter to forward to the Secretary of  
15 State a report of the adjudication and the court order  
16 requiring the Secretary of State to suspend the minor's  
17 driver's license and driving privilege for such time as  
18 determined by the court, but only until he or she attains  
19 the age of 18 years. All juvenile court dispositions  
20 reported to the Secretary of State under this provision  
21 shall be processed by the Secretary of State as if the  
22 cases had been adjudicated in traffic or criminal court.  
23 However, information reported relative to the offense of  
24 reckless homicide, or Section 11-501 of this Code, or a  
25 similar provision of a local ordinance, shall be privileged  
26 and available only to the Secretary of State, courts, and

1 police officers.

2 The reporting requirements of this subsection (a)  
3 apply to all violations listed in paragraphs (1) and (2) of  
4 this subsection (a), excluding parking violations, when  
5 the driver holds a CLP or CDL, regardless of the type of  
6 vehicle in which the violation occurred, or when any driver  
7 committed the violation in a commercial motor vehicle as  
8 defined in Section 6-500 of this Code.

9 (3) Whenever an order is entered vacating the  
10 forfeiture of any bail, security or bond given to secure  
11 appearance for any offense under this Code or similar  
12 offenses under municipal ordinance, it shall be the duty of  
13 the clerk of the court in which such vacation was had or  
14 the judge of such court if such court has no clerk, within  
15 5 days thereafter to forward to the Secretary of State a  
16 report of the vacation.

17 (4) A report of any disposition of court supervision  
18 for a violation of Sections 6-303, 11-401, 11-501 or a  
19 similar provision of a local ordinance, 11-503, 11-504, and  
20 11-506 of this Code, Section 5-7 of the Snowmobile  
21 Registration and Safety Act, and Section 5-16 of the Boat  
22 Registration and Safety Act shall be forwarded to the  
23 Secretary of State. A report of any disposition of court  
24 supervision for a violation of an offense defined as a  
25 serious traffic violation in this Code or a similar  
26 provision of a local ordinance committed by a person under



1 the age of 21 years shall be forwarded to the Secretary of  
2 State.

3 (5) Reports of conviction under this Code and  
4 sentencing hearings under the Juvenile Court Act of 1987 in  
5 an electronic format or a computer processible medium shall  
6 be forwarded to the Secretary of State via the Supreme  
7 Court in the form and format required by the Illinois  
8 Supreme Court and established by a written agreement  
9 between the Supreme Court and the Secretary of State. In  
10 counties with a population over 300,000, instead of  
11 forwarding reports to the Supreme Court, reports of  
12 conviction under this Code and sentencing hearings under  
13 the Juvenile Court Act of 1987 in an electronic format or a  
14 computer processible medium may be forwarded to the  
15 Secretary of State by the Circuit Court Clerk in a form and  
16 format required by the Secretary of State and established  
17 by written agreement between the Circuit Court Clerk and  
18 the Secretary of State. Failure to forward the reports of  
19 conviction or sentencing hearing under the Juvenile Court  
20 Act of 1987 as required by this Section shall be deemed an  
21 omission of duty and it shall be the duty of the several  
22 State's Attorneys to enforce the requirements of this  
23 Section.

24 (b) Whenever a restricted driving permit is forwarded to a  
25 court, as a result of confiscation by a police officer pursuant  
26 to the authority in Section 6-113(f), it shall be the duty of

1 the clerk, or judge, if the court has no clerk, to forward such  
2 restricted driving permit and a facsimile of the officer's  
3 citation to the Secretary of State as expeditiously as  
4 practicable.

5 (c) For the purposes of this Code, a forfeiture of bail or  
6 collateral deposited to secure a defendant's appearance in  
7 court when forfeiture has not been vacated, or the failure of a  
8 defendant to appear for trial after depositing his driver's  
9 license in lieu of other bail, shall be equivalent to a  
10 conviction.

11 (d) For the purpose of providing the Secretary of State  
12 with records necessary to properly monitor and assess driver  
13 performance and assist the courts in the proper disposition of  
14 repeat traffic law offenders, the clerk of the court shall  
15 forward to the Secretary of State, on a form prescribed by the  
16 Secretary, records of a driver's participation in a driver  
17 remedial or rehabilitative program which was required, through  
18 a court order or court supervision, in relation to the driver's  
19 arrest for a violation of Section 11-501 of this Code or a  
20 similar provision of a local ordinance. The clerk of the court  
21 shall also forward to the Secretary, either on paper or in an  
22 electronic format or a computer processible medium as required  
23 under paragraph (5) of subsection (a) of this Section, any  
24 disposition of court supervision for any traffic violation,  
25 excluding those offenses listed in paragraph (2) of subsection  
26 (a) of this Section. These reports shall be sent within 5 days

1 after disposition, or, if the driver is referred to a driver  
2 remedial or rehabilitative program, within 5 days of the  
3 driver's referral to that program. These reports received by  
4 the Secretary of State, including those required to be  
5 forwarded under paragraph (a)(4), shall be privileged  
6 information, available only (i) to the affected driver, (ii) to  
7 the parent or guardian of a person under the age of 18 years  
8 holding an instruction permit or a graduated driver's license,  
9 and (iii) for use by the courts, police officers, prosecuting  
10 authorities, the Secretary of State, and the driver licensing  
11 administrator of any other state. In accordance with 49 C.F.R.  
12 Part 384, all reports of court supervision, except violations  
13 related to parking, shall be forwarded to the Secretary of  
14 State for all holders of a CLP or CDL or any driver who commits  
15 an offense while driving a commercial motor vehicle. These  
16 reports shall be recorded to the driver's record as a  
17 conviction for use in the disqualification of the driver's  
18 commercial motor vehicle privileges and shall not be privileged  
19 information.

20 (Source: P.A. 100-74, eff. 8-11-17.)

21 (625 ILCS 5/6-205)

22 Sec. 6-205. Mandatory revocation of license or permit;  
23 hardship cases.

24 (a) Except as provided in this Section, the Secretary of  
25 State shall immediately revoke the license, permit, or driving

1 privileges of any driver upon receiving a report of the  
2 driver's conviction of any of the following offenses:

3 1. Reckless homicide resulting from the operation of a  
4 motor vehicle;

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

11 3. Any felony under the laws of any State or the  
12 federal government in the commission of which a motor  
13 vehicle was used;

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

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

21 6. Conviction upon 3 charges of violation of Section  
22 11-503 of this Code relating to the offense of reckless  
23 driving committed within a period of 12 months;

24 7. Conviction of any offense defined in Section 4-102  
25 of this Code if the person exercised actual physical  
26 control over the vehicle during the commission of the

1       offense;

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

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

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

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

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

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

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

24           15. A second or subsequent conviction of driving while  
25 the person's driver's license, permit or privileges was  
26 revoked for reckless homicide or a similar out-of-state

1 offense;

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

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

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

26 19. Violation of subsection (a) of Section 11-1414 of

1           this Code, or a similar provision of a local ordinance,  
2           relating to the offense of overtaking or passing of a  
3           school bus when the driver, in committing the violation, is  
4           involved in a motor vehicle accident that results in death  
5           to another and the violation is a proximate cause of the  
6           death.

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

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

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

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

26           (c) (1) Whenever a person is convicted of any of the

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



1 (1.5) A person subject to the provisions of paragraph 4 of  
2 subsection (b) of Section 6-208 of this Code may make  
3 application for a restricted driving permit at a hearing  
4 conducted under Section 2-118 of this Code after the expiration  
5 of 5 years from the effective date of the most recent  
6 revocation, or after 5 years from the date of release from a  
7 period of imprisonment resulting from a conviction of the most  
8 recent offense, whichever is later, provided the person, in  
9 addition to all other requirements of the Secretary, shows by  
10 clear and convincing evidence:

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

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

23 In determining whether an applicant is eligible for a  
24 restricted driving permit under this paragraph (1.5), the  
25 Secretary may consider any relevant evidence, including, but  
26 not limited to, testimony, affidavits, records, and the results

1 of regular alcohol or drug tests. Persons subject to the  
2 provisions of paragraph 4 of subsection (b) of Section 6-208 of  
3 this Code and who have been convicted of more than one  
4 violation of paragraph (3), paragraph (4), or paragraph (5) of  
5 subsection (a) of Section 11-501 of this Code shall not be  
6 eligible to apply for a restricted driving permit.

7 A restricted driving permit issued under this paragraph  
8 (1.5) shall provide that the holder may only operate motor  
9 vehicles equipped with an ignition interlock device as required  
10 under paragraph (2) of subsection (c) of this Section and  
11 subparagraph (A) of paragraph 3 of subsection (c) of Section  
12 6-206 of this Code. The Secretary may revoke a restricted  
13 driving permit or amend the conditions of a restricted driving  
14 permit issued under this paragraph (1.5) if the holder operates  
15 a vehicle that is not equipped with an ignition interlock  
16 device, or for any other reason authorized under this Code.

17 A restricted driving permit issued under this paragraph  
18 (1.5) shall be revoked, and the holder barred from applying for  
19 or being issued a restricted driving permit in the future, if  
20 the holder is subsequently convicted of a violation of Section  
21 11-501 of this Code, a similar provision of a local ordinance,  
22 or a similar offense in another state.

23 (2) If a person's license or permit is revoked or suspended  
24 due to 2 or more convictions of violating Section 11-501 of  
25 this Code or a similar provision of a local ordinance or a  
26 similar out-of-state offense, or Section 9-3 of the Criminal

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

8 (3) If:

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

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

18 (ii) a statutory summary suspension or revocation  
19 under Section 11-501.1; or

20 (iii) a suspension pursuant to Section 6-203.1;  
21 arising out of separate occurrences; or

22 (B) a person has been convicted of one violation of  
23 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
24 of Section 11-501 of this Code, Section 9-3 of the Criminal  
25 Code of 1961 or the Criminal Code of 2012, relating to the  
26 offense of reckless homicide where the use of alcohol or

1           other drugs was recited as an element of the offense, or a  
2           similar provision of a law of another state;  
3           that person, if issued a restricted driving permit, may not  
4           operate a vehicle unless it has been equipped with an ignition  
5           interlock device as defined in Section 1-129.1.

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

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

26          (6) In each case the Secretary of State may issue a

1 restricted driving permit for a period he deems appropriate,  
2 except that the permit shall expire within one year from the  
3 date of issuance. A restricted driving permit issued under this  
4 Section shall be subject to cancellation, revocation, and  
5 suspension by the Secretary of State in like manner and for  
6 like cause as a driver's license issued under this Code may be  
7 cancelled, revoked, or suspended; except that a conviction upon  
8 one or more offenses against laws or ordinances regulating the  
9 movement of traffic shall be deemed sufficient cause for the  
10 revocation, suspension, or cancellation of a restricted  
11 driving permit. The Secretary of State may, as a condition to  
12 the issuance of a restricted driving permit, require the  
13 petitioner to participate in a designated driver remedial or  
14 rehabilitative program. The Secretary of State is authorized to  
15 cancel a restricted driving permit if the permit holder does  
16 not successfully complete the program. However, if an  
17 individual's driving privileges have been revoked in  
18 accordance with paragraph 13 of subsection (a) of this Section,  
19 no restricted driving permit shall be issued until the  
20 individual has served 6 months of the revocation period.

21 (c-5) (Blank).

22 (c-6) If a person is convicted of a second violation of  
23 operating a motor vehicle while the person's driver's license,  
24 permit or privilege was revoked, where the revocation was for a  
25 violation of Section 9-3 of the Criminal Code of 1961 or the  
26 Criminal Code of 2012 relating to the offense of reckless

1 homicide or a similar out-of-state offense, the person's  
2 driving privileges shall be revoked pursuant to subdivision  
3 (a) (15) of this Section. The person may not make application  
4 for a license or permit until the expiration of five years from  
5 the effective date of the revocation or the expiration of five  
6 years from the date of release from a term of imprisonment,  
7 whichever is later.

8 (c-7) If a person is convicted of a third or subsequent  
9 violation of operating a motor vehicle while the person's  
10 driver's license, permit or privilege was revoked, where the  
11 revocation was for a violation of Section 9-3 of the Criminal  
12 Code of 1961 or the Criminal Code of 2012 relating to the  
13 offense of reckless homicide or a similar out-of-state offense,  
14 the person may never apply for a license or permit.

15 (d) (1) Whenever a person under the age of 21 is convicted  
16 under Section 11-501 of this Code or a similar provision of a  
17 local ordinance or a similar out-of-state offense, the  
18 Secretary of State shall revoke the driving privileges of that  
19 person. One year after the date of revocation, and upon  
20 application, the Secretary of State may, if satisfied that the  
21 person applying will not endanger the public safety or welfare,  
22 issue a restricted driving permit granting the privilege of  
23 driving a motor vehicle only between the hours of 5 a.m. and 9  
24 p.m. or as otherwise provided by this Section for a period of  
25 one year. After this one-year period, and upon reapplication  
26 for a license as provided in Section 6-106, upon payment of the

1 appropriate reinstatement fee provided under paragraph (b) of  
2 Section 6-118, the Secretary of State, in his discretion, may  
3 reinstate the petitioner's driver's license and driving  
4 privileges, or extend the restricted driving permit as many  
5 times as the Secretary of State deems appropriate, by  
6 additional periods of not more than 12 months each.

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

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

21 (A) a single conviction 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  
24 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 offense, or

1 a similar out-of-state offense; or

2 (B) a statutory summary suspension or revocation  
3 under Section 11-501.1; or

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

9 (3.5) If a person's license or permit is revoked or  
10 suspended due to a conviction for a violation of  
11 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
12 of Section 11-501 of this Code, or a similar provision of a  
13 local ordinance or similar out-of-state offense, that  
14 person, if issued a restricted driving permit, may not  
15 operate a vehicle unless it has been equipped with an  
16 ignition interlock device as defined in Section 1-129.1.

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

23 (5) If the restricted driving permit is issued for  
24 employment purposes, then the prohibition against driving  
25 a vehicle that is not equipped with an ignition interlock  
26 device does not apply to the operation of an occupational



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

13 (6) A restricted driving permit issued under this  
14 Section shall be subject to cancellation, revocation, and  
15 suspension by the Secretary of State in like manner and for  
16 like cause as a driver's license issued under this Code may  
17 be cancelled, revoked, or suspended; except that a  
18 conviction upon one or more offenses against laws or  
19 ordinances regulating the movement of traffic shall be  
20 deemed sufficient cause for the revocation, suspension, or  
21 cancellation of a restricted driving permit.

22 (d-5) The revocation of the license, permit, or driving  
23 privileges of a person convicted of a third or subsequent  
24 violation of Section 6-303 of this Code committed while his or  
25 her driver's license, permit, or privilege was revoked because  
26 of a violation of Section 9-3 of the Criminal Code of 1961 or

1 the Criminal Code of 2012, relating to the offense of reckless  
2 homicide, or a similar provision of a law of another state, is  
3 permanent. The Secretary may not, at any time, issue a license  
4 or permit to that person.

5 (e) This Section is subject to the provisions of the Driver  
6 License Compact.

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

11 (g) The Secretary of State shall not issue a restricted  
12 driving permit to a person under the age of 16 years whose  
13 driving privileges have been revoked under any provisions of  
14 this Code.

15 (h) The Secretary of State shall require the use of  
16 ignition interlock devices for a period not less than 5 years  
17 on all vehicles owned by a person who has been convicted of a  
18 second or subsequent offense under Section 11-501 of this Code  
19 or a similar provision of a local ordinance. The person must  
20 pay to the Secretary of State DUI Administration Fund an amount  
21 not to exceed \$30 for each month that he or she uses the  
22 device. The Secretary shall establish by rule and regulation  
23 the procedures for certification and use of the interlock  
24 system, the amount of the fee, and the procedures, terms, and  
25 conditions relating to these fees. During the time period in  
26 which a person is required to install an ignition interlock

1 device under this subsection (h), that person shall only  
2 operate vehicles in which ignition interlock devices have been  
3 installed, except as allowed by subdivision (c) (5) or (d) (5) of  
4 this Section.

5 (i) (Blank).

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

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

16 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;  
17 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;  
18 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff. 7-28-16;  
19 100-223, eff. 8-18-17.)

20 (625 ILCS 5/6-206)

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

23 (a) The Secretary of State is authorized to suspend or  
24 revoke the driving privileges of any person without preliminary  
25 hearing upon a showing of the person's records or other

1 sufficient evidence that the person:

2 1. Has committed an offense for which mandatory  
3 revocation of a driver's license or permit is required upon  
4 conviction;

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

10 3. Has been repeatedly involved as a driver in motor  
11 vehicle collisions or has been repeatedly convicted of  
12 offenses against laws and ordinances regulating the  
13 movement of traffic, to a degree that indicates lack of  
14 ability to exercise ordinary and reasonable care in the  
15 safe operation of a motor vehicle or disrespect for the  
16 traffic laws and the safety of other persons upon the  
17 highway;

18 4. Has by the unlawful operation of a motor vehicle  
19 caused or contributed to an accident resulting in injury  
20 requiring immediate professional treatment in a medical  
21 facility or doctor's office to any person, except that any  
22 suspension or revocation imposed by the Secretary of State  
23 under the provisions of this subsection shall start no  
24 later than 6 months after being convicted of violating a  
25 law or ordinance regulating the movement of traffic, which  
26 violation is related to the accident, or shall start not

1 more than one year after the date of the accident,  
2 whichever date occurs later;

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

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

9 7. Has refused or failed to submit to an examination  
10 provided for by Section 6-207 or has failed to pass the  
11 examination;

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

14 9. Has made a false statement or knowingly concealed a  
15 material fact or has used false information or  
16 identification in any application for a license,  
17 identification card, or permit;

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

21 11. Has operated a motor vehicle upon a highway of this  
22 State when the person's driving privilege or privilege to  
23 obtain a driver's license or permit was revoked or  
24 suspended unless the operation was authorized by a  
25 monitoring device driving permit, judicial driving permit  
26 issued prior to January 1, 2009, probationary license to

1 drive, or a restricted driving permit issued under this  
2 Code;

3 12. Has submitted to any portion of the application  
4 process for another person or has obtained the services of  
5 another person to submit to any portion of the application  
6 process for the purpose of obtaining a license,  
7 identification card, or permit for some other person;

8 13. Has operated a motor vehicle upon a highway of this  
9 State when the person's driver's license or permit was  
10 invalid under the provisions of Sections 6-107.1 and 6-110;

11 14. Has committed a violation of Section 6-301,  
12 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or  
13 14B of the Illinois Identification Card Act;

14 15. Has been convicted of violating Section 21-2 of the  
15 Criminal Code of 1961 or the Criminal Code of 2012 relating  
16 to criminal trespass to vehicles if the person exercised  
17 actual physical control over the vehicle during the  
18 commission of the offense, in which case~~7~~ the suspension  
19 shall be for one year;

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

22 17. Has refused to submit to a test, or tests, as  
23 required under Section 11-501.1 of this Code and the person  
24 has not sought a hearing as provided for in Section  
25 11-501.1;

26 18. (Blank); ~~Has, since issuance of a driver's license~~

1 ~~or permit, been adjudged to be afflicted with or suffering~~  
2 ~~from any mental disability or disease;~~

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

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

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

12 22. Has used a motor vehicle in violating paragraph  
13 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
14 the Criminal Code of 1961 or the Criminal Code of 2012  
15 relating to unlawful use of weapons, in which case the  
16 suspension shall be for one year;

17 23. Has, as a driver, been convicted of committing a  
18 violation of paragraph (a) of Section 11-502 of this Code  
19 for a second or subsequent time within one year of a  
20 similar violation;

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

1           25. Has permitted any form of identification to be used  
2 by another in the application process in order to obtain or  
3 attempt to obtain a license, identification card, or  
4 permit;

5           26. Has altered or attempted to alter a license or has  
6 possessed an altered license, identification card, or  
7 permit;

8           27. (Blank); ~~Has violated Section 6-16 of the Liquor~~  
9 ~~Control Act of 1934;~~

10           28. Has been convicted for a first time of the illegal  
11 possession, while operating or in actual physical control,  
12 as a driver, of a motor vehicle, of any controlled  
13 substance prohibited under the Illinois Controlled  
14 Substances Act, any cannabis prohibited under the Cannabis  
15 Control Act, or any methamphetamine prohibited under the  
16 Methamphetamine Control and Community Protection Act, in  
17 which case the person's driving privileges shall be  
18 suspended for one year. Any defendant found guilty of this  
19 offense while operating a motor vehicle, shall have an  
20 entry made in the court record by the presiding judge that  
21 this offense did occur while the defendant was operating a  
22 motor vehicle and order the clerk of the court to report  
23 the violation to the Secretary of State;

24           29. Has been convicted of the following offenses that  
25 were committed while the person was operating or in actual  
26 physical control, as a driver, of a motor vehicle: criminal



1 sexual assault, predatory criminal sexual assault of a  
2 child, aggravated criminal sexual assault, criminal sexual  
3 abuse, aggravated criminal sexual abuse, juvenile pimping,  
4 soliciting for a juvenile prostitute, promoting juvenile  
5 prostitution as described in subdivision (a)(1), (a)(2),  
6 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961  
7 or the Criminal Code of 2012, and the manufacture, sale or  
8 delivery of controlled substances or instruments used for  
9 illegal drug use or abuse in which case the driver's  
10 driving privileges shall be suspended for one year;

11 30. Has been convicted a second or subsequent time for  
12 any combination of the offenses named in paragraph 29 of  
13 this subsection, in which case the person's driving  
14 privileges shall be suspended for 5 years;

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

1           32. Has been convicted of Section 24-1.2 of the  
2 Criminal Code of 1961 or the Criminal Code of 2012 relating  
3 to the aggravated discharge of a firearm if the offender  
4 was located in a motor vehicle at the time the firearm was  
5 discharged, in which case the suspension shall be for 3  
6 years;

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

11           34. Has committed a violation of Section 11-1301.5 of  
12 this Code or a similar provision of a local ordinance;

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

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

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

24           38. Has been convicted of a violation of Section 6-20  
25 of the Liquor Control Act of 1934 or a similar provision of  
26 a local ordinance and the person was an occupant of a motor

1       vehicle at the time of the violation;

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

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

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

11           42. Has committed a violation of subsection (a-1) of  
12 Section 11-1301.3 of this Code or a similar provision of a  
13 local ordinance;

14           43. Has received a disposition of court supervision for  
15 a violation of subsection (a), (d), or (e) of Section 6-20  
16 of the Liquor Control Act of 1934 or a similar provision of  
17 a local ordinance and the person was an occupant of a motor  
18 vehicle at the time of the violation, in which case the  
19 suspension shall be for a period of 3 months;

20           44. Is under the age of 21 years at the time of arrest  
21 and has been convicted of an offense against traffic  
22 regulations governing the movement of vehicles after  
23 having previously had his or her driving privileges  
24 suspended or revoked pursuant to subparagraph 36 of this  
25 Section;

26           45. Has, in connection with or during the course of a

1 formal hearing conducted under Section 2-118 of this Code:  
2 (i) committed perjury; (ii) submitted fraudulent or  
3 falsified documents; (iii) submitted documents that have  
4 been materially altered; or (iv) submitted, as his or her  
5 own, documents that were in fact prepared or composed for  
6 another person;

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

9 47. Has committed a violation of subsection (a) of  
10 Section 11-502.1 of this Code; or

11 48. Has submitted a falsified or altered medical  
12 examiner's certificate to the Secretary of State or  
13 provided false information to obtain a medical examiner's  
14 certificate.

15 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,  
16 and 27 of this subsection, license means any driver's license,  
17 any traffic ticket issued when the person's driver's license is  
18 deposited in lieu of bail, a suspension notice issued by the  
19 Secretary of State, a duplicate or corrected driver's license,  
20 a probationary driver's license or a temporary driver's  
21 license.

22 (b) If any conviction forming the basis of a suspension or  
23 revocation authorized under this Section is appealed, the  
24 Secretary of State may rescind or withhold the entry of the  
25 order of suspension or revocation, as the case may be, provided  
26 that a certified copy of a stay order of a court is filed with

1 the Secretary of State. If the conviction is affirmed on  
2 appeal, the date of the conviction shall relate back to the  
3 time the original judgment of conviction was entered and the 6  
4 month limitation prescribed shall not apply.

5 (c) 1. Upon suspending or revoking the driver's license or  
6 permit of any person as authorized in this Section, the  
7 Secretary of State shall immediately notify the person in  
8 writing of the revocation or suspension. The notice to be  
9 deposited in the United States mail, postage prepaid, to the  
10 last known address of the person.

11 2. If the Secretary of State suspends the driver's license  
12 of a person under subsection 2 of paragraph (a) of this  
13 Section, a person's privilege to operate a vehicle as an  
14 occupation shall not be suspended, provided an affidavit is  
15 properly completed, the appropriate fee received, and a permit  
16 issued prior to the effective date of the suspension, unless 5  
17 offenses were committed, at least 2 of which occurred while  
18 operating a commercial vehicle in connection with the driver's  
19 regular occupation. All other driving privileges shall be  
20 suspended by the Secretary of State. Any driver prior to  
21 operating a vehicle for occupational purposes only must submit  
22 the affidavit on forms to be provided by the Secretary of State  
23 setting forth the facts of the person's occupation. The  
24 affidavit shall also state the number of offenses committed  
25 while operating a vehicle in connection with the driver's  
26 regular occupation. The affidavit shall be accompanied by the

1 driver's license. Upon receipt of a properly completed  
2 affidavit, the Secretary of State shall issue the driver a  
3 permit to operate a vehicle in connection with the driver's  
4 regular occupation only. Unless the permit is issued by the  
5 Secretary of State prior to the date of suspension, the  
6 privilege to drive any motor vehicle shall be suspended as set  
7 forth in the notice that was mailed under this Section. If an  
8 affidavit is received subsequent to the effective date of this  
9 suspension, a permit may be issued for the remainder of the  
10 suspension period.

11 The provisions of this subparagraph shall not apply to any  
12 driver required to possess a CDL for the purpose of operating a  
13 commercial motor vehicle.

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

18 3. At the conclusion of a hearing under Section 2-118 of  
19 this Code, the Secretary of State shall either rescind or  
20 continue an order of revocation or shall substitute an order of  
21 suspension; or, good cause appearing therefor, rescind,  
22 continue, change, or extend the order of suspension. If the  
23 Secretary of State does not rescind the order, the Secretary  
24 may upon application, to relieve undue hardship (as defined by  
25 the rules of the Secretary of State), issue a restricted  
26 driving permit granting the privilege of driving a motor

1 vehicle between the petitioner's residence and petitioner's  
2 place of employment or within the scope of the petitioner's  
3 employment related duties, or to allow the petitioner to  
4 transport himself or herself, or a family member of the  
5 petitioner's household to a medical facility, to receive  
6 necessary medical care, to allow the petitioner to transport  
7 himself or herself to and from alcohol or drug remedial or  
8 rehabilitative activity recommended by a licensed service  
9 provider, or to allow the petitioner to transport himself or  
10 herself or a family member of the petitioner's household to  
11 classes, as a student, at an accredited educational  
12 institution, or to allow the petitioner to transport children,  
13 elderly persons, or persons with disabilities who do not hold  
14 driving privileges and are living in the petitioner's household  
15 to and from daycare. The petitioner must demonstrate that no  
16 alternative means of transportation is reasonably available  
17 and that the petitioner will not endanger the public safety or  
18 welfare.

19 (A) If a person's license or permit is revoked or  
20 suspended due to 2 or more convictions 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 9-3  
23 of the Criminal Code of 1961 or the Criminal Code of 2012,  
24 where the use of alcohol or other drugs is recited as an  
25 element of the offense, or a similar out-of-state offense,  
26 or a combination of these offenses, arising out of separate

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

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

7                (i) a single conviction 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  
10               9-3 of the Criminal Code of 1961 or the Criminal Code  
11               of 2012, where the use of alcohol or other drugs is  
12               recited as an element of the offense, or a similar  
13               out-of-state offense; or

14               (ii) a statutory summary suspension or revocation  
15               under Section 11-501.1; or

16               (iii) a suspension under Section 6-203.1;

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

21        (B-5) If a person's license or permit is revoked or  
22        suspended due to a conviction for a violation of  
23        subparagraph (C) or (F) of paragraph (1) of subsection (d)  
24        of Section 11-501 of this Code, or a similar provision of a  
25        local ordinance or similar out-of-state offense, that  
26        person, if issued a restricted driving permit, may not



1 operate a vehicle unless it has been equipped with an  
2 ignition interlock device as defined in Section 1-129.1.

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

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

25 (E) In each case the Secretary may issue a restricted  
26 driving permit for a period deemed appropriate, except that

1 all permits shall expire within one year from the date of  
2 issuance. A restricted driving permit issued under this  
3 Section shall be subject to cancellation, revocation, and  
4 suspension by the Secretary of State in like manner and for  
5 like cause as a driver's license issued under this Code may  
6 be cancelled, revoked, or suspended; except that a  
7 conviction upon one or more offenses against laws or  
8 ordinances regulating the movement of traffic shall be  
9 deemed sufficient cause for the revocation, suspension, or  
10 cancellation of a restricted driving permit. The Secretary  
11 of State may, as a condition to the issuance of a  
12 restricted driving permit, require the applicant to  
13 participate in a designated driver remedial or  
14 rehabilitative program. The Secretary of State is  
15 authorized to cancel a restricted driving permit if the  
16 permit holder does not successfully complete the program.

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

1           (i) a minimum of 3 years of uninterrupted  
2           abstinence from alcohol and the unlawful use or  
3           consumption of cannabis under the Cannabis Control  
4           Act, a controlled substance under the Illinois  
5           Controlled Substances Act, an intoxicating compound  
6           under the Use of Intoxicating Compounds Act, or  
7           methamphetamine under the Methamphetamine Control and  
8           Community Protection Act; and

9           (ii) the successful completion of any  
10          rehabilitative treatment and involvement in any  
11          ongoing rehabilitative activity that may be  
12          recommended by a properly licensed service provider  
13          according to an assessment of the person's alcohol or  
14          drug use under Section 11-501.01 of this Code.

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

26          A restricted driving permit issued under this

1       subparagraph (F) shall provide that the holder may only  
2       operate motor vehicles equipped with an ignition interlock  
3       device as required under paragraph (2) of subsection (c) of  
4       Section 6-205 of this Code and subparagraph (A) of  
5       paragraph 3 of subsection (c) of this Section. The  
6       Secretary may revoke a restricted driving permit or amend  
7       the conditions of a restricted driving permit issued under  
8       this subparagraph (F) if the holder operates a vehicle that  
9       is not equipped with an ignition interlock device, or for  
10      any other reason authorized under this Code.

11       A restricted driving permit issued under this  
12      subparagraph (F) shall be revoked, and the holder barred  
13      from applying for or being issued a restricted driving  
14      permit in the future, if the holder is convicted of a  
15      violation of Section 11-501 of this Code, a similar  
16      provision of a local ordinance, or a similar offense in  
17      another state.

18      (c-3) In the case of a suspension under paragraph 43 of  
19      subsection (a), reports received by the Secretary of State  
20      under this Section shall, except during the actual time the  
21      suspension is in effect, be privileged information and for use  
22      only by the courts, police officers, prosecuting authorities,  
23      the driver licensing administrator of any other state, the  
24      Secretary of State, or the parent or legal guardian of a driver  
25      under the age of 18. However, beginning January 1, 2008, if the  
26      person is a CDL holder, the suspension shall also be made

1 available to the driver licensing administrator of any other  
2 state, the U.S. Department of Transportation, and the affected  
3 driver or motor carrier or prospective motor carrier upon  
4 request.

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

10 (c-5) The Secretary of State may, as a condition of the  
11 reissuance of a driver's license or permit to an applicant  
12 whose driver's license or permit has been suspended before he  
13 or she reached the age of 21 years pursuant to any of the  
14 provisions of this Section, require the applicant to  
15 participate in a driver remedial education course and be  
16 retested under Section 6-109 of this Code.

17 (d) This Section is subject to the provisions of the  
18 Drivers License Compact.

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

23 (f) 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 suspended, revoked,

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

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

6 (625 ILCS 5/6-209.1 new)

7 Sec. 6-209.1. . Restoration of driving privileges;  
8 revocation; suspension; cancellation. The Secretary shall  
9 rescind the suspension or cancellation of a person's driver's  
10 license that has been suspended or cancelled prior to the  
11 effective date of this amendatory Act of the 100th General  
12 Assembly due to:

13 (1) the person being convicted of theft of motor fuel under  
14 Sections 16-25 or 16K-15 of the Criminal Code of 1961 or the  
15 Criminal Code of 2012;

16 (2) the person, since the issuance of the driver's license,  
17 being adjudged to be afflicted with or suffering from any  
18 mental disability or disease;

19 (3) a violation of Section 6-16 of the Liquor Control Act  
20 of 1934 or a similar provision of a local ordinance;

21 (4) the person being convicted of a violation of Section  
22 6-20 of the Liquor Control Act of 1934 or a similar provision  
23 of a local ordinance, if the person presents a certified copy  
24 of a court order that includes a finding that the person was  
25 not an occupant of a motor vehicle at the time of the

1 violation;

2 (5) the person receiving a disposition of court supervision  
3 for a violation of subsections (a), (d), or (e) of Section 6-20  
4 of the Liquor Control Act of 1934 or a similar provision of a  
5 local ordinance, if the person presents a certified copy of a  
6 court order that includes a finding that the person was not an  
7 occupant of a motor vehicle at the time of the violation;

8 (6) the person failing to pay any fine or penalty due or  
9 owing as a result of 10 or more violations of a municipality's  
10 or county's vehicular standing, parking, or compliance  
11 regulations established by ordinance under Section 11-208.3 of  
12 this Code;

13 (7) the person failing to satisfy any fine or penalty  
14 resulting from a final order issued by the Authority relating  
15 directly or indirectly to 5 or more toll violations, toll  
16 evasions, or both;

17 (8) the person being convicted of a violation of Section  
18 4-102 of this Code, if the person presents a certified copy of  
19 a court order that includes a finding that the person did not  
20 exercise actual physical control of the vehicle at the time of  
21 the violation; or

22 (9) the person being convicted of criminal trespass to  
23 vehicles under Section 21-2 of the Criminal Code of 2012, if  
24 the person presents a certified copy of a court order that  
25 includes a finding that the person did not exercise actual  
26 physical control of the vehicle at the time of the violation.

1 (625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

2 Sec. 6-306.5. Failure to pay fine or penalty for standing,  
3 parking, compliance, automated speed enforcement system, or  
4 automated traffic law violations; suspension of driving  
5 privileges.

6 (a) Upon receipt of a certified report, as prescribed by  
7 subsection (c) of this Section, from any municipality or county  
8 stating that the owner of a registered vehicle: ~~(1) has failed~~  
9 ~~to pay any fine or penalty due and owing as a result of 10 or~~  
10 ~~more violations of a municipality's or county's vehicular~~  
11 ~~standing, parking, or compliance regulations established by~~  
12 ~~ordinance pursuant to Section 11-208.3 of this Code, (2) has~~  
13 failed to pay any fine or penalty due and owing as a result of 5  
14 offenses for automated speed enforcement system violations or  
15 automated traffic violations as defined in Sections 11-208.6,  
16 11-208.8, 11-208.9, or 11-1201.1, or combination thereof, or  
17 (3) is more than 14 days in default of a payment plan pursuant  
18 to which a suspension had been terminated under subsection (c)  
19 of this Section, the Secretary of State shall suspend the  
20 driving privileges of such person in accordance with the  
21 procedures set forth in this Section. The Secretary shall also  
22 suspend the driving privileges of an owner of a registered  
23 vehicle upon receipt of a certified report, as prescribed by  
24 subsection (f) of this Section, from any municipality or county  
25 stating that such person has failed to satisfy any fines or



1 penalties imposed by final judgments for 5 or more automated  
2 speed enforcement system or automated traffic law violations,  
3 or combination thereof, ~~or 10 or more violations of local~~  
4 ~~standing, parking, or compliance regulations~~ after exhaustion  
5 of judicial review procedures.

6 (b) Following receipt of the certified report of the  
7 municipality or county as specified in this Section, the  
8 Secretary of State shall notify the person whose name appears  
9 on the certified report that the person's drivers license will  
10 be suspended at the end of a specified period of time unless  
11 the Secretary of State is presented with a notice from the  
12 municipality or county certifying that the fine or penalty due  
13 and owing the municipality or county has been paid or that  
14 inclusion of that person's name on the certified report was in  
15 error. The Secretary's notice shall state in substance the  
16 information contained in the municipality's or county's  
17 certified report to the Secretary, and shall be effective as  
18 specified by subsection (c) of Section 6-211 of this Code.

19 (c) The report of the appropriate municipal or county  
20 official notifying the Secretary of State of unpaid fines or  
21 penalties pursuant to this Section shall be certified and shall  
22 contain the following:

23 (1) The name, last known address as recorded with the  
24 Secretary of State, as provided by the lessor of the cited  
25 vehicle at the time of lease, or as recorded in a United  
26 States Post Office approved database if any notice sent

1 under Section 11-208.3 of this Code is returned as  
2 undeliverable, and drivers license number of the person who  
3 failed to pay the fine or penalty or who has defaulted in a  
4 payment plan and the registration number of any vehicle  
5 known to be registered to such person in this State.

6 (2) The name of the municipality or county making the  
7 report pursuant to this Section.

8 (3) A statement that the municipality or county sent a  
9 notice of impending drivers license suspension as  
10 prescribed by ordinance enacted pursuant to Section  
11 11-208.3 of this Code or a notice of default in a payment  
12 plan, to the person named in the report at the address  
13 recorded with the Secretary of State or at the last address  
14 known to the lessor of the cited vehicle at the time of  
15 lease or, if any notice sent under Section 11-208.3 of this  
16 Code is returned as undeliverable, at the last known  
17 address recorded in a United States Post Office approved  
18 database; the date on which such notice was sent; and the  
19 address to which such notice was sent. In a municipality or  
20 county with a population of 1,000,000 or more, the report  
21 shall also include a statement that the alleged violator's  
22 State vehicle registration number and vehicle make, if  
23 specified on the automated speed enforcement system  
24 violation or automated traffic law violation notice, are  
25 correct as they appear on the citations.

26 (4) A unique identifying reference number for each

1 request of suspension sent whenever a person has failed to  
2 pay the fine or penalty or has defaulted on a payment plan.

3 (d) Any municipality or county making a certified report to  
4 the Secretary of State pursuant to this Section shall notify  
5 the Secretary of State, in a form prescribed by the Secretary,  
6 whenever a person named in the certified report has paid the  
7 previously reported fine or penalty, whenever a person named in  
8 the certified report has entered into a payment plan pursuant  
9 to which the municipality or county has agreed to terminate the  
10 suspension, or whenever the municipality or county determines  
11 that the original report was in error. A certified copy of such  
12 notification shall also be given upon request and at no  
13 additional charge to the person named therein. Upon receipt of  
14 the municipality's or county's notification or presentation of  
15 a certified copy of such notification, the Secretary of State  
16 shall terminate the suspension.

17 (e) Any municipality or county making a certified report to  
18 the Secretary of State pursuant to this Section shall also by  
19 ordinance establish procedures for persons to challenge the  
20 accuracy of the certified report. The ordinance shall also  
21 state the grounds for such a challenge, which may be limited to  
22 (1) the person not having been the owner or lessee of the  
23 vehicle or vehicles receiving ~~10 or more standing, parking, or~~  
24 ~~compliance violation notices or~~ a combination of 5 or more  
25 automated speed enforcement system or automated traffic law  
26 violations on the date or dates such notices were issued; and

1 (2) the person having already paid the fine or penalty for the  
2 ~~10 or more standing, parking, or compliance violations or~~  
3 combination of 5 or more automated speed enforcement system or  
4 automated traffic law violations indicated on the certified  
5 report.

6 (f) Any municipality or county, other than a municipality  
7 or county establishing ~~vehicular standing, parking, and~~  
8 ~~compliance regulations pursuant to Section 11-208.3,~~ automated  
9 speed enforcement system regulations under Section 11-208.8,  
10 or automated traffic law regulations under Section 11-208.6,  
11 11-208.9, or 11-1201.1, may also cause a suspension of a  
12 person's drivers license pursuant to this Section. Such  
13 municipality or county may invoke this sanction by making a  
14 certified report to the Secretary of State upon a person's  
15 failure to satisfy any fine or penalty imposed by final  
16 judgment for ~~10 or more violations of local standing, parking,~~  
17 ~~or compliance regulations or~~ a combination of 5 or more  
18 automated speed enforcement system or automated traffic law  
19 violations after exhaustion of judicial review procedures, but  
20 only if:

21 (1) the municipality or county complies with the  
22 provisions of this Section in all respects except in regard  
23 to enacting an ordinance pursuant to Section 11-208.3;

24 (2) the municipality or county has sent a notice of  
25 impending drivers license suspension as prescribed by an  
26 ordinance enacted pursuant to subsection (g) of this

1 Section; and

2 (3) in municipalities or counties with a population of  
3 1,000,000 or more, the municipality or county has verified  
4 that the alleged violator's State vehicle registration  
5 number and vehicle make are correct as they appear on the  
6 citations.

7 (g) Any municipality or county, other than a municipality  
8 or county establishing ~~standing, parking, and compliance~~  
9 ~~regulations pursuant to Section 11-208.3,~~ automated speed  
10 enforcement system regulations under Section 11-208.8, or  
11 automated traffic law regulations under Section 11-208.6,  
12 11-208.9, or 11-1201.1, may provide by ordinance for the  
13 sending of a notice of impending drivers license suspension to  
14 the person who has failed to satisfy any fine or penalty  
15 imposed by final judgment for ~~10 or more violations of local~~  
16 ~~standing, parking, or compliance regulations~~ or a combination  
17 of 5 or more automated speed enforcement system or automated  
18 traffic law violations after exhaustion of judicial review  
19 procedures. An ordinance so providing shall specify that the  
20 notice sent to the person liable for any fine or penalty shall  
21 state that failure to pay the fine or penalty owing within 45  
22 days of the notice's date will result in the municipality or  
23 county notifying the Secretary of State that the person's  
24 drivers license is eligible for suspension pursuant to this  
25 Section. The notice of impending drivers license suspension  
26 shall be sent by first class United States mail, postage

1 prepaid, to the address recorded with the Secretary of State or  
2 at the last address known to the lessor of the cited vehicle at  
3 the time of lease or, if any notice sent under Section 11-208.3  
4 of this Code is returned as undeliverable, to the last known  
5 address recorded in a United States Post Office approved  
6 database.

7 (h) An administrative hearing to contest an impending  
8 suspension or a suspension made pursuant to this Section may be  
9 had upon filing a written request with the Secretary of State.  
10 The filing fee for this hearing shall be \$20, to be paid at the  
11 time the request is made. A municipality or county which files  
12 a certified report with the Secretary of State pursuant to this  
13 Section shall reimburse the Secretary for all reasonable costs  
14 incurred by the Secretary as a result of the filing of the  
15 report, including but not limited to the costs of providing the  
16 notice required pursuant to subsection (b) and the costs  
17 incurred by the Secretary in any hearing conducted with respect  
18 to the report pursuant to this subsection and any appeal from  
19 such a hearing.

20 (i) The provisions of this Section shall apply on and after  
21 January 1, 1988.

22 (j) For purposes of this Section, the term "compliance  
23 violation" is defined as in Section 11-208.3.

24 (Source: P.A. 97-333, eff. 8-12-11; 97-672, eff. 7-1-12;  
25 98-556, eff. 1-1-14.)

1 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

2 Sec. 11-208.3. Administrative adjudication of violations  
3 of traffic regulations concerning the standing, parking, or  
4 condition of vehicles, automated traffic law violations, and  
5 automated speed enforcement system violations.

6 (a) Any municipality or county may provide by ordinance for  
7 a system of administrative adjudication of vehicular standing  
8 and parking violations and vehicle compliance violations as  
9 described in this subsection, automated traffic law violations  
10 as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and  
11 automated speed enforcement system violations as defined in  
12 Section 11-208.8. The administrative system shall have as its  
13 purpose the fair and efficient enforcement of municipal or  
14 county regulations through the administrative adjudication of  
15 automated speed enforcement system or automated traffic law  
16 violations and violations of municipal or county ordinances  
17 regulating the standing and parking of vehicles, the condition  
18 and use of vehicle equipment, and the display of municipal or  
19 county wheel tax licenses within the municipality's or county's  
20 borders. The administrative system shall only have authority to  
21 adjudicate civil offenses carrying fines not in excess of \$500  
22 or requiring the completion of a traffic education program, or  
23 both, that occur after the effective date of the ordinance  
24 adopting such a system under this Section. For purposes of this  
25 Section, "compliance violation" means a violation of a  
26 municipal or county regulation governing the condition or use

1 of equipment on a vehicle or governing the display of a  
2 municipal or county wheel tax license.

3 (b) Any ordinance establishing a system of administrative  
4 adjudication under this Section shall provide for:

5 (1) A traffic compliance administrator authorized to  
6 adopt, distribute and process parking, compliance, and  
7 automated speed enforcement system or automated traffic  
8 law violation notices and other notices required by this  
9 Section, collect money paid as fines and penalties for  
10 violation of parking and compliance ordinances and  
11 automated speed enforcement system or automated traffic  
12 law violations, and operate an administrative adjudication  
13 system. The traffic compliance administrator also may make  
14 a certified report to the Secretary of State under Section  
15 6-306.5.

16 (2) A parking, standing, compliance, automated speed  
17 enforcement system, or automated traffic law violation  
18 notice that shall specify the date, time, and place of  
19 violation of a parking, standing, compliance, automated  
20 speed enforcement system, or automated traffic law  
21 regulation; the particular regulation violated; any  
22 requirement to complete a traffic education program; the  
23 fine and any penalty that may be assessed for late payment  
24 or failure to complete a required traffic education  
25 program, or both, when so provided by ordinance; the  
26 vehicle make and state registration number; and the



1 identification number of the person issuing the notice.  
2 With regard to automated speed enforcement system or  
3 automated traffic law violations, vehicle make shall be  
4 specified on the automated speed enforcement system or  
5 automated traffic law violation notice if the make is  
6 available and readily discernible. With regard to  
7 municipalities or counties with a population of 1 million  
8 or more, it shall be grounds for dismissal of a parking  
9 violation if the state registration number or vehicle make  
10 specified is incorrect. The violation notice shall state  
11 that the completion of any required traffic education  
12 program, the payment of any indicated fine, and the payment  
13 of any applicable penalty for late payment or failure to  
14 complete a required traffic education program, or both,  
15 shall operate as a final disposition of the violation. The  
16 notice also shall contain information as to the  
17 availability of a hearing in which the violation may be  
18 contested on its merits. The violation notice shall specify  
19 the time and manner in which a hearing may be had.

20 (3) Service of the parking, standing, or compliance  
21 violation notice by affixing the original or a facsimile of  
22 the notice to an unlawfully parked vehicle or by handing  
23 the notice to the operator of a vehicle if he or she is  
24 present and service of an automated speed enforcement  
25 system or automated traffic law violation notice by mail to  
26 the address of the registered owner or lessee of the cited

1 vehicle as recorded with the Secretary of State or the  
2 lessor of the motor vehicle within 30 days after the  
3 Secretary of State or the lessor of the motor vehicle  
4 notifies the municipality or county of the identity of the  
5 owner or lessee of the vehicle, but not later than 90 days  
6 after the violation, except that in the case of a lessee of  
7 a motor vehicle, service of an automated traffic law  
8 violation notice may occur no later than 210 days after the  
9 violation. A person authorized by ordinance to issue and  
10 serve parking, standing, and compliance violation notices  
11 shall certify as to the correctness of the facts entered on  
12 the violation notice by signing his or her name to the  
13 notice at the time of service or in the case of a notice  
14 produced by a computerized device, by signing a single  
15 certificate to be kept by the traffic compliance  
16 administrator attesting to the correctness of all notices  
17 produced by the device while it was under his or her  
18 control. In the case of an automated traffic law violation,  
19 the ordinance shall require a determination by a technician  
20 employed or contracted by the municipality or county that,  
21 based on inspection of recorded images, the motor vehicle  
22 was being operated in violation of Section 11-208.6,  
23 11-208.9, or 11-1201.1 or a local ordinance. If the  
24 technician determines that the vehicle entered the  
25 intersection as part of a funeral procession or in order to  
26 yield the right-of-way to an emergency vehicle, a citation

1 shall not be issued. In municipalities with a population of  
2 less than 1,000,000 inhabitants and counties with a  
3 population of less than 3,000,000 inhabitants, the  
4 automated traffic law ordinance shall require that all  
5 determinations by a technician that a motor vehicle was  
6 being operated in violation of Section 11-208.6, 11-208.9,  
7 or 11-1201.1 or a local ordinance must be reviewed and  
8 approved by a law enforcement officer or retired law  
9 enforcement officer of the municipality or county issuing  
10 the violation. In municipalities with a population of  
11 1,000,000 or more inhabitants and counties with a  
12 population of 3,000,000 or more inhabitants, the automated  
13 traffic law ordinance shall require that all  
14 determinations by a technician that a motor vehicle was  
15 being operated in violation of Section 11-208.6, 11-208.9,  
16 or 11-1201.1 or a local ordinance must be reviewed and  
17 approved by a law enforcement officer or retired law  
18 enforcement officer of the municipality or county issuing  
19 the violation or by an additional fully-trained reviewing  
20 technician who is not employed by the contractor who  
21 employs the technician who made the initial determination.  
22 In the case of an automated speed enforcement system  
23 violation, the ordinance shall require a determination by a  
24 technician employed by the municipality, based upon an  
25 inspection of recorded images, video or other  
26 documentation, including documentation of the speed limit

1 and automated speed enforcement signage, and documentation  
2 of the inspection, calibration, and certification of the  
3 speed equipment, that the vehicle was being operated in  
4 violation of Article VI of Chapter 11 of this Code or a  
5 similar local ordinance. If the technician determines that  
6 the vehicle speed was not determined by a calibrated,  
7 certified speed equipment device based upon the speed  
8 equipment documentation, or if the vehicle was an emergency  
9 vehicle, a citation may not be issued. The automated speed  
10 enforcement ordinance shall require that all  
11 determinations by a technician that a violation occurred be  
12 reviewed and approved by a law enforcement officer or  
13 retired law enforcement officer of the municipality  
14 issuing the violation or by an additional fully trained  
15 reviewing technician who is not employed by the contractor  
16 who employs the technician who made the initial  
17 determination. Routine and independent calibration of the  
18 speeds produced by automated speed enforcement systems and  
19 equipment shall be conducted annually by a qualified  
20 technician. Speeds produced by an automated speed  
21 enforcement system shall be compared with speeds produced  
22 by lidar or other independent equipment. Radar or lidar  
23 equipment shall undergo an internal validation test no less  
24 frequently than once each week. Qualified technicians  
25 shall test loop based equipment no less frequently than  
26 once a year. Radar equipment shall be checked for accuracy

1 by a qualified technician when the unit is serviced, when  
2 unusual or suspect readings persist, or when deemed  
3 necessary by a reviewing technician. Radar equipment shall  
4 be checked with the internal frequency generator and the  
5 internal circuit test whenever the radar is turned on.  
6 Technicians must be alert for any unusual or suspect  
7 readings, and if unusual or suspect readings of a radar  
8 unit persist, that unit shall immediately be removed from  
9 service and not returned to service until it has been  
10 checked by a qualified technician and determined to be  
11 functioning properly. Documentation of the annual  
12 calibration results, including the equipment tested, test  
13 date, technician performing the test, and test results,  
14 shall be maintained and available for use in the  
15 determination of an automated speed enforcement system  
16 violation and issuance of a citation. The technician  
17 performing the calibration and testing of the automated  
18 speed enforcement equipment shall be trained and certified  
19 in the use of equipment for speed enforcement purposes.  
20 Training on the speed enforcement equipment may be  
21 conducted by law enforcement, civilian, or manufacturer's  
22 personnel and if applicable may be equivalent to the  
23 equipment use and operations training included in the Speed  
24 Measuring Device Operator Program developed by the  
25 National Highway Traffic Safety Administration (NHTSA).  
26 The vendor or technician who performs the work shall keep

1 accurate records on each piece of equipment the technician  
2 calibrates and tests. As used in this paragraph,  
3 "fully-trained reviewing technician" means a person who  
4 has received at least 40 hours of supervised training in  
5 subjects which shall include image inspection and  
6 interpretation, the elements necessary to prove a  
7 violation, license plate identification, and traffic  
8 safety and management. In all municipalities and counties,  
9 the automated speed enforcement system or automated  
10 traffic law ordinance shall require that no additional fee  
11 shall be charged to the alleged violator for exercising his  
12 or her right to an administrative hearing, and persons  
13 shall be given at least 25 days following an administrative  
14 hearing to pay any civil penalty imposed by a finding that  
15 Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a  
16 similar local ordinance has been violated. The original or  
17 a facsimile of the violation notice or, in the case of a  
18 notice produced by a computerized device, a printed record  
19 generated by the device showing the facts entered on the  
20 notice, shall be retained by the traffic compliance  
21 administrator, and shall be a record kept in the ordinary  
22 course of business. A parking, standing, compliance,  
23 automated speed enforcement system, or automated traffic  
24 law violation notice issued, signed and served in  
25 accordance with this Section, a copy of the notice, or the  
26 computer generated record shall be prima facie correct and

1 shall be prima facie evidence of the correctness of the  
2 facts shown on the notice. The notice, copy, or computer  
3 generated record shall be admissible in any subsequent  
4 administrative or legal proceedings.

5 (4) An opportunity for a hearing for the registered  
6 owner of the vehicle cited in the parking, standing,  
7 compliance, automated speed enforcement system, or  
8 automated traffic law violation notice in which the owner  
9 may contest the merits of the alleged violation, and during  
10 which formal or technical rules of evidence shall not  
11 apply; provided, however, that under Section 11-1306 of  
12 this Code the lessee of a vehicle cited in the violation  
13 notice likewise shall be provided an opportunity for a  
14 hearing of the same kind afforded the registered owner. The  
15 hearings shall be recorded, and the person conducting the  
16 hearing on behalf of the traffic compliance administrator  
17 shall be empowered to administer oaths and to secure by  
18 subpoena both the attendance and testimony of witnesses and  
19 the production of relevant books and papers. Persons  
20 appearing at a hearing under this Section may be  
21 represented by counsel at their expense. The ordinance may  
22 also provide for internal administrative review following  
23 the decision of the hearing officer.

24 (5) Service of additional notices, sent by first class  
25 United States mail, postage prepaid, to the address of the  
26 registered owner of the cited vehicle as recorded with the

1 Secretary of State or, if any notice to that address is  
2 returned as undeliverable, to the last known address  
3 recorded in a United States Post Office approved database,  
4 or, under Section 11-1306 or subsection (p) of Section  
5 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8  
6 of this Code, to the lessee of the cited vehicle at the  
7 last address known to the lessor of the cited vehicle at  
8 the time of lease or, if any notice to that address is  
9 returned as undeliverable, to the last known address  
10 recorded in a United States Post Office approved database.  
11 The service shall be deemed complete as of the date of  
12 deposit in the United States mail. The notices shall be in  
13 the following sequence and shall include but not be limited  
14 to the information specified herein:

15 (i) A second notice of parking, standing, or  
16 compliance violation. This notice shall specify the  
17 date and location of the violation cited in the  
18 parking, standing, or compliance violation notice, the  
19 particular regulation violated, the vehicle make and  
20 state registration number, any requirement to complete  
21 a traffic education program, the fine and any penalty  
22 that may be assessed for late payment or failure to  
23 complete a traffic education program, or both, when so  
24 provided by ordinance, the availability of a hearing in  
25 which the violation may be contested on its merits, and  
26 the time and manner in which the hearing may be had.



1           The notice of violation shall also state that failure  
2           to complete a required traffic education program, to  
3           pay the indicated fine and any applicable penalty, or  
4           to appear at a hearing on the merits in the time and  
5           manner specified, will result in a final determination  
6           of violation liability for the cited violation in the  
7           amount of the fine or penalty indicated, and that, upon  
8           the occurrence of a final determination of violation  
9           liability for the failure, and the exhaustion of, or  
10          failure to exhaust, available administrative or  
11          judicial procedures for review, any incomplete traffic  
12          education program or any unpaid fine or penalty, or  
13          both, will constitute a debt due and owing the  
14          municipality or county.

15               (ii) A notice of final determination of parking,  
16               standing, compliance, automated speed enforcement  
17               system, or automated traffic law violation liability.  
18               This notice shall be sent following a final  
19               determination of parking, standing, compliance,  
20               automated speed enforcement system, or automated  
21               traffic law violation liability and the conclusion of  
22               judicial review procedures taken under this Section.  
23               The notice shall state that the incomplete traffic  
24               education program or the unpaid fine or penalty, or  
25               both, is a debt due and owing the municipality or  
26               county. The notice shall contain warnings that failure

1 to complete any required traffic education program or  
2 to pay any fine or penalty due and owing the  
3 municipality or county, or both, within the time  
4 specified may result in the municipality's or county's  
5 filing of a petition in the Circuit Court to have the  
6 incomplete traffic education program or unpaid fine or  
7 penalty, or both, rendered a judgment as provided by  
8 this Section, or, where applicable, may result in  
9 suspension of the person's drivers license for failure  
10 to complete a traffic education program or to pay fines  
11 or penalties, or both, for ~~10 or more parking~~  
12 ~~violations under Section 6-306.5, or a combination of 5~~  
13 or more automated traffic law violations under Section  
14 11-208.6 or 11-208.9 or automated speed enforcement  
15 system violations under Section 11-208.8.

16 (6) A notice of impending drivers license suspension.  
17 This notice shall be sent to the person liable for failure  
18 to complete a required traffic education program or to pay  
19 any fine or penalty that remains due and owing, or both, on  
20 ~~10 or more parking violations or combination of 5 or more~~  
21 unpaid automated speed enforcement system or automated  
22 traffic law violations. The notice shall state that failure  
23 to complete a required traffic education program or to pay  
24 the fine or penalty owing, or both, within 45 days of the  
25 notice's date will result in the municipality or county  
26 notifying the Secretary of State that the person is

1 eligible for initiation of suspension proceedings under  
2 Section 6-306.5 of this Code. The notice shall also state  
3 that the person may obtain a photostatic copy of an  
4 original ticket imposing a fine or penalty by sending a  
5 self addressed, stamped envelope to the municipality or  
6 county along with a request for the photostatic copy. The  
7 notice of impending drivers license suspension shall be  
8 sent by first class United States mail, postage prepaid, to  
9 the address recorded with the Secretary of State or, if any  
10 notice to that address is returned as undeliverable, to the  
11 last known address recorded in a United States Post Office  
12 approved database.

13 (7) Final determinations of violation liability. A  
14 final determination of violation liability shall occur  
15 following failure to complete the required traffic  
16 education program or to pay the fine or penalty, or both,  
17 after a hearing officer's determination of violation  
18 liability and the exhaustion of or failure to exhaust any  
19 administrative review procedures provided by ordinance.  
20 Where a person fails to appear at a hearing to contest the  
21 alleged violation in the time and manner specified in a  
22 prior mailed notice, the hearing officer's determination  
23 of violation liability shall become final: (A) upon denial  
24 of a timely petition to set aside that determination, or  
25 (B) upon expiration of the period for filing the petition  
26 without a filing having been made.

1           (8) A petition to set aside a determination of parking,  
2 standing, compliance, automated speed enforcement system,  
3 or automated traffic law violation liability that may be  
4 filed by a person owing an unpaid fine or penalty. A  
5 petition to set aside a determination of liability may also  
6 be filed by a person required to complete a traffic  
7 education program. The petition shall be filed with and  
8 ruled upon by the traffic compliance administrator in the  
9 manner and within the time specified by ordinance. The  
10 grounds for the petition may be limited to: (A) the person  
11 not having been the owner or lessee of the cited vehicle on  
12 the date the violation notice was issued, (B) the person  
13 having already completed the required traffic education  
14 program or paid the fine or penalty, or both, for the  
15 violation in question, and (C) excusable failure to appear  
16 at or request a new date for a hearing. With regard to  
17 municipalities or counties with a population of 1 million  
18 or more, it shall be grounds for dismissal of a parking  
19 violation if the state registration number, or vehicle make  
20 if specified, is incorrect. After the determination of  
21 parking, standing, compliance, automated speed enforcement  
22 system, or automated traffic law violation liability has  
23 been set aside upon a showing of just cause, the registered  
24 owner shall be provided with a hearing on the merits for  
25 that violation.

26           (9) Procedures for non-residents. Procedures by which

1 persons who are not residents of the municipality or county  
2 may contest the merits of the alleged violation without  
3 attending a hearing.

4 (10) A schedule of civil fines for violations of  
5 vehicular standing, parking, compliance, automated speed  
6 enforcement system, or automated traffic law regulations  
7 enacted by ordinance pursuant to this Section, and a  
8 schedule of penalties for late payment of the fines or  
9 failure to complete required traffic education programs,  
10 provided, however, that the total amount of the fine and  
11 penalty for any one violation shall not exceed \$250, except  
12 as provided in subsection (c) of Section 11-1301.3 of this  
13 Code.

14 (11) Other provisions as are necessary and proper to  
15 carry into effect the powers granted and purposes stated in  
16 this Section.

17 (c) Any municipality or county establishing vehicular  
18 standing, parking, compliance, automated speed enforcement  
19 system, or automated traffic law regulations under this Section  
20 may also provide by ordinance for a program of vehicle  
21 immobilization for the purpose of facilitating enforcement of  
22 those regulations. The program of vehicle immobilization shall  
23 provide for immobilizing any eligible vehicle upon the public  
24 way by presence of a restraint in a manner to prevent operation  
25 of the vehicle. Any ordinance establishing a program of vehicle  
26 immobilization under this Section shall provide:

1           (1) Criteria for the designation of vehicles eligible  
2           for immobilization. A vehicle shall be eligible for  
3           immobilization when the registered owner of the vehicle has  
4           accumulated the number of incomplete traffic education  
5           programs or unpaid final determinations of parking,  
6           standing, compliance, automated speed enforcement system,  
7           or automated traffic law violation liability, or both, as  
8           determined by ordinance.

9           (2) A notice of impending vehicle immobilization and a  
10          right to a hearing to challenge the validity of the notice  
11          by disproving liability for the incomplete traffic  
12          education programs or unpaid final determinations of  
13          parking, standing, compliance, automated speed enforcement  
14          system, or automated traffic law violation liability, or  
15          both, listed on the notice.

16          (3) The right to a prompt hearing after a vehicle has  
17          been immobilized or subsequently towed without the  
18          completion of the required traffic education program or  
19          payment of the outstanding fines and penalties on parking,  
20          standing, compliance, automated speed enforcement system,  
21          or automated traffic law violations, or both, for which  
22          final determinations have been issued. An order issued  
23          after the hearing is a final administrative decision within  
24          the meaning of Section 3-101 of the Code of Civil  
25          Procedure.

26          (4) A post immobilization and post-towing notice

1           advising the registered owner of the vehicle of the right  
2           to a hearing to challenge the validity of the impoundment.

3           (d) Judicial review of final determinations of parking,  
4           standing, compliance, automated speed enforcement system, or  
5           automated traffic law violations and final administrative  
6           decisions issued after hearings regarding vehicle  
7           immobilization and impoundment made under this Section shall be  
8           subject to the provisions of the Administrative Review Law.

9           (e) Any fine, penalty, incomplete traffic education  
10          program, or part of any fine or any penalty remaining unpaid  
11          after the exhaustion of, or the failure to exhaust,  
12          administrative remedies created under this Section and the  
13          conclusion of any judicial review procedures shall be a debt  
14          due and owing the municipality or county and, as such, may be  
15          collected in accordance with applicable law. Completion of any  
16          required traffic education program and payment in full of any  
17          fine or penalty resulting from a standing, parking, compliance,  
18          automated speed enforcement system, or automated traffic law  
19          violation shall constitute a final disposition of that  
20          violation.

21          (f) After the expiration of the period within which  
22          judicial review may be sought for a final determination of  
23          parking, standing, compliance, automated speed enforcement  
24          system, or automated traffic law violation, the municipality or  
25          county may commence a proceeding in the Circuit Court for  
26          purposes of obtaining a judgment on the final determination of

1 violation. Nothing in this Section shall prevent a municipality  
2 or county from consolidating multiple final determinations of  
3 parking, standing, compliance, automated speed enforcement  
4 system, or automated traffic law violations against a person in  
5 a proceeding. Upon commencement of the action, the municipality  
6 or county shall file a certified copy or record of the final  
7 determination of parking, standing, compliance, automated  
8 speed enforcement system, or automated traffic law violation,  
9 which shall be accompanied by a certification that recites  
10 facts sufficient to show that the final determination of  
11 violation was issued in accordance with this Section and the  
12 applicable municipal or county ordinance. Service of the  
13 summons and a copy of the petition may be by any method  
14 provided by Section 2-203 of the Code of Civil Procedure or by  
15 certified mail, return receipt requested, provided that the  
16 total amount of fines and penalties for final determinations of  
17 parking, standing, compliance, automated speed enforcement  
18 system, or automated traffic law violations does not exceed  
19 \$2500. If the court is satisfied that the final determination  
20 of parking, standing, compliance, automated speed enforcement  
21 system, or automated traffic law violation was entered in  
22 accordance with the requirements of this Section and the  
23 applicable municipal or county ordinance, and that the  
24 registered owner or the lessee, as the case may be, had an  
25 opportunity for an administrative hearing and for judicial  
26 review as provided in this Section, the court shall render



1 judgment in favor of the municipality or county and against the  
2 registered owner or the lessee for the amount indicated in the  
3 final determination of parking, standing, compliance,  
4 automated speed enforcement system, or automated traffic law  
5 violation, plus costs. The judgment shall have the same effect  
6 and may be enforced in the same manner as other judgments for  
7 the recovery of money.

8 (g) The fee for participating in a traffic education  
9 program under this Section shall not exceed \$25.

10 A low-income individual required to complete a traffic  
11 education program under this Section who provides proof of  
12 eligibility for the federal earned income tax credit under  
13 Section 32 of the Internal Revenue Code or the Illinois earned  
14 income tax credit under Section 212 of the Illinois Income Tax  
15 Act shall not be required to pay any fee for participating in a  
16 required traffic education program.

17 (Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672,  
18 eff. 7-1-12; 98-556, eff. 1-1-14; 98-1028, eff. 8-22-14.)

19 (625 ILCS 5/6-205.2 rep.)

20 (625 ILCS 5/6-306.7 rep.)

21 Section 10. The Illinois Vehicle Code is amended by  
22 repealing Sections 6-205.2 and 6-306.7.

23 Section 99. Effective date. This Act takes effect July 1,  
24 2019."