



Rep. Kam Buckner

Filed: 3/15/2023

10300HB1110ham001

LRB103 05780 MXP 58558 a

1 AMENDMENT TO HOUSE BILL 1110

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1110 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-101 as follows:

6 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

7 (Text of Section before amendment by P.A. 102-982)

8 Sec. 6-101. Drivers must have licenses or permits.

9 (a) No person, except those expressly exempted by Section  
10 6-102, shall drive any motor vehicle upon a highway in this  
11 State unless such person has a valid license or permit, an  
12 Illinois mobile driver's license as provided in this Section,  
13 or a restricted driving permit, issued under the provisions of  
14 this Act.

15 (b) No person shall drive a motor vehicle unless the  
16 person ~~he~~ holds a valid license or permit, an Illinois mobile

1 driver's license as provided in this Section, or a restricted  
2 driving permit issued under the provisions of Section 6-205,  
3 6-206, or 6-113 of this Act. Any person to whom a license is  
4 issued under the provisions of this Act must surrender to the  
5 Secretary of State all valid licenses or permits, except that  
6 an applicant for a non-domiciled commercial learner's permit  
7 or commercial driver's license shall not be required to  
8 surrender a license or permit issued by the applicant's state  
9 or country of domicile. No driver's ~~drivers~~ license or  
10 instruction permit shall be issued to any person who holds a  
11 valid Foreign State license, identification card, or permit  
12 unless such person first surrenders to the Secretary of State  
13 any such valid Foreign State license, identification card, or  
14 permit.

15 (b-5) Any person who commits a violation of subsection (a)  
16 or (b) of this Section is guilty of a Class A misdemeanor, if  
17 at the time of the violation the person's driver's license or  
18 permit was cancelled under clause (a)9 of Section 6-201 of  
19 this Code.

20 (c) Any person licensed as a driver hereunder shall not be  
21 required by any city, village, incorporated town or other  
22 municipal corporation to obtain any other license to exercise  
23 the privilege thereby granted.

24 (d) In addition to other penalties imposed under this  
25 Section, any person in violation of this Section who is also in  
26 violation of Section 7-601 of this Code relating to mandatory

1 insurance requirements shall have his or her motor vehicle  
2 immediately impounded by the arresting law enforcement  
3 officer. The motor vehicle may be released to any licensed  
4 driver upon a showing of proof of insurance for the motor  
5 vehicle that was impounded and the notarized written consent  
6 for the release by the vehicle owner.

7 (e) In addition to other penalties imposed under this  
8 Section, the vehicle of any person in violation of this  
9 Section who is also in violation of Section 7-601 of this Code  
10 relating to mandatory insurance requirements and who, in  
11 violating this Section, has caused death or personal injury to  
12 another person is subject to forfeiture under Sections 36-1  
13 and 36-2 of the Criminal Code of 2012. For the purposes of this  
14 Section, a personal injury shall include any type A injury as  
15 indicated on the traffic accident report completed by a law  
16 enforcement officer that requires immediate professional  
17 attention in either a doctor's office or a medical facility. A  
18 type A injury shall include severely bleeding wounds,  
19 distorted extremities, and injuries that require the injured  
20 party to be carried from the scene.

21 (f) (1) The Secretary of State may issue a mobile driver's  
22 license to an individual in addition to, and not instead of, a  
23 license or an identification card if the Secretary of State  
24 has issued a driver's license to the person.

25 (2) The Secretary may enter into agreements with an agency  
26 of the State, another state, the United States, or a third

1 party to facilitate the issuance, use, and verification of a  
2 mobile driver's license issued by the Secretary or another  
3 state.

4 (3) Any mobile driver's license issued by the Secretary  
5 shall be in accordance with American Association of Motor  
6 Vehicle Administrator's Mobile Driver's License (mDL)  
7 Implementation Guidelines, Version 1.1.

8 (4) The Secretary shall design the mobile driver's license  
9 in a manner that allows the credential holder to maintain  
10 physical possession of the device on which the electronic  
11 credential is accessed during verification.

12 (g) As used in this Section:

13 "Credential holder" means the individual to whom a mobile  
14 driver's license is issued.

15 "Full profile" means all the information provided on a  
16 license.

17 "Limited profile" means a portion of the information  
18 provided on a license.

19 "Mobile driver's license" means a data file available on  
20 any mobile device that has connectivity to the Internet  
21 through an application that allows the mobile device to  
22 download the data file from the Secretary of State, contains  
23 all of the data elements visible on the face and back of a  
24 driver's license, and displays the current status of the  
25 license. "Mobile driver's license" does not include a digital  
26 copy, photograph, or image of a driver's license that is not

1 downloaded through the application on a mobile device.

2 A person may be required to produce when so requested a  
3 physical driver's license to a law enforcement officer, a  
4 representative of a State or federal department or agency, or  
5 a private entity and is subject to all applicable laws and  
6 consequences for failure to produce such a license.

7 The Secretary of State shall adopt such rules as are  
8 necessary to implement a mobile driver's license. No digitized  
9 driver's license shall be valid until the Secretary has  
10 adopted such rules.

11 The display of a mobile driver's license shall not serve  
12 as consent or authorization for a law enforcement officer, or  
13 any other person, to search, view, or access any other data or  
14 application on the mobile device. If a person presents his or  
15 her mobile device to a law enforcement officer for purposes of  
16 displaying a mobile driver's license, the law enforcement  
17 officer shall promptly return the mobile device to the person  
18 once the officer has had an opportunity to verify the identity  
19 and license status of the person.

20 The fee to install the application to display a mobile  
21 driver's license as defined in this subsection shall not  
22 exceed \$6.

23 (Source: P.A. 97-229, eff. 7-28-11; 97-1150, eff. 1-25-13;  
24 98-176 (see Section 10 of P.A. 98-722 and Section 10 of P.A.  
25 99-414 for the effective date of changes made by P.A.  
26 98-176).)

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2 Sec. 6-101. Drivers must have licenses or permits.

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6 driver's license as defined in this subsection shall not  
7 exceed \$6.

8 (Source: P.A. 102-982, eff. 7-1-23.)

9 Section 95. No acceleration or delay. Where this Act makes  
10 changes in a statute that is represented in this Act by text  
11 that is not yet or no longer in effect (for example, a Section  
12 represented by multiple versions), the use of that text does  
13 not accelerate or delay the taking effect of (i) the changes  
14 made by this Act or (ii) provisions derived from any other  
15 Public Act.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."