



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4713

Introduced 2/18/2020, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109
625 ILCS 5/6-115

from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Deletes language that requires an applicant who is 75 years or older to give an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the safe operation of a motor vehicle. Deletes language providing that the Secretary of State shall require a licensee 81 years of age through age 86 to renew his or her license every 2 years from the day of issuance. Deletes language providing that the Secretary shall require a licensee 87 years of age or older to renew his or her license every 12 months from the date of issuance.

LRB101 18039 LNS 67477 b

FISCAL NOTE ACT
MAY APPLY

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 5. The Illinois Vehicle Code is amended by changing
5 Sections 6-109 and 6-115 as follows:

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of applicants.

8 (a) The Secretary of State shall examine every applicant
9 for a driver's license or permit who has not been previously
10 licensed as a driver under the laws of this State or any other
11 state or country, or any applicant for renewal of such driver's
12 license or permit when such license or permit has been expired
13 for more than one year. The Secretary of State shall, subject
14 to the provisions of paragraph (c), examine every licensed
15 driver at least every 8 years, and may examine or re-examine
16 any other applicant or licensed driver, provided that during
17 the years 1984 through 1991 those drivers issued a license for
18 3 years may be re-examined not less than every 7 years or more
19 than every 10 years.

20 The Secretary of State shall require the testing of the
21 eyesight of any driver's license or permit applicant who has
22 not been previously licensed as a driver under the laws of this
23 State and shall promulgate rules and regulations to provide for

1 the orderly administration of all the provisions of this
2 Section.

3 The Secretary of State shall include at least one test
4 question that concerns the provisions of the Pedestrians with
5 Disabilities Safety Act in the question pool used for the
6 written portion of the driver's license examination within one
7 year after July 22, 2010 (the effective date of Public Act
8 96-1167).

9 The Secretary of State shall include, in the question pool
10 used for the written portion of the driver's license
11 examination, test questions concerning safe driving in the
12 presence of bicycles, of which one may be concerning the Dutch
13 Reach method as described in Section 2-112.

14 The Secretary of State shall include, in the question pool
15 used for the written portion of the driver's license
16 examination, at least one test question concerning driver
17 responsibilities when approaching a stationary emergency
18 vehicle as described in Section 11-907.

19 (b) Except as provided for those applicants in paragraph
20 (c), such examination shall include a test of the applicant's
21 eyesight, his or her ability to read and understand official
22 traffic control devices, his or her knowledge of safe driving
23 practices and the traffic laws of this State, and may include
24 an actual demonstration of the applicant's ability to exercise
25 ordinary and reasonable control of the operation of a motor
26 vehicle, and such further physical and mental examination as

1 the Secretary of State finds necessary to determine the
2 applicant's fitness to operate a motor vehicle safely on the
3 highways, ~~except the examination of an applicant 75 years of~~
4 ~~age or older shall include an actual demonstration of the~~
5 ~~applicant's ability to exercise ordinary and reasonable~~
6 ~~control of the operation of a motor vehicle.~~ All portions of
7 written and verbal examinations under this Section, excepting
8 where the English language appears on facsimiles of road signs,
9 may be given in the Spanish language and, at the discretion of
10 the Secretary of State, in any other language as well as in
11 English upon request of the examinee. Deaf persons who are
12 otherwise qualified are not prohibited from being issued a
13 license, other than a commercial driver's license, under this
14 Code.

15 (c) Re-examination for those applicants who at the time of
16 renewing their driver's license possess a driving record devoid
17 of any convictions of traffic violations or evidence of
18 committing an offense for which mandatory revocation would be
19 required upon conviction pursuant to Section 6-205 at the time
20 of renewal shall be in a manner prescribed by the Secretary in
21 order to determine an applicant's ability to safely operate a
22 motor vehicle, ~~except that every applicant for the renewal of a~~
23 ~~driver's license who is 75 years of age or older must prove, by~~
24 ~~an actual demonstration, the applicant's ability to exercise~~
25 ~~reasonable care in the safe operation of a motor vehicle.~~

26 (d) In the event the applicant is not ineligible under the

1 provisions of Section 6-103 to receive a driver's license, the
2 Secretary of State shall make provision for giving an
3 examination, either in the county where the applicant resides
4 or at a place adjacent thereto reasonably convenient to the
5 applicant, within not more than 30 days from the date said
6 application is received.

7 (e) The Secretary of State may adopt rules regarding the
8 use of foreign language interpreters during the application and
9 examination process.

10 (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;
11 101-81, eff. 7-12-19; 101-174, eff. 1-1-20.)

12 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

13 Sec. 6-115. Expiration of driver's license.

14 (a) Except as provided elsewhere in this Section, every
15 driver's license issued under the provisions of this Code shall
16 expire 4 years from the date of its issuance, or at such later
17 date, as the Secretary of State may by proper rule and
18 regulation designate, not to exceed 12 calendar months; in the
19 event that an applicant for renewal of a driver's license fails
20 to apply prior to the expiration date of the previous driver's
21 license, the renewal driver's license shall expire 4 years from
22 the expiration date of the previous driver's license, or at
23 such later date as the Secretary of State may by proper rule
24 and regulation designate, not to exceed 12 calendar months.

25 The Secretary of State may, however, issue to a person not

1 previously licensed as a driver in Illinois a driver's license
2 which will expire not less than 4 years nor more than 5 years
3 from date of issuance, except as provided elsewhere in this
4 Section.

5 (a-5) Every driver's license issued under this Code to an
6 applicant who is not a United States citizen or permanent
7 resident, other than a conditional permanent resident, or an
8 individual who has an approved application for asylum in the
9 United States or has entered the United States in refugee
10 status, shall expire on whichever is the earlier date of the
11 following:

12 (1) as provided under subsection (a), (f), (g), or (i)
13 of this Section;

14 (2) on the date the applicant's authorized stay in the
15 United States terminates; or

16 (3) if the applicant's authorized stay is indefinite
17 and the applicant is applying for a Limited Term REAL ID
18 compliant driver's license, one year from the date of
19 issuance of the license.

20 (a-10) Every REAL ID compliant driver's license issued
21 under this Code to an applicant who is not a United States
22 citizen or permanent resident, other than a conditional
23 permanent resident, or an individual who has an approved
24 application for asylum in the United States or has entered the
25 United States in refugee status, shall be marked "Limited
26 Term".

1 (b) Before the expiration of a driver's license, except
2 those licenses expiring on the individual's 21st birthday, or 3
3 months after the individual's 21st birthday, the holder thereof
4 may apply for a renewal thereof, subject to all the provisions
5 of Section 6-103, and the Secretary of State may require an
6 examination of the applicant. A licensee whose driver's license
7 expires on his 21st birthday, or 3 months after his 21st
8 birthday, may not apply for a renewal of his driving privileges
9 until he reaches the age of 21.

10 (c) The Secretary of State shall, 30 days prior to the
11 expiration of a driver's license, forward to each person whose
12 license is to expire a notification of the expiration of said
13 license which may be presented at the time of renewal of said
14 license.

15 There may be included with such notification information
16 explaining the anatomical gift and Emergency Medical
17 Information Card provisions of Section 6-110. The format and
18 text of such information shall be prescribed by the Secretary.

19 There shall be included with such notification, for a
20 period of 4 years beginning January 1, 2000 information
21 regarding the Illinois Adoption Registry and Medical
22 Information Exchange established in Section 18.1 of the
23 Adoption Act.

24 (d) The Secretary may defer the expiration of the driver's
25 license of a licensee, spouse, and dependent children who are
26 living with such licensee while on active duty, serving in the

1 Armed Forces of the United States outside of the State of
2 Illinois, and 120 days thereafter, upon such terms and
3 conditions as the Secretary may prescribe.

4 (d-5) The Secretary may defer the expiration of the
5 driver's license of a licensee, or of a spouse or dependent
6 children living with the licensee, serving as a civilian
7 employee of the United States Armed Forces or the United States
8 Department of Defense, outside of the State of Illinois, and
9 120 days thereafter, upon such terms and conditions as the
10 Secretary may prescribe.

11 (e) The Secretary of State may decline to process a renewal
12 of a driver's license of any person who has not paid any fee or
13 tax due under this Code and is not paid upon reasonable notice
14 and demand.

15 (f) The Secretary shall provide that each original or
16 renewal driver's license issued to a licensee under 21 years of
17 age shall expire 3 months after the licensee's 21st birthday.
18 Persons whose current driver's licenses expire on their 21st
19 birthday on or after January 1, 1986 shall not renew their
20 driver's license before their 21st birthday, and their current
21 driver's license will be extended for an additional term of 3
22 months beyond their 21st birthday. Thereafter, the expiration
23 and term of the driver's license shall be governed by
24 subsection (a) hereof.

25 (g) (Blank). ~~The Secretary shall provide that each original~~
26 ~~or renewal driver's license issued to a licensee 81 years of~~

~~age through age 86 shall expire 2 years from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months. The Secretary shall also provide that each original or renewal driver's license issued to a licensee 87 years of age or older shall expire 12 months from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months.~~

(h) The Secretary of State shall provide that each special restricted driver's license issued under subsection (g) of Section 6-113 of this Code shall expire 12 months from the date of issuance. The Secretary shall adopt rules defining renewal requirements.

(i) The Secretary of State shall provide that each driver's license issued to a person convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall expire 12 months from the date of issuance or at such date as the Secretary may by rule designate, not to exceed an additional 12 calendar months. The Secretary may adopt rules defining renewal requirements.

(Source: P.A. 100-248, eff. 8-22-17; 100-863, eff. 8-14-18; 101-185, eff. 1-1-20.)