



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3052

by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Provides that the amendatory Act may be referred to as the License to Work Act. Deletes language providing that all notices sent to a person involved in an administrative proceeding shall state that failure to satisfy any fine or penalty shall result in the Secretary of State suspending his or her driving privileges, vehicle registration, or both. Provides that the Secretary is authorized to cancel any license or permit if the holder failed to pay any fees owed to the Secretary for the license or permit (rather than failure to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due upon reasonable notice and demand). Provides that a person whose driver's license was canceled, suspended, or revoked under certain circumstances shall have his or her driving privileges reinstated. Deletes language providing that the reporting requirements for public officials shall apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor whose driver's license has been suspended. Provides for the immediate revocation of the license, permit, or driving privileges of any driver if the driver was convicted of a misdemeanor relating to a motor vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that the Secretary is authorized to suspend or revoke the driving privileges of any person without a preliminary hearing if the person has been convicted of criminal trespass to vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that in order to be subject to suspension or revocation for violation of specific provisions of the Liquor Control Act of 1934, a person must also be an occupant of a motor vehicle at the time of the violation. Deletes language authorizing the Secretary to suspend or revoke the driving privileges of a person without a preliminary hearing for specific adjudications or violations. Deletes language providing that the owner of a registered vehicle that has failed to pay any fine or penalty due and owing as a result of 10 or more violations shall have his or her driving privileges suspended. Repeals Sections concerning the suspension of a driver's license for theft of motor fuel and suspension of driving privileges for failure to satisfy fines or penalties for toll violations or evasions. Effective July 1, 2020.

LRB101 09446 TAE 54544 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 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, 6-306.5, and
8 11-208.3 and by adding Section 6-209.1 as follows:

9 (625 ILCS 5/3-704.2)

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

13 (a) Upon receipt of a certified report, as prescribed by
14 subsection (c) of this Section, from the Authority stating that
15 the owner of a registered vehicle has failed to satisfy any
16 fine or penalty resulting from a final order issued by the
17 Authority relating directly or indirectly to 5 or more toll
18 violations, toll evasions, or both, the Secretary of State
19 shall suspend the vehicle registration of the person in
20 accordance with the procedures set forth in this Section.

21 (b) Following receipt of the certified report of the
22 Authority as specified in the Section, the Secretary of State

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

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

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

18 (2) A statement that the Authority sent a notice of
19 impending suspension of the person's driver's license,
20 vehicle registration, or both, as prescribed by rules
21 enacted pursuant to subsection (a-5) of Section 10 of the
22 Toll Highway Act, to the person named in the report at the
23 address recorded with the Secretary of State; the date on
24 which the notice was sent; and the address to which the
25 notice was sent.

26 (d) The Authority, after making a certified report to the

1 Secretary pursuant to this Section, shall notify the Secretary,
2 on a form prescribed by the Secretary, whenever a person named
3 in the certified report has satisfied the previously reported
4 fines or penalties or whenever the Authority determines that
5 the original report was in error. A certified copy of the
6 notification shall also be given upon request and at no
7 additional charge to the person named therein. Upon receipt of
8 the Authority's notification or presentation of a certified
9 copy of the notification, the Secretary shall terminate the
10 suspension.

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

15 (1) the person not having been the owner or lessee of
16 the vehicle or vehicles receiving 5 or more toll violation
17 or toll evasion notices on the date or dates the notices
18 were issued; or

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

22 (f) All notices sent by the Authority to persons involved
23 in administrative adjudications, hearings, and final orders
24 issued pursuant to rules implementing subsection (a-5) of
25 Section 10 of the Toll Highway Act shall state, in clear and
26 unambiguous language, the consequences of that failure to

1 ~~satisfy any fine or penalty imposed by the Authority shall~~
2 ~~result in the Secretary of State suspending the driving~~
3 ~~privileges, vehicle registration, or both, of the person~~
4 failing to satisfy the fines or penalties imposed by the
5 Authority.

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

18 (h) The Secretary and the Authority may promulgate rules to
19 enable them to carry out their duties under this Section.

20 (i) The Authority shall cooperate with the Secretary in the
21 administration of this Section and shall provide the Secretary
22 with any information the Secretary may deem necessary for these
23 purposes, including regular and timely access to toll violation
24 enforcement records.

25 The Secretary shall cooperate with the Authority in the
26 administration of this Section and shall provide the Authority

1 with any information the Authority may deem necessary for the
2 purposes of this Section, including regular and timely access
3 to vehicle registration records. Section 2-123 of this Code
4 shall not apply to the provision of this information, but the
5 Secretary shall be reimbursed for the cost of providing this
6 information.

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

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

10 (625 ILCS 5/6-201)

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

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

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

15 or

16 2. failed to give the required or correct information
17 in his application; or

18 3. failed to pay any fees owed to the Secretary of
19 State under this Code for the license or permit, ~~civil~~
20 ~~penalties owed to the Illinois Commerce Commission, or~~
21 ~~taxes due under this Act and upon reasonable notice and~~
22 ~~demand;~~ or

23 4. committed any fraud in the making of such
24 application; or

25 5. is ineligible therefor under the provisions of

1 Section 6-103 of this Act, as amended; or

2 6. has refused or neglected to submit an alcohol, drug,
3 and intoxicating compound evaluation or to submit to
4 examination or re-examination as required under this Act;
5 or

6 7. has been convicted of violating the Cannabis Control
7 Act, the Illinois Controlled Substances Act, the
8 Methamphetamine Control and Community Protection Act, or
9 the Use of Intoxicating Compounds Act while that individual
10 was in actual physical control of a motor vehicle. For
11 purposes of this Section, any person placed on probation
12 under Section 10 of the Cannabis Control Act, Section 410
13 of the Illinois Controlled Substances Act, or Section 70 of
14 the Methamphetamine Control and Community Protection Act
15 shall not be considered convicted. Any person found guilty
16 of this offense, while in actual physical control of a
17 motor vehicle, shall have an entry made in the court record
18 by the judge that this offense did occur while the person
19 was in actual physical control of a motor vehicle and order
20 the clerk of the court to report the violation to the
21 Secretary of State as such. After the cancellation, the
22 Secretary of State shall not issue a new license or permit
23 for a period of one year after the date of cancellation.
24 However, upon application, the Secretary of State may, if
25 satisfied that the person applying will not endanger the
26 public safety, or welfare, issue a restricted driving

1 permit granting the privilege of driving a motor vehicle
2 between the petitioner's residence and petitioner's place
3 of employment or within the scope of the petitioner's
4 employment related duties, or to allow transportation for
5 the petitioner or a household member of the petitioner's
6 family for the receipt of necessary medical care, or
7 provide transportation for the petitioner to and from
8 alcohol or drug remedial or rehabilitative activity
9 recommended by a licensed service provider, or for the
10 petitioner to attend classes, as a student, in an
11 accredited educational institution. The petitioner must
12 demonstrate that no alternative means of transportation is
13 reasonably available; provided that the Secretary's
14 discretion shall be limited to cases where undue hardship,
15 as defined by the rules of the Secretary of State, would
16 result from a failure to issue such restricted driving
17 permit. In each case the Secretary of State may issue such
18 restricted driving permit for such period as he deems
19 appropriate, except that such permit shall expire no later
20 than 2 years from the date of issuance. A restricted
21 driving permit issued hereunder shall be subject to
22 cancellation, revocation and suspension by the Secretary
23 of State in like manner and for like cause as a driver's
24 license issued hereunder may be cancelled, revoked or
25 suspended; except that a conviction upon one or more
26 offenses against laws or ordinances regulating the

1 movement of traffic shall be deemed sufficient cause for
2 the revocation, suspension or cancellation of a restricted
3 driving permit. The Secretary of State may, as a condition
4 to the issuance of a restricted driving permit, require the
5 applicant to participate in a driver remedial or
6 rehabilitative program. In accordance with 49 C.F.R. 384,
7 the Secretary of State may not issue a restricted driving
8 permit for the operation of a commercial motor vehicle to a
9 person holding a CDL whose driving privileges have been
10 revoked, suspended, cancelled, or disqualified under this
11 Code; or

12 8. failed to submit a report as required by Section
13 6-116.5 of this Code; or

14 9. has been convicted of a sex offense as defined in
15 the Sex Offender Registration Act. The driver's license
16 shall remain cancelled until the driver registers as a sex
17 offender as required by the Sex Offender Registration Act,
18 proof of the registration is furnished to the Secretary of
19 State and the sex offender provides proof of current
20 address to the Secretary; or

21 10. is ineligible for a license or permit under Section
22 6-107, 6-107.1, or 6-108 of this Code; or

23 11. refused or neglected to appear at a Driver Services
24 facility to have the license or permit corrected and a new
25 license or permit issued or to present documentation for
26 verification of identity; or

1 12. failed to submit a medical examiner's certificate
2 or medical variance as required by 49 C.F.R. 383.71 or
3 submitted a fraudulent medical examiner's certificate or
4 medical variance; or

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

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

10 15. has submitted acceptable documentation indicating
11 out-of-state residency to the Secretary of State to be
12 released from the requirement of showing proof of financial
13 responsibility in this State; or

14 16. was convicted of fraud relating to the testing or
15 issuance of a CDL or CLP, in which case only the CDL or CLP
16 shall be cancelled. After cancellation, the Secretary
17 shall not issue a CLP or CDL for a period of one year from
18 the date of cancellation; or

19 17. has a special restricted license under subsection
20 (g) of Section 6-113 of this Code and failed to submit the
21 required annual vision specialist report that the special
22 restricted license holder's vision has not changed; or

23 18. has a special restricted license under subsection
24 (g) of Section 6-113 of this Code and was convicted or
25 received court supervision for a violation of this Code
26 that occurred during nighttime hours or was involved in a

1 motor vehicle accident during nighttime hours in which the
2 restricted license holder was at fault; or

3 19. has assisted an out-of-state resident in acquiring
4 an Illinois driver's license or identification card by
5 providing or allowing the out-of-state resident to use his
6 or her Illinois address of residence and is complicit in
7 distributing and forwarding the Illinois driver's license
8 or identification card to the out-of-state resident.

9 (b) Upon such cancellation the licensee or permittee must
10 surrender the license or permit so cancelled to the Secretary
11 of State.

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

16 (d) The Secretary of State may adopt rules to implement
17 this Section.

18 (Source: P.A. 100-409, eff. 8-25-17; 100-803, eff. 1-1-19.)

19 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)

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

21 (a) For the purpose of providing to the Secretary of State
22 the records essential to the performance of the Secretary's
23 duties under this Code to cancel, revoke or suspend the
24 driver's license and privilege to drive motor vehicles of
25 certain minors ~~adjudicated truant minors in need of~~

1 ~~supervision, addicted, or delinquent~~ and of persons found
2 guilty of the criminal offenses or traffic violations which
3 this Code recognizes as evidence relating to unfitness to
4 safely operate motor vehicles, the following duties are imposed
5 upon public officials:

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

15 (2) Whenever any person is convicted of any offense
16 under this Code or similar offenses under a municipal
17 ordinance, other than regulations governing standing,
18 parking or weights of vehicles, and excepting the following
19 enumerated Sections of this Code: Sections 11-1406
20 (obstruction to driver's view or control), 11-1407
21 (improper opening of door into traffic), 11-1410 (coasting
22 on downgrade), 11-1411 (following fire apparatus),
23 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving
24 vehicle which is in unsafe condition or improperly
25 equipped), 12-201(a) (daytime lights on motorcycles),
26 12-202 (clearance, identification and side marker lamps),

1 12-204 (lamp or flag on projecting load), 12-205 (failure
2 to display the safety lights required), 12-401
3 (restrictions as to tire equipment), 12-502 (mirrors),
4 12-503 (windshields must be unobstructed and equipped with
5 wipers), 12-601 (horns and warning devices), 12-602
6 (mufflers, prevention of noise or smoke), 12-603 (seat
7 safety belts), 12-702 (certain vehicles to carry flares or
8 other warning devices), 12-703 (vehicles for oiling roads
9 operated on highways), 12-710 (splash guards and
10 replacements), 13-101 (safety tests), 15-101 (size, weight
11 and load), 15-102 (width), 15-103 (height), 15-104 (name
12 and address on second division vehicles), 15-107 (length of
13 vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights),
14 15-112 (weights), 15-301 (weights), 15-316 (weights),
15 15-318 (weights), and also excepting the following
16 enumerated Sections of the Chicago Municipal Code:
17 Sections 27-245 (following fire apparatus), 27-254
18 (obstruction of traffic), 27-258 (driving vehicle which is
19 in unsafe condition), 27-259 (coasting on downgrade),
20 27-264 (use of horns and signal devices), 27-265
21 (obstruction to driver's view or driver mechanism), 27-267
22 (dimming of headlights), 27-268 (unattended motor
23 vehicle), 27-272 (illegal funeral procession), 27-273
24 (funeral procession on boulevard), 27-275 (driving freight
25 hauling vehicles on boulevard), 27-276 (stopping and
26 standing of buses or taxicabs), 27-277 (cruising of public

1 passenger vehicles), 27-305 (parallel parking), 27-306
2 (diagonal parking), 27-307 (parking not to obstruct
3 traffic), 27-308 (stopping, standing or parking
4 regulated), 27-311 (parking regulations), 27-312 (parking
5 regulations), 27-313 (parking regulations), 27-314
6 (parking regulations), 27-315 (parking regulations),
7 27-316 (parking regulations), 27-317 (parking
8 regulations), 27-318 (parking regulations), 27-319
9 (parking regulations), 27-320 (parking regulations),
10 27-321 (parking regulations), 27-322 (parking
11 regulations), 27-324 (loading and unloading at an angle),
12 27-333 (wheel and axle loads), 27-334 (load restrictions in
13 the downtown district), 27-335 (load restrictions in
14 residential areas), 27-338 (width of vehicles), 27-339
15 (height of vehicles), 27-340 (length of vehicles), 27-352
16 (reflectors on trailers), 27-353 (mufflers), 27-354
17 (display of plates), 27-355 (display of city vehicle tax
18 sticker), 27-357 (identification of vehicles), 27-358
19 (projecting of loads), and also excepting the following
20 enumerated paragraphs of Section 2-201 of the Rules and
21 Regulations of the Illinois State Toll Highway Authority:
22 (l) (driving unsafe vehicle on tollway), (m) (vehicles
23 transporting dangerous cargo not properly indicated), it
24 shall be the duty of the clerk of the court in which such
25 conviction is had within 5 days thereafter to forward to
26 the Secretary of State a report of the conviction and the

1 court may recommend the suspension of the driver's license
2 or permit of the person so convicted.

3 The reporting requirements of this subsection shall
4 apply to all violations stated in paragraphs (1) and (2) of
5 this subsection when the individual has been adjudicated
6 under the Juvenile Court Act or the Juvenile Court Act of
7 1987. Such reporting requirements shall also apply to
8 individuals adjudicated under the Juvenile Court Act or the
9 Juvenile Court Act of 1987 who have committed a violation
10 of Section 11-501 of this Code, or similar provision of a
11 local ordinance, or Section 9-3 of the Criminal Code of
12 1961 or the Criminal Code of 2012, relating to the offense
13 of reckless homicide, or Section 5-7 of the Snowmobile
14 Registration and Safety Act or Section 5-16 of the Boat
15 Registration and Safety Act, relating to the offense of
16 operating a snowmobile or a watercraft while under the
17 influence of alcohol, other drug or drugs, intoxicating
18 compound or compounds, or combination thereof. These
19 reporting requirements also apply to individuals
20 adjudicated under the Juvenile Court Act of 1987 based on
21 any offense determined to have been committed in
22 furtherance of the criminal activities of an organized
23 gang, as provided in Section 5-710 of that Act, if those
24 activities ~~and that~~ involved the operation or use of a
25 motor vehicle ~~or the use of a driver's license or permit.~~
26 ~~The reporting requirements of this subsection shall also~~

1 ~~apply to a truant minor in need of supervision, an addicted~~
2 ~~minor, or a delinquent minor and whose driver's license and~~
3 ~~privilege to drive a motor vehicle has been ordered~~
4 ~~suspended for such times as determined by the court, but~~
5 ~~only until he or she attains 18 years of age.~~ It shall be
6 the duty of the clerk of the court in which adjudication is
7 had within 5 days thereafter to forward to the Secretary of
8 State a report of the adjudication and the court order
9 requiring the Secretary of State to suspend the minor's
10 driver's license and driving privilege for such time as
11 determined by the court, but only until he or she attains
12 the age of 18 years. All juvenile court dispositions
13 reported to the Secretary of State under this provision
14 shall be processed by the Secretary of State as if the
15 cases had been adjudicated in traffic or criminal court.
16 However, information reported relative to the offense of
17 reckless homicide, or Section 11-501 of this Code, or a
18 similar provision of a local ordinance, shall be privileged
19 and available only to the Secretary of State, courts, and
20 police officers.

21 The reporting requirements of this subsection (a)
22 apply to all violations listed in paragraphs (1) and (2) of
23 this subsection (a), excluding parking violations, when
24 the driver holds a CLP or CDL, regardless of the type of
25 vehicle in which the violation occurred, or when any driver
26 committed the violation in a commercial motor vehicle as

1 defined in Section 6-500 of this Code.

2 (3) Whenever an order is entered vacating the
3 forfeiture of any bail, security or bond given to secure
4 appearance for any offense under this Code or similar
5 offenses under municipal ordinance, it shall be the duty of
6 the clerk of the court in which such vacation was had or
7 the judge of such court if such court has no clerk, within
8 5 days thereafter to forward to the Secretary of State a
9 report of the vacation.

10 (4) A report of any disposition of court supervision
11 for a violation of Sections 6-303, 11-401, 11-501 or a
12 similar provision of a local ordinance, 11-503, 11-504, and
13 11-506 of this Code, Section 5-7 of the Snowmobile
14 Registration and Safety Act, and Section 5-16 of the Boat
15 Registration and Safety Act shall be forwarded to the
16 Secretary of State. A report of any disposition of court
17 supervision for a violation of an offense defined as a
18 serious traffic violation in this Code or a similar
19 provision of a local ordinance committed by a person under
20 the age of 21 years shall be forwarded to the Secretary of
21 State.

22 (5) Reports of conviction under this Code and
23 sentencing hearings under the Juvenile Court Act of 1987 in
24 an electronic format or a computer processible medium shall
25 be forwarded to the Secretary of State via the Supreme
26 Court in the form and format required by the Illinois

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

17 (b) Whenever a restricted driving permit is forwarded to a
18 court, as a result of confiscation by a police officer pursuant
19 to the authority in Section 6-113(f), it shall be the duty of
20 the clerk, or judge, if the court has no clerk, to forward such
21 restricted driving permit and a facsimile of the officer's
22 citation to the Secretary of State as expeditiously as
23 practicable.

24 (c) For the purposes of this Code, a forfeiture of bail or
25 collateral deposited to secure a defendant's appearance in
26 court when forfeiture has not been vacated, or the failure of a

1 defendant to appear for trial after depositing his driver's
2 license in lieu of other bail, shall be equivalent to a
3 conviction.

4 (d) For the purpose of providing the Secretary of State
5 with records necessary to properly monitor and assess driver
6 performance and assist the courts in the proper disposition of
7 repeat traffic law offenders, the clerk of the court shall
8 forward to the Secretary of State, on a form prescribed by the
9 Secretary, records of a driver's participation in a driver
10 remedial or rehabilitative program which was required, through
11 a court order or court supervision, in relation to the driver's
12 arrest for a violation of Section 11-501 of this Code or a
13 similar provision of a local ordinance. The clerk of the court
14 shall also forward to the Secretary, either on paper or in an
15 electronic format or a computer processible medium as required
16 under paragraph (5) of subsection (a) of this Section, any
17 disposition of court supervision for any traffic violation,
18 excluding those offenses listed in paragraph (2) of subsection
19 (a) of this Section. These reports shall be sent within 5 days
20 after disposition, or, if the driver is referred to a driver
21 remedial or rehabilitative program, within 5 days of the
22 driver's referral to that program. These reports received by
23 the Secretary of State, including those required to be
24 forwarded under paragraph (a)(4), shall be privileged
25 information, available only (i) to the affected driver, (ii) to
26 the parent or guardian of a person under the age of 18 years

1 holding an instruction permit or a graduated driver's license,
2 and (iii) for use by the courts, police officers, prosecuting
3 authorities, the Secretary of State, and the driver licensing
4 administrator of any other state. In accordance with 49 C.F.R.
5 Part 384, all reports of court supervision, except violations
6 related to parking, shall be forwarded to the Secretary of
7 State for all holders of a CLP or CDL or any driver who commits
8 an offense while driving a commercial motor vehicle. These
9 reports shall be recorded to the driver's record as a
10 conviction for use in the disqualification of the driver's
11 commercial motor vehicle privileges and shall not be privileged
12 information.

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

14 (625 ILCS 5/6-205)

15 Sec. 6-205. Mandatory revocation of license or permit;
16 hardship cases.

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

21 1. Reckless homicide resulting from the operation of a
22 motor vehicle;

23 2. Violation of Section 11-501 of this Code or a
24 similar provision of a local ordinance relating to the
25 offense of operating or being in physical control of a

1 vehicle while under the influence of alcohol, other drug or
2 drugs, intoxicating compound or compounds, or any
3 combination thereof;

4 3. Any felony under the laws of any State or the
5 federal government in the commission of which a motor
6 vehicle was used;

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

10 5. Perjury or the making of a false affidavit or
11 statement under oath to the Secretary of State under this
12 Code or under any other law relating to the ownership or
13 operation of motor vehicles;

14 6. Conviction upon 3 charges of violation of Section
15 11-503 of this Code relating to the offense of reckless
16 driving committed within a period of 12 months;

17 7. Conviction of any offense defined in Section 4-102
18 of this Code if the person exercised actual physical
19 control over the vehicle during the commission of the
20 offense;

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

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

24 10. Violation of Section 12-5 of the Criminal Code of
25 1961 or the Criminal Code of 2012 arising from the use of a
26 motor vehicle;

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

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

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

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

17 15. A second or subsequent conviction of driving while
18 the person's driver's license, permit or privileges was
19 revoked for reckless homicide or a similar out-of-state
20 offense;

21 16. Any offense against any provision in this Code, or
22 any local ordinance, regulating the movement of traffic
23 when that offense was the proximate cause of the death of
24 any person. Any person whose driving privileges have been
25 revoked pursuant to this paragraph may seek to have the
26 revocation terminated or to have the length of revocation

1 reduced by requesting an administrative hearing with the
2 Secretary of State prior to the projected driver's license
3 application eligibility date;

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

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

19 19. Violation of subsection (a) of Section 11-1414 of
20 this Code, or a similar provision of a local ordinance,
21 relating to the offense of overtaking or passing of a
22 school bus when the driver, in committing the violation, is
23 involved in a motor vehicle accident that results in death
24 to another and the violation is a proximate cause of the
25 death.

26 (b) The Secretary of State shall also immediately revoke

1 the license or permit of any driver in the following
2 situations:

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

8 2. Of any person when any other law of this State
9 requires either the revocation or suspension of a license
10 or permit;

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

19 (c) (1) Whenever a person is convicted of any of the
20 offenses enumerated in this Section, the court may recommend
21 and the Secretary of State in his discretion, without regard to
22 whether the recommendation is made by the court may, upon
23 application, issue to the person a restricted driving permit
24 granting the privilege of driving a motor vehicle between the
25 petitioner's residence and petitioner's place of employment or
26 within the scope of the petitioner's employment related duties,

1 or to allow the petitioner to transport himself or herself or a
2 family member of the petitioner's household to a medical
3 facility for the receipt of necessary medical care or to allow
4 the petitioner to transport himself or herself to and from
5 alcohol or drug remedial or rehabilitative activity
6 recommended by a licensed service provider, or to allow the
7 petitioner to transport himself or herself or a family member
8 of the petitioner's household to classes, as a student, at an
9 accredited educational institution, or to allow the petitioner
10 to transport children, elderly persons, or persons with
11 disabilities who do not hold driving privileges and are living
12 in the petitioner's household to and from daycare; if the
13 petitioner is able to demonstrate that no alternative means of
14 transportation is reasonably available and that the petitioner
15 will not endanger the public safety or welfare; provided that
16 the Secretary's discretion shall be limited to cases where
17 undue hardship, as defined by the rules of the Secretary of
18 State, would result from a failure to issue the restricted
19 driving permit.

20 (1.5) A person subject to the provisions of paragraph 4 of
21 subsection (b) of Section 6-208 of this Code may make
22 application for a restricted driving permit at a hearing
23 conducted under Section 2-118 of this Code after the expiration
24 of 5 years from the effective date of the most recent
25 revocation, or after 5 years from the date of release from a
26 period of imprisonment resulting from a conviction of the most

1 recent offense, whichever is later, provided the person, in
2 addition to all other requirements of the Secretary, shows by
3 clear and convincing evidence:

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

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

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

26 A restricted driving permit issued under this paragraph

1 (1.5) shall provide that the holder may only operate motor
2 vehicles equipped with an ignition interlock device as required
3 under paragraph (2) of subsection (c) of this Section and
4 subparagraph (A) of paragraph 3 of subsection (c) of Section
5 6-206 of this Code. The Secretary may revoke a restricted
6 driving permit or amend the conditions of a restricted driving
7 permit issued under this paragraph (1.5) if the holder operates
8 a vehicle that is not equipped with an ignition interlock
9 device, or for any other reason authorized under this Code.

10 A restricted driving permit issued under this paragraph
11 (1.5) shall be revoked, and the holder barred from applying for
12 or being issued a restricted driving permit in the future, if
13 the holder is subsequently convicted of a violation of Section
14 11-501 of this Code, a similar provision of a local ordinance,
15 or a similar offense in another state.

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

1 (3) If:

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

4 (i) a single conviction of violating Section
5 11-501 of this Code or a similar provision of a local
6 ordinance or a similar out-of-state offense, or
7 Section 9-3 of the Criminal Code of 1961 or the
8 Criminal Code of 2012, where the use of alcohol or
9 other drugs is recited as an element of the offense, or
10 a similar out-of-state offense; or

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

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

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

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

25 (4) The person issued a permit conditioned on the use of an
26 ignition interlock device must pay to the Secretary of State

1 DUI Administration Fund an amount not to exceed \$30 per month.
2 The Secretary shall establish by rule the amount and the
3 procedures, terms, and conditions relating to these fees.

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

19 (6) In each case the Secretary of State may issue a
20 restricted driving permit for a period he deems appropriate,
21 except that the permit shall expire no later than 2 years from
22 the date of issuance. A restricted driving permit issued under
23 this Section shall be subject to cancellation, revocation, and
24 suspension by the Secretary of State in like manner and for
25 like cause as a driver's license issued under this Code may be
26 cancelled, revoked, or suspended; except that a conviction upon

1 one or more offenses against laws or ordinances regulating the
2 movement of traffic shall be deemed sufficient cause for the
3 revocation, suspension, or cancellation of a restricted
4 driving permit. The Secretary of State may, as a condition to
5 the issuance of a restricted driving permit, require the
6 petitioner to participate in a designated driver remedial or
7 rehabilitative program. The Secretary of State is authorized to
8 cancel a restricted driving permit if the permit holder does
9 not successfully complete the program. However, if an
10 individual's driving privileges have been revoked in
11 accordance with paragraph 13 of subsection (a) of this Section,
12 no restricted driving permit shall be issued until the
13 individual has served 6 months of the revocation period.

14 (c-5) (Blank).

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

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

8 (d) (1) Whenever a person under the age of 21 is convicted
9 under Section 11-501 of this Code or a similar provision of a
10 local ordinance or a similar out-of-state offense, the
11 Secretary of State shall revoke the driving privileges of that
12 person. One year after the date of revocation, and upon
13 application, the Secretary of State may, if satisfied that the
14 person applying will not endanger the public safety or welfare,
15 issue a restricted driving permit granting the privilege of
16 driving a motor vehicle only between the hours of 5 a.m. and 9
17 p.m. or as otherwise provided by this Section for a period of
18 one year. After this one-year period, and upon reapplication
19 for a license as provided in Section 6-106, upon payment of the
20 appropriate reinstatement fee provided under paragraph (b) of
21 Section 6-118, the Secretary of State, in his discretion, may
22 reinstate the petitioner's driver's license and driving
23 privileges, or extend the restricted driving permit as many
24 times as the Secretary of State deems appropriate, by
25 additional periods of not more than 24 months each.

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

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

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

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

21 (B) a statutory summary suspension or revocation
22 under Section 11-501.1; or

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

1 device as defined in Section 1-129.1.

2 (3.5) If a person's license or permit is revoked or
3 suspended due to a conviction for a violation of
4 subparagraph (C) or (F) of paragraph (1) of subsection (d)
5 of Section 11-501 of this Code, or a similar provision of a
6 local ordinance or similar out-of-state offense, that
7 person, if issued a restricted driving permit, may not
8 operate a vehicle unless it has been equipped with an
9 ignition interlock device as defined in Section 1-129.1.

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

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

1 person had his or her driving privileges revoked or a
2 one-year period has elapsed during which that person had a
3 restricted driving permit which required the use of an
4 ignition interlock device on every motor vehicle owned or
5 operated by that person.

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

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

24 (e) This Section is subject to the provisions of the Driver
25 License Compact.

26 (f) Any revocation imposed upon any person under

1 subsections 2 and 3 of paragraph (b) that is in effect on
2 December 31, 1988 shall be converted to a suspension for a like
3 period of time.

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

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

24 (i) (Blank).

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

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

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

9 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
10 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
11 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff. 7-28-16;
12 100-223, eff. 8-18-17; 100-803, eff. 1-1-19.)

13 (625 ILCS 5/6-206)

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

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

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

23 2. Has been convicted of not less than 3 offenses
24 against traffic regulations governing the movement of
25 vehicles committed within any 12 month period. No

1 revocation or suspension shall be entered more than 6
2 months after the date of last conviction;

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

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

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

24 6. Has been lawfully convicted of an offense or
25 offenses in another state, including the authorization
26 contained in Section 6-203.1, which if committed within

1 this State would be grounds for suspension or revocation;

2 7. Has refused or failed to submit to an examination
3 provided for by Section 6-207 or has failed to pass the
4 examination;

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

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

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

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

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

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

4 14. Has committed a violation of Section 6-301,
5 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
6 14B of the Illinois Identification Card Act;

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

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

15 17. Has refused to submit to a test, or tests, as
16 required under Section 11-501.1 of this Code and the person
17 has not sought a hearing as provided for in Section
18 11-501.1;

19 18. (Blank); ~~Has, since issuance of a driver's license~~
20 ~~or permit, been adjudged to be afflicted with or suffering~~
21 ~~from any mental disability or disease;~~

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

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

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

5 22. Has used a motor vehicle in violating paragraph
6 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
7 the Criminal Code of 1961 or the Criminal Code of 2012
8 relating to unlawful use of weapons, in which case the
9 suspension shall be for one year;

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

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

20 25. Has permitted any form of identification to be used
21 by another in the application process in order to obtain or
22 attempt to obtain a license, identification card, or
23 permit;

24 26. Has altered or attempted to alter a license or has
25 possessed an altered license, identification card, or
26 permit;

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

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

17 29. Has been convicted of the following offenses that
18 were committed while the person was operating or in actual
19 physical control, as a driver, of a motor vehicle: criminal
20 sexual assault, predatory criminal sexual assault of a
21 child, aggravated criminal sexual assault, criminal sexual
22 abuse, aggravated criminal sexual abuse, juvenile pimping,
23 soliciting for a juvenile prostitute, promoting juvenile
24 prostitution as described in subdivision (a)(1), (a)(2),
25 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
26 or the Criminal Code of 2012, and the manufacture, sale or

1 delivery of controlled substances or instruments used for
2 illegal drug use or abuse in which case the driver's
3 driving privileges shall be suspended for one year;

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

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

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

26 33. Has as a driver, who was less than 21 years of age

1 on the date of the offense, been convicted a first time of
2 a violation of paragraph (a) of Section 11-502 of this Code
3 or a similar provision of a local ordinance;

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

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

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

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

17 38. Has been convicted of a violation of Section 6-20
18 of the Liquor Control Act of 1934 or a similar provision of
19 a local ordinance and the person was an occupant of a motor
20 vehicle at the time of the violation;

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

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

25 41. Has committed a second or subsequent violation of
26 Section 11-605.1 of this Code, a similar provision of a

1 local ordinance, or a similar violation in any other state
2 within 2 years of the date of the previous violation, in
3 which case the suspension shall be for 90 days;

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

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

13 44. Is under the age of 21 years at the time of arrest
14 and has been convicted of an offense against traffic
15 regulations governing the movement of vehicles after
16 having previously had his or her driving privileges
17 suspended or revoked pursuant to subparagraph 36 of this
18 Section;

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

26 46. Has committed a violation of subsection (j) of

1 Section 3-413 of this Code;

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

4 48. Has submitted a falsified or altered medical
5 examiner's certificate to the Secretary of State or
6 provided false information to obtain a medical examiner's
7 certificate.

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

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

24 (c) 1. Upon suspending or revoking the driver's license or
25 permit of any person as authorized in this Section, the
26 Secretary of State shall immediately notify the person in

1 writing of the revocation or suspension. The notice to be
2 deposited in the United States mail, postage prepaid, to the
3 last known address of the person.

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

1 affidavit is received subsequent to the effective date of this
2 suspension, a permit may be issued for the remainder of the
3 suspension period.

4 The provisions of this subparagraph shall not apply to any
5 driver required to possess a CDL for the purpose of operating a
6 commercial motor vehicle.

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

11 3. At the conclusion of a hearing under Section 2-118 of
12 this Code, the Secretary of State shall either rescind or
13 continue an order of revocation or shall substitute an order of
14 suspension; or, good cause appearing therefor, rescind,
15 continue, change, or extend the order of suspension. If the
16 Secretary of State does not rescind the order, the Secretary
17 may upon application, to relieve undue hardship (as defined by
18 the rules of the Secretary of State), issue a restricted
19 driving permit granting the privilege of driving a motor
20 vehicle between the petitioner's residence and petitioner's
21 place of employment or within the scope of the petitioner's
22 employment related duties, or to allow the petitioner to
23 transport himself or herself, or a family member of the
24 petitioner's household to a medical facility, to receive
25 necessary medical care, to allow the petitioner to transport
26 himself or herself to and from alcohol or drug remedial or

1 rehabilitative activity recommended by a licensed service
2 provider, or to allow the petitioner to transport himself or
3 herself or a family member of the petitioner's household to
4 classes, as a student, at an accredited educational
5 institution, or to allow the petitioner to transport children,
6 elderly persons, or persons with disabilities who do not hold
7 driving privileges and are living in the petitioner's household
8 to and from daycare. The petitioner must demonstrate that no
9 alternative means of transportation is reasonably available
10 and that the petitioner will not endanger the public safety or
11 welfare.

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

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

26 (i) a single conviction of violating Section

1 11-501 of this Code or a similar provision of a local
2 ordinance or a similar out-of-state offense or Section
3 9-3 of the Criminal Code of 1961 or the Criminal Code
4 of 2012, where the use of alcohol or other drugs is
5 recited as an element of the offense, or a similar
6 out-of-state offense; or

7 (ii) a statutory summary suspension or revocation
8 under Section 11-501.1; or

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

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

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

22 (C) The person issued a permit conditioned upon the use
23 of an ignition interlock device must pay to the Secretary
24 of State DUI Administration Fund an amount not to exceed
25 \$30 per month. The Secretary shall establish by rule the
26 amount and the procedures, terms, and conditions relating

1 to these fees.

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

18 (E) In each case the Secretary may issue a restricted
19 driving permit for a period deemed appropriate, except that
20 all permits shall expire no later than 2 years from the
21 date of issuance. A restricted driving permit issued under
22 this Section shall be subject to cancellation, revocation,
23 and suspension by the Secretary of State in like manner and
24 for like cause as a driver's license issued under this Code
25 may be cancelled, revoked, or suspended; except that a
26 conviction upon one or more offenses against laws or

1 ordinances regulating the movement of traffic shall be
2 deemed sufficient cause for the revocation, suspension, or
3 cancellation of a restricted driving permit. The Secretary
4 of State may, as a condition to the issuance of a
5 restricted driving permit, require the applicant to
6 participate in a designated driver remedial or
7 rehabilitative program. The Secretary of State is
8 authorized to cancel a restricted driving permit if the
9 permit holder does not successfully complete the program.

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

20 (i) a minimum of 3 years of uninterrupted
21 abstinence from alcohol and the unlawful use or
22 consumption of cannabis under the Cannabis Control
23 Act, a controlled substance under the Illinois
24 Controlled Substances Act, an intoxicating compound
25 under the Use of Intoxicating Compounds Act, or
26 methamphetamine under the Methamphetamine Control and

1 Community Protection Act; and
2 (ii) the successful completion of any
3 rehabilitative treatment and involvement in any
4 ongoing rehabilitative activity that may be
5 recommended by a properly licensed service provider
6 according to an assessment of the person's alcohol or
7 drug use under Section 11-501.01 of this Code.

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

19 A restricted driving permit issued under this
20 subparagraph (F) shall provide that the holder may only
21 operate motor vehicles equipped with an ignition interlock
22 device as required under paragraph (2) of subsection (c) of
23 Section 6-205 of this Code and subparagraph (A) of
24 paragraph 3 of subsection (c) of this Section. The
25 Secretary may revoke a restricted driving permit or amend
26 the conditions of a restricted driving permit issued under

1 this subparagraph (F) if the holder operates a vehicle that
2 is not equipped with an ignition interlock device, or for
3 any other reason authorized under this Code.

4 A restricted driving permit issued under this
5 subparagraph (F) shall be revoked, and the holder barred
6 from applying for or being issued a restricted driving
7 permit in the future, if the holder is convicted of a
8 violation of Section 11-501 of this Code, a similar
9 provision of a local ordinance, or a similar offense in
10 another state.

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

24 (c-4) In the case of a suspension under paragraph 43 of
25 subsection (a), the Secretary of State shall notify the person
26 by mail that his or her driving privileges and driver's license

1 will be suspended one month after the date of the mailing of
2 the notice.

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

10 (d) This Section is subject to the provisions of the
11 Drivers License Compact.

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

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

21 (Source: P.A. 99-143, eff. 7-27-15; 99-290, eff. 1-1-16;
22 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-607, eff. 7-22-16;
23 99-642, eff. 7-28-16; 100-803, eff. 1-1-19.)

24 (625 ILCS 5/6-209.1 new)

25 Sec. 6-209.1. Restoration of driving privileges;

1 revocation; suspension; cancellation. The Secretary shall
2 rescind the suspension or cancellation of a person's driver's
3 license that has been suspended or canceled before the
4 effective date of this amendatory Act of the 101st General
5 Assembly due to:

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

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

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

14 (4) the person being convicted of a violation of Section
15 6-20 of the Liquor Control Act of 1934 or a similar provision
16 of a local ordinance, if the person presents a certified copy
17 of a court order that includes a finding that the person was
18 not an occupant of a motor vehicle at the time of the
19 violation;

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

26 (6) the person failing to pay any fine or penalty due or

1 owing as a result of 10 or more violations of a municipality's
2 or county's vehicular standing, parking, or compliance
3 regulations established by ordinance under Section 11-208.3 of
4 this Code;

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

9 (8) the person being convicted of a violation of Section
10 4-102 of this Code, if the person presents a certified copy of
11 a court order that includes a finding that the person did not
12 exercise actual physical control of the vehicle at the time of
13 the violation; or

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

19 (625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

20 Sec. 6-306.5. Failure to pay fine or penalty for standing,
21 parking, compliance, automated speed enforcement system, or
22 automated traffic law violations; suspension of driving
23 privileges.

24 (a) Upon receipt of a certified report, as prescribed by
25 subsection (c) of this Section, from any municipality or county

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

24 (b) Following receipt of the certified report of the
25 municipality or county as specified in this Section, the
26 Secretary of State shall notify the person whose name appears

1 on the certified report that the person's drivers license will
2 be suspended at the end of a specified period of time unless
3 the Secretary of State is presented with a notice from the
4 municipality or county certifying that the fine or penalty due
5 and owing the municipality or county has been paid or that
6 inclusion of that person's name on the certified report was in
7 error. The Secretary's notice shall state in substance the
8 information contained in the municipality's or county's
9 certified report to the Secretary, and shall be effective as
10 specified by subsection (c) of Section 6-211 of this Code.

11 (c) The report of the appropriate municipal or county
12 official notifying the Secretary of State of unpaid fines or
13 penalties pursuant to this Section shall be certified and shall
14 contain the following:

15 (1) The name, last known address as recorded with the
16 Secretary of State, as provided by the lessor of the cited
17 vehicle at the time of lease, or as recorded in a United
18 States Post Office approved database if any notice sent
19 under Section 11-208.3 of this Code is returned as
20 undeliverable, and drivers license number of the person who
21 failed to pay the fine or penalty or who has defaulted in a
22 payment plan and the registration number of any vehicle
23 known to be registered to such person in this State.

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

26 (3) A statement that the municipality or county sent a

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

18 (4) A unique identifying reference number for each
19 request of suspension sent whenever a person has failed to
20 pay the fine or penalty or has defaulted on a payment plan.

21 (d) Any municipality or county making a certified report to
22 the Secretary of State pursuant to this Section shall notify
23 the Secretary of State, in a form prescribed by the Secretary,
24 whenever a person named in the certified report has paid the
25 previously reported fine or penalty, whenever a person named in
26 the certified report has entered into a payment plan pursuant

1 to which the municipality or county has agreed to terminate the
2 suspension, or whenever the municipality or county determines
3 that the original report was in error. A certified copy of such
4 notification shall also be given upon request and at no
5 additional charge to the person named therein. Upon receipt of
6 the municipality's or county's notification or presentation of
7 a certified copy of such notification, the Secretary of State
8 shall terminate the suspension.

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

24 (f) Any municipality or county, other than a municipality
25 or county establishing ~~vehicular standing, parking, and~~
26 ~~compliance regulations pursuant to Section 11 208.3,~~ automated

1 speed enforcement system regulations under Section 11-208.8,
2 or automated traffic law regulations under Section 11-208.6,
3 11-208.9, or 11-1201.1, may also cause a suspension of a
4 person's drivers license pursuant to this Section. Such
5 municipality or county may invoke this sanction by making a
6 certified report to the Secretary of State upon a person's
7 failure to satisfy any fine or penalty imposed by final
8 judgment for ~~10 or more violations of local standing, parking,~~
9 ~~or compliance regulations~~ or a combination of 5 or more
10 automated speed enforcement system or automated traffic law
11 violations after exhaustion of judicial review procedures, but
12 only if:

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

16 (2) the municipality or county has sent a notice of
17 impending drivers license suspension as prescribed by an
18 ordinance enacted pursuant to subsection (g) of this
19 Section; and

20 (3) in municipalities or counties with a population of
21 1,000,000 or more, the municipality or county has verified
22 that the alleged violator's State vehicle registration
23 number and vehicle make are correct as they appear on the
24 citations.

25 (g) Any municipality or county, other than a municipality
26 or county establishing ~~standing, parking, and compliance~~

1 ~~regulations pursuant to Section 11-208.3,~~ automated speed
2 enforcement system regulations under Section 11-208.8, or
3 automated traffic law regulations under Section 11-208.6,
4 11-208.9, or 11-1201.1, may provide by ordinance for the
5 sending of a notice of impending drivers license suspension to
6 the person who has failed to satisfy any fine or penalty
7 imposed by final judgment for ~~10 or more violations of local~~
8 ~~standing, parking, or compliance regulations~~ or a combination
9 of 5 or more automated speed enforcement system or automated
10 traffic law violations after exhaustion of judicial review
11 procedures. An ordinance so providing shall specify that the
12 notice sent to the person liable for any fine or penalty shall
13 state that failure to pay the fine or penalty owing within 45
14 days of the notice's date will result in the municipality or
15 county notifying the Secretary of State that the person's
16 drivers license is eligible for suspension pursuant to this
17 Section. The notice of impending drivers license suspension
18 shall be sent by first class United States mail, postage
19 prepaid, to the address recorded with the Secretary of State or
20 at the last address known to the lessor of the cited vehicle at
21 the time of lease or, if any notice sent under Section 11-208.3
22 of this Code is returned as undeliverable, to the last known
23 address recorded in a United States Post Office approved
24 database.

25 (h) An administrative hearing to contest an impending
26 suspension or a suspension made pursuant to this Section may be

1 had upon filing a written request with the Secretary of State.
2 The filing fee for this hearing shall be \$20, to be paid at the
3 time the request is made. A municipality or county which files
4 a certified report with the Secretary of State pursuant to this
5 Section shall reimburse the Secretary for all reasonable costs
6 incurred by the Secretary as a result of the filing of the
7 report, including but not limited to the costs of providing the
8 notice required pursuant to subsection (b) and the costs
9 incurred by the Secretary in any hearing conducted with respect
10 to the report pursuant to this subsection and any appeal from
11 such a hearing.

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

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

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

18 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

19 Sec. 11-208.3. Administrative adjudication of violations
20 of traffic regulations concerning the standing, parking, or
21 condition of vehicles, automated traffic law violations, and
22 automated speed enforcement system violations.

23 (a) Any municipality or county may provide by ordinance for
24 a system of administrative adjudication of vehicular standing
25 and parking violations and vehicle compliance violations as

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

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

23 (1) A traffic compliance administrator authorized to
24 adopt, distribute and process parking, compliance, and
25 automated speed enforcement system or automated traffic
26 law violation notices and other notices required by this

1 Section, collect money paid as fines and penalties for
2 violation of parking and compliance ordinances and
3 automated speed enforcement system or automated traffic
4 law violations, and operate an administrative adjudication
5 system. The traffic compliance administrator also may make
6 a certified report to the Secretary of State under Section
7 6-306.5.

8 (2) A parking, standing, compliance, automated speed
9 enforcement system, or automated traffic law violation
10 notice that shall specify the date, time, and place of
11 violation of a parking, standing, compliance, automated
12 speed enforcement system, or automated traffic law
13 regulation; the particular regulation violated; any
14 requirement to complete a traffic education program; the
15 fine and any penalty that may be assessed for late payment
16 or failure to complete a required traffic education
17 program, or both, when so provided by ordinance; the
18 vehicle make and state registration number; and the
19 identification number of the person issuing the notice.
20 With regard to automated speed enforcement system or
21 automated traffic law violations, vehicle make shall be
22 specified on the automated speed enforcement system or
23 automated traffic law violation notice if the make is
24 available and readily discernible. With regard to
25 municipalities or counties with a population of 1 million
26 or more, it shall be grounds for dismissal of a parking

1 violation if the state registration number or vehicle make
2 specified is incorrect. The violation notice shall state
3 that the completion of any required traffic education
4 program, the payment of any indicated fine, and the payment
5 of any applicable penalty for late payment or failure to
6 complete a required traffic education program, or both,
7 shall operate as a final disposition of the violation. The
8 notice also shall contain information as to the
9 availability of a hearing in which the violation may be
10 contested on its merits. The violation notice shall specify
11 the time and manner in which a hearing may be had.

12 (3) Service of the parking, standing, or compliance
13 violation notice by affixing the original or a facsimile of
14 the notice to an unlawfully parked vehicle or by handing
15 the notice to the operator of a vehicle if he or she is
16 present and service of an automated speed enforcement
17 system or automated traffic law violation notice by mail to
18 the address of the registered owner or lessee of the cited
19 vehicle as recorded with the Secretary of State or the
20 lessor of the motor vehicle within 30 days after the
21 Secretary of State or the lessor of the motor vehicle
22 notifies the municipality or county of the identity of the
23 owner or lessee of the vehicle, but not later than 90 days
24 after the violation, except that in the case of a lessee of
25 a motor vehicle, service of an automated traffic law
26 violation notice may occur no later than 210 days after the

1 violation. A person authorized by ordinance to issue and
2 serve parking, standing, and compliance violation notices
3 shall certify as to the correctness of the facts entered on
4 the violation notice by signing his or her name to the
5 notice at the time of service or in the case of a notice
6 produced by a computerized device, by signing a single
7 certificate to be kept by the traffic compliance
8 administrator attesting to the correctness of all notices
9 produced by the device while it was under his or her
10 control. In the case of an automated traffic law violation,
11 the ordinance shall require a determination by a technician
12 employed or contracted by the municipality or county that,
13 based on inspection of recorded images, the motor vehicle
14 was being operated in violation of Section 11-208.6,
15 11-208.9, or 11-1201.1 or a local ordinance. If the
16 technician determines that the vehicle entered the
17 intersection as part of a funeral procession or in order to
18 yield the right-of-way to an emergency vehicle, a citation
19 shall not be issued. In municipalities with a population of
20 less than 1,000,000 inhabitants and counties with a
21 population of less than 3,000,000 inhabitants, the
22 automated traffic law ordinance shall require that all
23 determinations by a technician that a motor vehicle was
24 being operated in violation of Section 11-208.6, 11-208.9,
25 or 11-1201.1 or a local ordinance must be reviewed and
26 approved by a law enforcement officer or retired law

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

1 vehicle, a citation may not be issued. The automated speed
2 enforcement ordinance shall require that all
3 determinations by a technician that a violation occurred be
4 reviewed and approved by a law enforcement officer or
5 retired law enforcement officer of the municipality
6 issuing the violation or by an additional fully trained
7 reviewing technician who is not employed by the contractor
8 who employs the technician who made the initial
9 determination. Routine and independent calibration of the
10 speeds produced by automated speed enforcement systems and
11 equipment shall be conducted annually by a qualified
12 technician. Speeds produced by an automated speed
13 enforcement system shall be compared with speeds produced
14 by lidar or other independent equipment. Radar or lidar
15 equipment shall undergo an internal validation test no less
16 frequently than once each week. Qualified technicians
17 shall test loop based equipment no less frequently than
18 once a year. Radar equipment shall be checked for accuracy
19 by a qualified technician when the unit is serviced, when
20 unusual or suspect readings persist, or when deemed
21 necessary by a reviewing technician. Radar equipment shall
22 be checked with the internal frequency generator and the
23 internal circuit test whenever the radar is turned on.
24 Technicians must be alert for any unusual or suspect
25 readings, and if unusual or suspect readings of a radar
26 unit persist, that unit shall immediately be removed from

1 service and not returned to service until it has been
2 checked by a qualified technician and determined to be
3 functioning properly. Documentation of the annual
4 calibration results, including the equipment tested, test
5 date, technician performing the test, and test results,
6 shall be maintained and available for use in the
7 determination of an automated speed enforcement system
8 violation and issuance of a citation. The technician
9 performing the calibration and testing of the automated
10 speed enforcement equipment shall be trained and certified
11 in the use of equipment for speed enforcement purposes.
12 Training on the speed enforcement equipment may be
13 conducted by law enforcement, civilian, or manufacturer's
14 personnel and if applicable may be equivalent to the
15 equipment use and operations training included in the Speed
16 Measuring Device Operator Program developed by the
17 National Highway Traffic Safety Administration (NHTSA).
18 The vendor or technician who performs the work shall keep
19 accurate records on each piece of equipment the technician
20 calibrates and tests. As used in this paragraph,
21 "fully-trained reviewing technician" means a person who
22 has received at least 40 hours of supervised training in
23 subjects which shall include image inspection and
24 interpretation, the elements necessary to prove a
25 violation, license plate identification, and traffic
26 safety and management. In all municipalities and counties,

1 the automated speed enforcement system or automated
2 traffic law ordinance shall require that no additional fee
3 shall be charged to the alleged violator for exercising his
4 or her right to an administrative hearing, and persons
5 shall be given at least 25 days following an administrative
6 hearing to pay any civil penalty imposed by a finding that
7 Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a
8 similar local ordinance has been violated. The original or
9 a facsimile of the violation notice or, in the case of a
10 notice produced by a computerized device, a printed record
11 generated by the device showing the facts entered on the
12 notice, shall be retained by the traffic compliance
13 administrator, and shall be a record kept in the ordinary
14 course of business. A parking, standing, compliance,
15 automated speed enforcement system, or automated traffic
16 law violation notice issued, signed and served in
17 accordance with this Section, a copy of the notice, or the
18 computer generated record shall be prima facie correct and
19 shall be prima facie evidence of the correctness of the
20 facts shown on the notice. The notice, copy, or computer
21 generated record shall be admissible in any subsequent
22 administrative or legal proceedings.

23 (4) An opportunity for a hearing for the registered
24 owner of the vehicle cited in the parking, standing,
25 compliance, automated speed enforcement system, or
26 automated traffic law violation notice in which the owner

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

16 (5) Service of additional notices, sent by first class
17 United States mail, postage prepaid, to the address of the
18 registered owner of the cited vehicle as recorded with the
19 Secretary of State or, if any notice to that address is
20 returned as undeliverable, to the last known address
21 recorded in a United States Post Office approved database,
22 or, under Section 11-1306 or subsection (p) of Section
23 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8
24 of this Code, to the lessee of the cited vehicle at the
25 last address known to the lessor of the cited vehicle at
26 the time of lease or, if any notice to that address is

1 returned as undeliverable, to the last known address
2 recorded in a United States Post Office approved database.
3 The service shall be deemed complete as of the date of
4 deposit in the United States mail. The notices shall be in
5 the following sequence and shall include but not be limited
6 to the information specified herein:

7 (i) A second notice of parking, standing, or
8 compliance violation. This notice shall specify the
9 date and location of the violation cited in the
10 parking, standing, or compliance violation notice, the
11 particular regulation violated, the vehicle make and
12 state registration number, any requirement to complete
13 a traffic education program, the fine and any penalty
14 that may be assessed for late payment or failure to
15 complete a traffic education program, or both, when so
16 provided by ordinance, the availability of a hearing in
17 which the violation may be contested on its merits, and
18 the time and manner in which the hearing may be had.
19 The notice of violation shall also state that failure
20 to complete a required traffic education program, to
21 pay the indicated fine and any applicable penalty, or
22 to appear at a hearing on the merits in the time and
23 manner specified, will result in a final determination
24 of violation liability for the cited violation in the
25 amount of the fine or penalty indicated, and that, upon
26 the occurrence of a final determination of violation

1 liability for the failure, and the exhaustion of, or
2 failure to exhaust, available administrative or
3 judicial procedures for review, any incomplete traffic
4 education program or any unpaid fine or penalty, or
5 both, will constitute a debt due and owing the
6 municipality or county.

7 (ii) A notice of final determination of parking,
8 standing, compliance, automated speed enforcement
9 system, or automated traffic law violation liability.
10 This notice shall be sent following a final
11 determination of parking, standing, compliance,
12 automated speed enforcement system, or automated
13 traffic law violation liability and the conclusion of
14 judicial review procedures taken under this Section.
15 The notice shall state that the incomplete traffic
16 education program or the unpaid fine or penalty, or
17 both, is a debt due and owing the municipality or
18 county. The notice shall contain warnings that failure
19 to complete any required traffic education program or
20 to pay any fine or penalty due and owing the
21 municipality or county, or both, within the time
22 specified may result in the municipality's or county's
23 filing of a petition in the Circuit Court to have the
24 incomplete traffic education program or unpaid fine or
25 penalty, or both, rendered a judgment as provided by
26 this Section, or, where applicable, may result in

1 suspension of the person's drivers license for failure
2 to complete a traffic education program or to pay fines
3 or penalties, or both, for ~~10 or more parking~~
4 ~~violations under Section 6-306.5, or a combination of 5~~
5 or more automated traffic law violations under Section
6 11-208.6 or 11-208.9 or automated speed enforcement
7 system violations under Section 11-208.8.

8 (6) A notice of impending drivers license suspension.
9 This notice shall be sent to the person liable for failure
10 to complete a required traffic education program or to pay
11 any fine or penalty that remains due and owing, or both, on
12 ~~10 or more parking violations or combination of 5 or more~~
13 unpaid automated speed enforcement system or automated
14 traffic law violations. The notice shall state that failure
15 to complete a required traffic education program or to pay
16 the fine or penalty owing, or both, within 45 days of the
17 notice's date will result in the municipality or county
18 notifying the Secretary of State that the person is
19 eligible for initiation of suspension proceedings under
20 Section 6-306.5 of this Code. The notice shall also state
21 that the person may obtain a photostatic copy of an
22 original ticket imposing a fine or penalty by sending a
23 self addressed, stamped envelope to the municipality or
24 county along with a request for the photostatic copy. The
25 notice of impending drivers license suspension shall be
26 sent by first class United States mail, postage prepaid, to

1 the address recorded with the Secretary of State or, if any
2 notice to that address is returned as undeliverable, to the
3 last known address recorded in a United States Post Office
4 approved database.

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

19 (8) A petition to set aside a determination of parking,
20 standing, compliance, automated speed enforcement system,
21 or automated traffic law violation liability that may be
22 filed by a person owing an unpaid fine or penalty. A
23 petition to set aside a determination of liability may also
24 be filed by a person required to complete a traffic
25 education program. The petition shall be filed with and
26 ruled upon by the traffic compliance administrator in the

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

18 (9) Procedures for non-residents. Procedures by which
19 persons who are not residents of the municipality or county
20 may contest the merits of the alleged violation without
21 attending a hearing.

22 (10) A schedule of civil fines for violations of
23 vehicular standing, parking, compliance, automated speed
24 enforcement system, or automated traffic law regulations
25 enacted by ordinance pursuant to this Section, and a
26 schedule of penalties for late payment of the fines or

1 failure to complete required traffic education programs,
2 provided, however, that the total amount of the fine and
3 penalty for any one violation shall not exceed \$250, except
4 as provided in subsection (c) of Section 11-1301.3 of this
5 Code.

6 (11) Other provisions as are necessary and proper to
7 carry into effect the powers granted and purposes stated in
8 this Section.

9 (c) Any municipality or county establishing vehicular
10 standing, parking, compliance, automated speed enforcement
11 system, or automated traffic law regulations under this Section
12 may also provide by ordinance for a program of vehicle
13 immobilization for the purpose of facilitating enforcement of
14 those regulations. The program of vehicle immobilization shall
15 provide for immobilizing any eligible vehicle upon the public
16 way by presence of a restraint in a manner to prevent operation
17 of the vehicle. Any ordinance establishing a program of vehicle
18 immobilization under this Section shall provide:

19 (1) Criteria for the designation of vehicles eligible
20 for immobilization. A vehicle shall be eligible for
21 immobilization when the registered owner of the vehicle has
22 accumulated the number of incomplete traffic education
23 programs or unpaid final determinations of parking,
24 standing, compliance, automated speed enforcement system,
25 or automated traffic law violation liability, or both, as
26 determined by ordinance.

1 (2) A notice of impending vehicle immobilization and a
2 right to a hearing to challenge the validity of the notice
3 by disproving liability for the incomplete traffic
4 education programs or unpaid final determinations of
5 parking, standing, compliance, automated speed enforcement
6 system, or automated traffic law violation liability, or
7 both, listed on the notice.

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

18 (4) A post immobilization and post-towing notice
19 advising the registered owner of the vehicle of the right
20 to a hearing to challenge the validity of the impoundment.

21 (d) Judicial review of final determinations of parking,
22 standing, compliance, automated speed enforcement system, or
23 automated traffic law violations and final administrative
24 decisions issued after hearings regarding vehicle
25 immobilization and impoundment made under this Section shall be
26 subject to the provisions of the Administrative Review Law.

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

13 (f) After the expiration of the period within which
14 judicial review may be sought for a final determination of
15 parking, standing, compliance, automated speed enforcement
16 system, or automated traffic law violation, the municipality or
17 county may commence a proceeding in the Circuit Court for
18 purposes of obtaining a judgment on the final determination of
19 violation. Nothing in this Section shall prevent a municipality
20 or county from consolidating multiple final determinations of
21 parking, standing, compliance, automated speed enforcement
22 system, or automated traffic law violations against a person in
23 a proceeding. Upon commencement of the action, the municipality
24 or county shall file a certified copy or record of the final
25 determination of parking, standing, compliance, automated
26 speed enforcement system, or automated traffic law violation,

1 which shall be accompanied by a certification that recites
2 facts sufficient to show that the final determination of
3 violation was issued in accordance with this Section and the
4 applicable municipal or county ordinance. Service of the
5 summons and a copy of the petition may be by any method
6 provided by Section 2-203 of the Code of Civil Procedure or by
7 certified mail, return receipt requested, provided that the
8 total amount of fines and penalties for final determinations of
9 parking, standing, compliance, automated speed enforcement
10 system, or automated traffic law violations does not exceed
11 \$2500. If the court is satisfied that the final determination
12 of parking, standing, compliance, automated speed enforcement
13 system, or automated traffic law violation was entered in
14 accordance with the requirements of this Section and the
15 applicable municipal or county ordinance, and that the
16 registered owner or the lessee, as the case may be, had an
17 opportunity for an administrative hearing and for judicial
18 review as provided in this Section, the court shall render
19 judgment in favor of the municipality or county and against the
20 registered owner or the lessee for the amount indicated in the
21 final determination of parking, standing, compliance,
22 automated speed enforcement system, or automated traffic law
23 violation, plus costs. The judgment shall have the same effect
24 and may be enforced in the same manner as other judgments for
25 the recovery of money.

26 (g) The fee for participating in a traffic education

1 program under this Section shall not exceed \$25.

2 A low-income individual required to complete a traffic
3 education program under this Section who provides proof of
4 eligibility for the federal earned income tax credit under
5 Section 32 of the Internal Revenue Code or the Illinois earned
6 income tax credit under Section 212 of the Illinois Income Tax
7 Act shall not be required to pay any fee for participating in a
8 required traffic education program.

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

11 (625 ILCS 5/6-205.2 rep.)

12 (625 ILCS 5/6-306.7 rep.)

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

15 Section 99. Effective date. This Act takes effect July 1,
16 2020.

1 INDEX

2 Statutes amended in order of appearance

3 625 ILCS 5/3-704.2

4 625 ILCS 5/6-201

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

6 625 ILCS 5/6-205

7 625 ILCS 5/6-206

8 625 ILCS 5/6-209.1 new

9 625 ILCS 5/6-306.5 from Ch. 95 1/2, par. 6-306.5

10 625 ILCS 5/11-208.3 from Ch. 95 1/2, par. 11-208.3

11 625 ILCS 5/6-205.2 rep.

12 625 ILCS 5/6-306.7 rep.