

HB3793



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3793

Introduced 2/17/2023, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109

Amends the Illinois Vehicle Code. Removes language providing that examination of an applicant 75 years of age or older for a driver's license or permit shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle. Effective January 1, 2024.

LRB103 27121 MXP 53489 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 Section 6-109 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
12 driver's license or permit when such license or permit has
13 been expired for more than one year. The Secretary of State
14 shall, subject to the provisions of paragraph (c), examine
15 every licensed driver at least every 8 years, and may examine
16 or re-examine any other applicant or licensed driver, provided
17 that during the years 1984 through 1991 those drivers issued a
18 license for 3 years may be re-examined not less than every 7
19 years or more 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

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

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

15 (c) Re-examination for those applicants who at the time of
16 renewing their driver's license possess a driving record
17 devoid 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~~
23 ~~a driver's license who is 75 years of age or older must prove,~~
24 ~~by 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
9 and 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 Section 99. Effective date. This Act takes effect January
13 1, 2024.