

HB2857



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2857

Introduced 2/19/2021, by Rep. Amy Grant

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-100
625 ILCS 5/6-109

from Ch. 95 1/2, par. 6-100

Amends the Illinois Driver Licensing Law of the Illinois Vehicle Code. Provides that a first-time applicant for a driver's license shall not be required to perform a road test upon verification of successful completion of a certified public school, nonpublic school, or private training school driver's education course.

LRB102 15153 RAM 20508 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 5. The Illinois Vehicle Code is amended by
5 changing Sections 6-100 and 6-109 as follows:

6 (625 ILCS 5/6-100) (from Ch. 95 1/2, par. 6-100)

7 Sec. 6-100. Definitions. For the purposes of this Chapter,
8 the following words shall have the meanings ascribed to them:

9 (a) Application Process. The process of obtaining a
10 driver's license, identification card, or permit. The process
11 begins when a person enters a Secretary of State Driver
12 Services facility and requests a driver's license,
13 identification card or permit.

14 (b) Conviction. A final adjudication of guilty by a court
15 of competent jurisdiction either after a bench trial, trial by
16 jury, plea of guilty, order of forfeiture, or default.

17 (c) Identification Card. A document made or issued by or
18 under the authority of the United States Government, the State
19 of Illinois or any other state or political subdivision
20 thereof, or any governmental or quasi-governmental
21 organization that, when completed with information concerning
22 the individual, is of a type intended or commonly accepted for
23 the purpose of identifying the individual.

1 (d) Non-compliant driver's license. A driver's license
2 issued in a manner which is not compliant with the REAL ID Act
3 and implementing regulations. Non-compliant driver's licenses
4 shall be marked "Not for Federal Identification" and shall
5 have a color or design different from the REAL ID compliant
6 driver's license.

7 (e) REAL ID compliant driver's license. A driver's license
8 issued in compliance with the REAL ID Act and implementing
9 regulations. REAL ID compliant driver's licenses shall bear a
10 security marking approved by the United States Department of
11 Homeland Security.

12 (f) Limited Term REAL ID compliant driver's license. A
13 REAL ID compliant driver's license issued to a person who is
14 not a permanent resident or citizen of the United States, and
15 marked "Limited Term" on the face of the license.

16 (g) Road test. An in-person examination involving an
17 actual demonstration of a driver's license applicant's ability
18 to exercise ordinary and reasonable control of the operation
19 of a motor vehicle.

20 (Source: P.A. 100-248, eff. 8-22-17.)

21 (625 ILCS 5/6-109)

22 Sec. 6-109. Examination of applicants.

23 (a) The Secretary of State shall examine every applicant
24 for a driver's license or permit who has not been previously
25 licensed as a driver under the laws of this State or any other

1 state or country, or any applicant for renewal of such
2 driver's license or permit when such license or permit has
3 been expired for more than one year. The Secretary of State
4 shall, subject to the provisions of paragraph (c), examine
5 every licensed driver at least every 8 years, and may examine
6 or re-examine any other applicant or licensed driver, provided
7 that during the years 1984 through 1991 those drivers issued a
8 license for 3 years may be re-examined not less than every 7
9 years or more than every 10 years.

10 The Secretary of State shall require the testing of the
11 eyesight of any driver's license or permit applicant who has
12 not been previously licensed as a driver under the laws of this
13 State and shall promulgate rules and regulations to provide
14 for the orderly administration of all the provisions of this
15 Section.

16 The Secretary of State shall include at least one test
17 question that concerns the provisions of the Pedestrians with
18 Disabilities Safety Act in the question pool used for the
19 written portion of the driver's license examination within one
20 year after July 22, 2010 (the effective date of Public Act
21 96-1167).

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

1 The Secretary of State shall include, in the question pool
2 used for the written portion of the driver's license
3 examination, at least one test question concerning driver
4 responsibilities when approaching a stationary emergency
5 vehicle as described in Section 11-907.

6 (b) Except as provided for those applicants in paragraph
7 (c), such examination shall include a test of the applicant's
8 eyesight, his or her ability to read and understand official
9 traffic control devices, his or her knowledge of safe driving
10 practices and the traffic laws of this State, and may include a
11 road test involving an actual demonstration of the applicant's
12 ability to exercise ordinary and reasonable control of the
13 operation of a motor vehicle, and such further physical and
14 mental examination as the Secretary of State finds necessary
15 to determine the applicant's fitness to operate a motor
16 vehicle safely on the highways, except the examination of an
17 applicant 75 years of age or older shall include an actual
18 demonstration of the applicant's ability to exercise ordinary
19 and reasonable control of the operation of a motor vehicle. An
20 applicant shall not be required to perform a road test upon
21 verification of successful completion of a certified public
22 school, non-public school, or private training school driver's
23 education course. All portions of written and verbal
24 examinations under this Section, excepting where the English
25 language appears on facsimiles of road signs, may be given in
26 the Spanish language and, at the discretion of the Secretary

1 of State, in any other language as well as in English upon
2 request of the examinee. Deaf persons who are otherwise
3 qualified are not prohibited from being issued a license,
4 other than a commercial driver's license, under this Code.

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

17 (d) In the event the applicant is not ineligible under the
18 provisions of Section 6-103 to receive a driver's license, the
19 Secretary of State shall make provision for giving an
20 examination, either in the county where the applicant resides
21 or at a place adjacent thereto reasonably convenient to the
22 applicant, within not more than 30 days from the date said
23 application is received.

24 (e) The Secretary of State may adopt rules regarding the
25 use of foreign language interpreters during the application
26 and examination process.

1 (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;
2 101-81, eff. 7-12-19; 101-174, eff. 1-1-20.)