

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 Consular Identification Document Act is
5 amended by changing Section 10 as follows:

6 (5 ILCS 230/10)

7 Sec. 10. Acceptance of consular identification document.

8 (a) When requiring members of the public to provide
9 identification, each State agency and officer and unit of
10 local government shall accept a consular identification
11 document as valid identification of a person.

12 (b) A consular identification document shall be accepted
13 for purposes of identification only and does not convey an
14 independent right to receive benefits of any type.

15 (c) A consular identification document may not be accepted
16 as identification for obtaining a REAL ID compliant driver's
17 license, as defined by Section 6-100 of the Vehicle Code,
18 ~~other than a temporary visitor's driver's license,~~ or
19 registering to vote.

20 (d) A consular identification document does not establish
21 or indicate lawful U.S. immigration status and may not be
22 viewed as valid for that purpose, nor does a consular
23 identification document establish a foreign national's right

1 to be in the United States or remain in the United States.

2 (e) The requirements of subsection (a) do not apply if:

3 (1) a federal law, regulation, or directive or a
4 federal court decision requires a State agency or officer
5 or a unit of local government to obtain different
6 identification;

7 (2) a federal law, regulation, or directive preempts
8 state regulation of identification requirements; or

9 (3) a State agency or officer or a unit of local
10 government would be unable to comply with a condition
11 imposed by a funding source which would cause the State
12 agency or officer or unit of local government to lose
13 funds from that source.

14 (f) Nothing in subsection (a) shall be construed to
15 prohibit a State agency or officer or a unit of local
16 government from:

17 (1) requiring additional information from persons in
18 order to verify a current address or other facts that
19 would enable the State agency or officer or unit of local
20 government to fulfill its responsibilities, except that
21 this paragraph (1) does not permit a State agency or
22 officer or a unit of local government to require
23 additional information solely in order to establish
24 identification of the person when the consular
25 identification document is the form of identification
26 presented;

1 (2) requiring fingerprints for identification purposes
2 under circumstances where the State agency or officer or
3 unit of local government also requires fingerprints from
4 persons who have a driver's license or Illinois
5 Identification Card; or

6 (3) requiring additional evidence of identification if
7 the State agency or officer or unit of local government
8 reasonably believes that: (A) the consular identification
9 document is forged, fraudulent, or altered; or (B) the
10 holder does not appear to be the same person on the
11 consular identification document.

12 (Source: P.A. 97-1157, eff. 11-28-13.)

13 Section 10. The Election Code is amended by changing
14 Section 1A-16.1 as follows:

15 (10 ILCS 5/1A-16.1)

16 Sec. 1A-16.1. Automatic voter registration; Secretary of
17 State.

18 (a) The Office of the Secretary of State and the State
19 Board of Elections, pursuant to an interagency contract and
20 jointly-adopted rules, shall establish an automatic voter
21 registration program that satisfies the requirements of this
22 Section and other applicable law.

23 (b) If an application, an application for renewal, a
24 change of address form, or a recertification form for a

1 driver's license, ~~other than a temporary visitor's driver's~~
2 ~~license,~~ or a State identification card issued by the Office
3 of the Secretary of State meets the requirements of the
4 federal REAL ID Act of 2005, then that application shall serve
5 as a dual-purpose application. The dual-purpose application
6 shall:

7 (1) also serve as an application to register to vote
8 in Illinois;

9 (2) allow an applicant to change his or her registered
10 residence address or name as it appears on the voter
11 registration rolls;

12 (3) provide the applicant with an opportunity to
13 affirmatively decline to register to vote or to change his
14 or her registered residence address or name by providing a
15 check box on the application form without requiring the
16 applicant to state the reason; and

17 (4) unless the applicant declines to register to vote
18 or change his or her registered residence address or name,
19 require the applicant to attest, by signature under
20 penalty of perjury as described in subsection (e) of this
21 Section, to meeting the qualifications to register to vote
22 in Illinois at his or her residence address as indicated
23 on his or her driver's license or identification card
24 dual-purpose application.

25 (b-5) If an application, an application for renewal, a
26 change of address form, or a recertification form for a

1 driver's license, ~~other than a temporary visitor's driver's~~
2 ~~license,~~ or a State identification card issued by the Office
3 of the Secretary of State, other than an application or form
4 that pertains to a standard driver's license or identification
5 card and does not list a social security number for the
6 applicant, does not meet the requirements of the federal REAL
7 ID Act of 2005, then that application shall serve as a
8 dual-purpose application. The dual-purpose application shall:

9 (1) also serve as an application to register to vote
10 in Illinois;

11 (2) allow an applicant to change his or her registered
12 residence address or name as it appears on the voter
13 registration rolls; and

14 (3) if the applicant chooses to register to vote or to
15 change his or her registered residence address or name,
16 then require the applicant to attest, by a separate
17 signature under penalty of perjury, to meeting the
18 qualifications to register to vote in Illinois at his or
19 her residence address as indicated on his or her
20 dual-purpose application.

21 (b-10) The Office of the Secretary of State shall clearly
22 and conspicuously inform each applicant in writing: (i) of the
23 qualifications to register to vote in Illinois, (ii) of the
24 penalties provided by law for submission of a false voter
25 registration application, (iii) that, unless the applicant
26 declines to register to vote or update his or her voter

1 registration, his or her dual-purpose application shall also
2 serve as both an application to register to vote and his or her
3 attestation that he or she meets the eligibility requirements
4 for voter registration, and that his or her application to
5 register to vote or update his or her registration will be
6 transmitted to the State Board of Elections for the purpose of
7 registering the person to vote at the residence address to be
8 indicated on his or her driver's license or identification
9 card, and (iv) that declining to register to vote is
10 confidential and will not affect any services the person may
11 be seeking from the Office of the Secretary of State.

12 (c) The Office of the Secretary of State shall review
13 information provided to the Office of the Secretary of State
14 by the State Board of Elections to inform each applicant for a
15 driver's license or permit, ~~other than a temporary visitor's~~
16 ~~driver's license,~~ or a State identification card issued by the
17 Office of the Secretary of State, other than an application or
18 form that pertains to a standard driver's license or
19 identification card and does not list a social security number
20 for the applicant, whether the applicant is currently
21 registered to vote in Illinois and, if registered, at what
22 address.

23 (d) The Office of the Secretary of State shall not require
24 an applicant for a driver's license or State identification
25 card to provide duplicate identification or information in
26 order to complete an application to register to vote or change

1 his or her registered residence address or name. Before
2 transmitting any personal information about an applicant to
3 the State Board of Elections, the Office of the Secretary of
4 State shall review its records of the identification documents
5 the applicant provided in order to complete the application
6 for a driver's license or State identification card, to
7 confirm that nothing in those documents indicates that the
8 applicant does not satisfy the qualifications to register to
9 vote in Illinois at his or her residence address.

10 (e) A completed, signed application for (i) a driver's
11 license or permit, ~~other than a temporary visitor's driver's~~
12 ~~license,~~ or a State identification card issued by the Office
13 of the Secretary of State, that meets the requirements of the
14 federal REAL ID Act of 2005; or (ii) a completed application
15 under subsection (b-5) of this Section with a separate
16 signature attesting the applicant meets the qualifications to
17 register to vote in Illinois at his or her residence address as
18 indicated on his or her application shall constitute a signed
19 application to register to vote in Illinois at the residence
20 address indicated in the application unless the person
21 affirmatively declined in the application to register to vote
22 or to change his or her registered residence address or name.
23 If the identification documents provided to complete the
24 dual-purpose application indicate that he or she does not
25 satisfy the qualifications to register to vote in Illinois at
26 his or her residence address, the application shall be marked

1 as incomplete.

2 (f) For each completed and signed application that
3 constitutes an application to register to vote in Illinois or
4 provides for a change in the applicant's registered residence
5 address or name, the Office of the Secretary of State shall
6 electronically transmit to the State Board of Elections
7 personal information needed to complete the person's
8 registration to vote in Illinois at his or her residence
9 address. The application to register to vote shall be
10 processed in accordance with Section 1A-16.7.

11 (g) If the federal REAL ID Act of 2005 is repealed,
12 abrogated, superseded, or otherwise no longer in effect, then
13 the State Board of Elections shall establish criteria for
14 determining reliable personal information indicating
15 citizenship status and shall adopt rules as necessary for the
16 Secretary of State to continue processing dual-purpose
17 applications under this Section.

18 (h) As used in this Section, "dual-purpose application"
19 means an application, an application for renewal, a change of
20 address form, or a recertification form for driver's license
21 or permit, ~~other than a temporary visitor's driver's license,~~
22 or a State identification card offered by the Secretary of
23 State, other than an application or form that pertains to a
24 standard driver's license or identification card and does not
25 list a social security number for the applicant, that also
26 serves as an application to register to vote in Illinois.

1 "Dual-purpose application" does not mean an application under
2 subsection (c) of Section 6-109 of the Illinois Vehicle Code.
3 (Source: P.A. 100-464, eff. 8-28-17.)

4 Section 15. The Illinois Identification Card Act is
5 amended by changing Sections 1A, 2, 4, 4D, 5, and 11 as
6 follows:

7 (15 ILCS 335/1A)

8 Sec. 1A. Definitions. As used in this Act:

9 "Highly restricted personal information" means an
10 individual's photograph, signature, social security number,
11 and medical or disability information.

12 "Identification card making implement" means any material,
13 hardware, or software that is specifically designed for or
14 primarily used in the manufacture, assembly, issuance, or
15 authentication of an official identification card issued by
16 the Secretary of State.

17 "Fraudulent identification card" means any identification
18 card that purports to be an official identification card for
19 which a computerized number and file have not been created by
20 the Secretary of State, the United States Government or any
21 state or political subdivision thereof, or any governmental or
22 quasi-governmental organization. For the purpose of this Act,
23 any identification card that resembles an official
24 identification card in either size, color, photograph

1 location, or design or uses the word "official", "state",
2 "Illinois", or the name of any other state or political
3 subdivision thereof, or any governmental or quasi-governmental
4 organization individually or in any combination thereof to
5 describe or modify the term "identification card" or "I.D.
6 card" anywhere on the card, or uses a shape in the likeness of
7 Illinois or any other state on the photograph side of the card,
8 is deemed to be a fraudulent identification card unless the
9 words "This is not an official Identification Card", appear
10 prominently upon it in black colored lettering in 12-point
11 type on the photograph side of the card, and no such card shall
12 be smaller in size than 3 inches by 4 inches, and the
13 photograph shall be on the left side of the card only.

14 "Legal name" means the full given name and surname of an
15 individual as recorded at birth, recorded at marriage, or
16 deemed as the correct legal name for use in reporting income by
17 the Social Security Administration or the name as otherwise
18 established through legal action that appears on the
19 associated official document presented to the Secretary of
20 State.

21 "Personally identifying information" means information
22 that identifies an individual, including his or her
23 identification card number, name, address (but not the 5-digit
24 zip code), date of birth, height, weight, hair color, eye
25 color, email address, and telephone number.

26 "Homeless person" or "homeless individual" has the same

1 meaning as defined by the federal McKinney-Vento Homeless
2 Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

3 "Youth for whom the Department of Children and Family
4 Services is legally responsible" or "foster child" means a
5 child or youth whose guardianship or custody has been accepted
6 by the Department of Children and Family Services pursuant to
7 the Juvenile Court Act of 1987, the Children and Family
8 Services Act, the Abused and Neglected Child Reporting Act,
9 and the Adoption Act. This applies to children for whom the
10 Department of Children and Family Services has temporary
11 protective custody, custody or guardianship via court order,
12 or children whose parents have signed an adoptive surrender or
13 voluntary placement agreement with the Department.

14 "REAL ID compliant identification card" means a standard
15 Illinois Identification Card or Illinois Person with a
16 Disability Identification Card issued in compliance with the
17 REAL ID Act and implementing regulations. REAL ID compliant
18 identification cards shall bear a security marking approved by
19 the United States Department of Homeland Security.

20 "Standard ~~Non-compliant~~ identification card" means a
21 standard Illinois Identification Card or Illinois Person with
22 a Disability Identification Card issued in a manner which is
23 not compliant with the REAL ID Act and implementing
24 regulations. Standard ~~Non-compliant~~ identification cards shall
25 be marked "Federal Limits Apply" ~~"Not for Federal~~
26 ~~Identification"~~ and shall have a color or design different

1 from the REAL ID compliant identification card.

2 "Limited Term REAL ID compliant identification card" means
3 a REAL ID compliant identification card that is issued to
4 persons who are not permanent residents or citizens of the
5 United States, or an individual who has an approved
6 application for asylum in the United States or has entered the
7 United States in refugee status, and is marked "Limited Term"
8 on the face of the card.

9 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
10 101-326, eff. 8-9-19.)

11 (15 ILCS 335/2) (from Ch. 124, par. 22)

12 Sec. 2. Administration and powers and duties of the
13 Administrator.

14 (a) The Secretary of State is the Administrator of this
15 Act, and he is charged with the duty of observing,
16 administering and enforcing the provisions of this Act.

17 (b) The Secretary is vested with the powers and duties for
18 the proper administration of this Act as follows:

19 1. He shall organize the administration of this Act as
20 he may deem necessary and appoint such subordinate
21 officers, clerks and other employees as may be necessary.

22 2. From time to time, he may make, amend or rescind
23 rules and regulations as may be in the public interest to
24 implement the Act.

25 3. He may prescribe or provide suitable forms as

1 necessary, including such forms as are necessary to
2 establish that an applicant for an Illinois Person with a
3 Disability Identification Card is a "person with a
4 disability" as defined in Section 4A of this Act, and
5 establish that an applicant for a State identification
6 card is a "homeless person" as defined in Section 1A of
7 this Act.

8 4. He may prepare under the seal of the Secretary of
9 State certified copies of any records utilized under this
10 Act and any such certified copy shall be admissible in any
11 proceeding in any court in like manner as the original
12 thereof.

13 5. Records compiled under this Act shall be maintained
14 for 6 years, but the Secretary may destroy such records
15 with the prior approval of the State Records Commission.

16 6. He shall examine and determine the genuineness,
17 regularity and legality of every application filed with
18 him under this Act, and he may in all cases investigate the
19 same, require additional information or proof or
20 documentation from any applicant.

21 7. He shall require the payment of all fees prescribed
22 in this Act, and all such fees received by him shall be
23 placed in the Road Fund of the State treasury except as
24 otherwise provided in Section 12 of this Act. Whenever any
25 application to the Secretary for an identification card
26 under this Act is accompanied by any fee, as required by

1 law, and the application is denied after a review of
2 eligibility, which may include facial recognition
3 comparison, the applicant shall not be entitled to a
4 refund of any fees paid.

5 8. Beginning July 1, 2017, he shall refuse to issue a
6 REAL ID compliant identification card under this Act to
7 any person who has been issued a REAL ID compliant
8 driver's license under the Illinois Vehicle Code. Any such
9 person may, at his or her discretion, surrender the REAL
10 ID compliant driver's license in order to become eligible
11 to obtain a REAL ID compliant identification card.

12 9. The Secretary may issue both REAL ID compliant
13 identification cards and standard ~~non-compliant~~
14 identification cards, and may permit applicants to
15 designate which type of identification card they wish to
16 receive. All provisions of this Act applicable to standard
17 ~~non-compliant~~ identification cards shall also apply to
18 REAL ID compliant identification cards, except where the
19 provisions are inconsistent with the REAL ID Act and
20 implementing regulations. The Secretary shall establish by
21 rule the date on which issuance of REAL ID compliant
22 identification cards will begin.

23 (Source: P.A. 99-143, eff. 7-27-15; 99-305, eff. 1-1-16;
24 99-511, eff. 1-1-17; 99-642, eff. 7-28-16; 100-248, eff.
25 8-22-17.)

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 Sec. 4. Identification card.

3 (a) The Secretary of State shall issue a standard Illinois
4 Identification Card to any natural person who is a resident of
5 the State of Illinois who applies for such card, or renewal
6 thereof. No identification card shall be issued to any person
7 who holds a valid foreign state identification card, license,
8 or permit unless the person first surrenders to the Secretary
9 of State the valid foreign state identification card, license,
10 or permit. The card shall be prepared and supplied by the
11 Secretary of State and shall include a photograph and
12 signature or mark of the applicant. However, the Secretary of
13 State may provide by rule for the issuance of Illinois
14 Identification Cards without photographs if the applicant has
15 a bona fide religious objection to being photographed or to
16 the display of his or her photograph. The Illinois
17 Identification Card may be used for identification purposes in
18 any lawful situation only by the person to whom it was issued.
19 As used in this Act, "photograph" means any color photograph
20 or digitally produced and captured image of an applicant for
21 an identification card. As used in this Act, "signature" means
22 the name of a person as written by that person and captured in
23 a manner acceptable to the Secretary of State.

24 (a-5) If an applicant for an identification card has a
25 current driver's license or instruction permit issued by the
26 Secretary of State, the Secretary may require the applicant to

1 utilize the same residence address and name on the
2 identification card, driver's license, and instruction permit
3 records maintained by the Secretary. The Secretary may
4 promulgate rules to implement this provision.

5 (a-10) If the applicant is a judicial officer as defined
6 in Section 1-10 of the Judicial Privacy Act or a peace officer,
7 the applicant may elect to have his or her office or work
8 address listed on the card instead of the applicant's
9 residence or mailing address. The Secretary may promulgate
10 rules to implement this provision. For the purposes of this
11 subsection (a-10), "peace officer" means any person who by
12 virtue of his or her office or public employment is vested by
13 law with a duty to maintain public order or to make arrests for
14 a violation of any penal statute of this State, whether that
15 duty extends to all violations or is limited to specific
16 violations.

17 (a-15) The Secretary of State may provide for an expedited
18 process for the issuance of an Illinois Identification Card.
19 The Secretary shall charge an additional fee for the expedited
20 issuance of an Illinois Identification Card, to be set by
21 rule, not to exceed \$75. All fees collected by the Secretary
22 for expedited Illinois Identification Card service shall be
23 deposited into the Secretary of State Special Services Fund.
24 The Secretary may adopt rules regarding the eligibility,
25 process, and fee for an expedited Illinois Identification
26 Card. If the Secretary of State determines that the volume of

1 expedited identification card requests received on a given day
2 exceeds the ability of the Secretary to process those requests
3 in an expedited manner, the Secretary may decline to provide
4 expedited services, and the additional fee for the expedited
5 service shall be refunded to the applicant.

6 (a-20) The Secretary of State shall issue a standard
7 Illinois Identification Card to a committed person upon
8 release on parole, mandatory supervised release, aftercare
9 release, final discharge, or pardon from the Department of
10 Corrections or Department of Juvenile Justice, if the released
11 person presents a certified copy of his or her birth
12 certificate, social security card, if the person has a social
13 security number, or other documents authorized by the
14 Secretary, and 2 documents proving his or her Illinois
15 residence address. Documents proving residence address may
16 include any official document of the Department of Corrections
17 or the Department of Juvenile Justice showing the released
18 person's address after release and a Secretary of State
19 prescribed certificate of residency form, which may be
20 executed by Department of Corrections or Department of
21 Juvenile Justice personnel.

22 (a-25) The Secretary of State shall issue a limited-term
23 Illinois Identification Card valid for 90 days to a committed
24 person upon release on parole, mandatory supervised release,
25 aftercare release, final discharge, or pardon from the
26 Department of Corrections or Department of Juvenile Justice,

1 if the released person is unable to present a certified copy of
2 his or her birth certificate and social security card, if the
3 person has a social security number, or other documents
4 authorized by the Secretary, but does present a Secretary of
5 State prescribed verification form completed by the Department
6 of Corrections or Department of Juvenile Justice, verifying
7 the released person's date of birth and social security
8 number, if the person has a social security number, and 2
9 documents proving his or her Illinois residence address. The
10 verification form must have been completed no more than 30
11 days prior to the date of application for the Illinois
12 Identification Card. Documents proving residence address shall
13 include any official document of the Department of Corrections
14 or the Department of Juvenile Justice showing the person's
15 address after release and a Secretary of State prescribed
16 certificate of residency, which may be executed by Department
17 of Corrections or Department of Juvenile Justice personnel.

18 Prior to the expiration of the 90-day period of the
19 limited-term Illinois Identification Card, if the released
20 person submits to the Secretary of State a certified copy of
21 his or her birth certificate and his or her social security
22 card, if the person has a social security number, or other
23 documents authorized by the Secretary, a standard Illinois
24 Identification Card shall be issued. A limited-term Illinois
25 Identification Card may not be renewed.

26 (a-30) The Secretary of State shall issue a standard

1 Illinois Identification Card to a person upon conditional
2 release or absolute discharge from the custody of the
3 Department of Human Services, if the person presents a
4 certified copy of his or her birth certificate, social
5 security card, if the person has a social security number, or
6 other documents authorized by the Secretary, and a document
7 proving his or her Illinois residence address. The Secretary
8 of State shall issue a standard Illinois Identification Card
9 to a person prior to his or her conditional release or absolute
10 discharge if personnel from the Department of Human Services
11 bring the person to a Secretary of State location with the
12 required documents. Documents proving residence address may
13 include any official document of the Department of Human
14 Services showing the person's address after release and a
15 Secretary of State prescribed verification form, which may be
16 executed by personnel of the Department of Human Services.

17 (a-35) The Secretary of State shall issue a limited-term
18 Illinois Identification Card valid for 90 days to a person
19 upon conditional release or absolute discharge from the
20 custody of the Department of Human Services, if the person is
21 unable to present a certified copy of his or her birth
22 certificate and social security card, if the person has a
23 social security number, or other documents authorized by the
24 Secretary, but does present a Secretary of State prescribed
25 verification form completed by the Department of Human
26 Services, verifying the person's date of birth and social

1 security number, if the person has a social security number,
2 and a document proving his or her Illinois residence address.
3 The verification form must have been completed no more than 30
4 days prior to the date of application for the Illinois
5 Identification Card. The Secretary of State shall issue a
6 limited-term Illinois Identification Card to a person no
7 sooner than 14 days prior to his or her conditional release or
8 absolute discharge if personnel from the Department of Human
9 Services bring the person to a Secretary of State location
10 with the required documents. Documents proving residence
11 address shall include any official document of the Department
12 of Human Services showing the person's address after release
13 and a Secretary of State prescribed verification form, which
14 may be executed by personnel of the Department of Human
15 Services.

16 (b) The Secretary of State shall issue a special Illinois
17 Identification Card, which shall be known as an Illinois
18 Person with a Disability Identification Card, to any natural
19 person who is a resident of the State of Illinois, who is a
20 person with a disability as defined in Section 4A of this Act,
21 who applies for such card, or renewal thereof. No Illinois
22 Person with a Disability Identification Card shall be issued
23 to any person who holds a valid foreign state identification
24 card, license, or permit unless the person first surrenders to
25 the Secretary of State the valid foreign state identification
26 card, license, or permit. The Secretary of State shall charge

1 no fee to issue such card. The card shall be prepared and
2 supplied by the Secretary of State, and shall include a
3 photograph and signature or mark of the applicant, a
4 designation indicating that the card is an Illinois Person
5 with a Disability Identification Card, and shall include a
6 comprehensible designation of the type and classification of
7 the applicant's disability as set out in Section 4A of this
8 Act. However, the Secretary of State may provide by rule for
9 the issuance of Illinois Person with a Disability
10 Identification Cards without photographs if the applicant has
11 a bona fide religious objection to being photographed or to
12 the display of his or her photograph. If the applicant so
13 requests, the card shall include a description of the
14 applicant's disability and any information about the
15 applicant's disability or medical history which the Secretary
16 determines would be helpful to the applicant in securing
17 emergency medical care. If a mark is used in lieu of a
18 signature, such mark shall be affixed to the card in the
19 presence of two witnesses who attest to the authenticity of
20 the mark. The Illinois Person with a Disability Identification
21 Card may be used for identification purposes in any lawful
22 situation by the person to whom it was issued.

23 The Illinois Person with a Disability Identification Card
24 may be used as adequate documentation of disability in lieu of
25 a physician's determination of disability, a determination of
26 disability from a physician assistant, a determination of

1 disability from an advanced practice registered nurse, or any
2 other documentation of disability whenever any State law
3 requires that a person with a disability provide such
4 documentation of disability, however an Illinois Person with a
5 Disability Identification Card shall not qualify the
6 cardholder to participate in any program or to receive any
7 benefit which is not available to all persons with like
8 disabilities. Notwithstanding any other provisions of law, an
9 Illinois Person with a Disability Identification Card, or
10 evidence that the Secretary of State has issued an Illinois
11 Person with a Disability Identification Card, shall not be
12 used by any person other than the person named on such card to
13 prove that the person named on such card is a person with a
14 disability or for any other purpose unless the card is used for
15 the benefit of the person named on such card, and the person
16 named on such card consents to such use at the time the card is
17 so used.

18 An optometrist's determination of a visual disability
19 under Section 4A of this Act is acceptable as documentation
20 for the purpose of issuing an Illinois Person with a
21 Disability Identification Card.

22 When medical information is contained on an Illinois
23 Person with a Disability Identification Card, the Office of
24 the Secretary of State shall not be liable for any actions
25 taken based upon that medical information.

26 (c) The Secretary of State shall provide that each

1 original or renewal Illinois Identification Card or Illinois
2 Person with a Disability Identification Card issued to a
3 person under the age of 21 shall be of a distinct nature from
4 those Illinois Identification Cards or Illinois Person with a
5 Disability Identification Cards issued to individuals 21 years
6 of age or older. The color designated for Illinois
7 Identification Cards or Illinois Person with a Disability
8 Identification Cards for persons under the age of 21 shall be
9 at the discretion of the Secretary of State.

10 (c-1) Each original or renewal Illinois Identification
11 Card or Illinois Person with a Disability Identification Card
12 issued to a person under the age of 21 shall display the date
13 upon which the person becomes 18 years of age and the date upon
14 which the person becomes 21 years of age.

15 (c-3) The General Assembly recognizes the need to identify
16 military veterans living in this State for the purpose of
17 ensuring that they receive all of the services and benefits to
18 which they are legally entitled, including healthcare,
19 education assistance, and job placement. To assist the State
20 in identifying these veterans and delivering these vital
21 services and benefits, the Secretary of State is authorized to
22 issue Illinois Identification Cards and Illinois Person with a
23 Disability Identification Cards with the word "veteran"
24 appearing on the face of the cards. This authorization is
25 predicated on the unique status of veterans. The Secretary may
26 not issue any other identification card which identifies an

1 occupation, status, affiliation, hobby, or other unique
2 characteristics of the identification card holder which is
3 unrelated to the purpose of the identification card.

4 (c-5) Beginning on or before July 1, 2015, the Secretary
5 of State shall designate a space on each original or renewal
6 identification card where, at the request of the applicant,
7 the word "veteran" shall be placed. The veteran designation
8 shall be available to a person identified as a veteran under
9 subsection (b) of Section 5 of this Act who was discharged or
10 separated under honorable conditions.

11 (d) The Secretary of State may issue a Senior Citizen
12 discount card, to any natural person who is a resident of the
13 State of Illinois who is 60 years of age or older and who
14 applies for such a card or renewal thereof. The Secretary of
15 State shall charge no fee to issue such card. The card shall be
16 issued in every county and applications shall be made
17 available at, but not limited to, nutrition sites, senior
18 citizen centers and Area Agencies on Aging. The applicant,
19 upon receipt of such card and prior to its use for any purpose,
20 shall have affixed thereon in the space provided therefor his
21 signature or mark.

22 (e) The Secretary of State, in his or her discretion, may
23 designate on each Illinois Identification Card or Illinois
24 Person with a Disability Identification Card a space where the
25 card holder may place a sticker or decal, issued by the
26 Secretary of State, of uniform size as the Secretary may

1 specify, that shall indicate in appropriate language that the
2 card holder has renewed his or her Illinois Identification
3 Card or Illinois Person with a Disability Identification Card.
4 (Source: P.A. 102-299, eff. 8-6-21.)

5 (15 ILCS 335/4D)

6 Sec. 4D. Issuance of confidential identification cards.

7 (a) Requirements for use of confidential identification
8 cards. Confidential identification cards may be issued to
9 local, state, and federal government agencies for bona fide
10 law enforcement purposes. The identification cards may be
11 issued in fictitious names and addresses, and may be used only
12 in confidential, investigative, or undercover law enforcement
13 operations. Confidential identification cards may be issued as
14 REAL ID compliant or standard ~~non-compliant~~ identification
15 cards.

16 (b) Application procedures for confidential identification
17 cards:

18 (1) Applications by local, state, and federal
19 government agencies for confidential identification cards
20 must be made to the Secretary of State Police Department
21 on a form and in a manner prescribed by the Secretary of
22 State Police Department.

23 (2) The application form must include information, as
24 specific as possible without compromising investigations
25 or techniques, setting forth the need for the

1 identification cards and the uses to which the
2 identification cards will be limited.

3 (3) The application form must be signed and verified
4 by the local, state, or federal government agency head or
5 designee.

6 (4) Information maintained by the Secretary of State
7 Police Department for confidential identification cards
8 must show the fictitious names and addresses on all
9 records subject to public disclosure. All other
10 information concerning these confidential identification
11 cards are exempt from disclosure unless the disclosure is
12 ordered by a court of competent jurisdiction.

13 (c) Cancellation procedures for confidential
14 identification cards:

15 (1) The Secretary of State Police Department may
16 cancel or refuse to renew confidential identification
17 cards when they have reasonable cause to believe the cards
18 are being used for purposes other than those set forth in
19 the application form or authorized by this Section.

20 (2) A government agency must request cancellation of
21 confidential identification cards that are no longer
22 required for the purposes for which they were issued.

23 (3) Upon the request of the Secretary of State Police
24 Department, all cancelled confidential identification
25 cards must be promptly returned to the Secretary of State
26 Police Department by the government agency to which they

1 were issued.

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

3 (15 ILCS 335/5) (from Ch. 124, par. 25)

4 Sec. 5. Applications.

5 (a) Any natural person who is a resident of the State of
6 Illinois may file an application for an identification card,
7 or for the renewal thereof, in a manner prescribed by the
8 Secretary. Each original application shall be completed by the
9 applicant in full and shall set forth the legal name,
10 residence address and zip code, social security number, if the
11 person has a social security number, birth date, sex and a
12 brief description of the applicant. The applicant shall be
13 photographed, unless the Secretary of State has provided by
14 rule for the issuance of identification cards without
15 photographs and the applicant is deemed eligible for an
16 identification card without a photograph under the terms and
17 conditions imposed by the Secretary of State, and he or she
18 shall also submit any other information as the Secretary may
19 deem necessary or such documentation as the Secretary may
20 require to determine the identity of the applicant. In
21 addition to the residence address, the Secretary may allow the
22 applicant to provide a mailing address. If the applicant is a
23 judicial officer as defined in Section 1-10 of the Judicial
24 Privacy Act or a peace officer, the applicant may elect to have
25 his or her office or work address in lieu of the applicant's

1 residence or mailing address. An applicant for an Illinois
2 Person with a Disability Identification Card must also submit
3 with each original or renewal application, on forms prescribed
4 by the Secretary, such documentation as the Secretary may
5 require, establishing that the applicant is a "person with a
6 disability" as defined in Section 4A of this Act, and setting
7 forth the applicant's type and class of disability as set
8 forth in Section 4A of this Act. For the purposes of this
9 subsection (a), "peace officer" means any person who by virtue
10 of his or her office or public employment is vested by law with
11 a duty to maintain public order or to make arrests for a
12 violation of any penal statute of this State, whether that
13 duty extends to all violations or is limited to specific
14 violations.

15 (a-5) Upon the first issuance of a request for proposals
16 for a digital driver's license and identification card
17 issuance and facial recognition system issued after January 1,
18 2020 (the effective date of Public Act 101-513), and upon
19 implementation of a new or revised system procured pursuant to
20 that request for proposals, the Secretary shall permit
21 applicants to choose between "male", "female", or "non-binary"
22 when designating the applicant's sex on the identification
23 card application form. The sex designated by the applicant
24 shall be displayed on the identification card issued to the
25 applicant.

26 (b) Beginning on or before July 1, 2015, for each original

1 or renewal identification card application under this Act, the
2 Secretary shall inquire as to whether the applicant is a
3 veteran for purposes of issuing an identification card with a
4 veteran designation under subsection (c-5) of Section 4 of
5 this Act. The acceptable forms of proof shall include, but are
6 not limited to, Department of Defense form DD-214, Department
7 of Defense form DD-256 for applicants who did not receive a
8 form DD-214 upon the completion of initial basic training,
9 Department of Defense form DD-2 (Retired), an identification
10 card issued under the federal Veterans Identification Card Act
11 of 2015, or a United States Department of Veterans Affairs
12 summary of benefits letter. If the document cannot be stamped,
13 the Illinois Department of Veterans' Affairs shall provide a
14 certificate to the veteran to provide to the Secretary of
15 State. The Illinois Department of Veterans' Affairs shall
16 advise the Secretary as to what other forms of proof of a
17 person's status as a veteran are acceptable.

18 For each applicant who is issued an identification card
19 with a veteran designation, the Secretary shall provide the
20 Department of Veterans' Affairs with the applicant's name,
21 address, date of birth, gender, and such other demographic
22 information as agreed to by the Secretary and the Department.
23 The Department may take steps necessary to confirm the
24 applicant is a veteran. If after due diligence, including
25 writing to the applicant at the address provided by the
26 Secretary, the Department is unable to verify the applicant's

1 veteran status, the Department shall inform the Secretary, who
2 shall notify the applicant that he or she must confirm status
3 as a veteran, or the identification card will be cancelled.

4 For purposes of this subsection (b):

5 "Armed forces" means any of the Armed Forces of the United
6 States, including a member of any reserve component or
7 National Guard unit.

8 "Veteran" means a person who has served in the armed
9 forces and was discharged or separated under honorable
10 conditions.

11 (c) All applicants for REAL ID compliant standard Illinois
12 Identification Cards and Illinois Person with a Disability
13 Identification Cards shall provide proof of lawful status in
14 the United States as defined in 6 CFR 37.3, as amended.
15 Applicants who are unable to provide the Secretary with proof
16 of lawful status are ineligible for REAL ID compliant
17 identification cards under this Act.

18 (d) The Secretary of State may accept, as proof of date of
19 birth and written signature for any applicant for a standard
20 identification card who does not have a social security number
21 or documentation issued by the United States Department of
22 Homeland Security authorizing the applicant's presence in this
23 country, any passport validly issued to the applicant from the
24 applicant's country of citizenship or a consular
25 identification document validly issued to the applicant by a
26 consulate of that country as defined in Section 5 of the

1 Consular Identification Document Act. Any such documents must
2 be either unexpired or presented by an applicant within 2
3 years of its expiration date.

4 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
5 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

6 (15 ILCS 335/11) (from Ch. 124, par. 31)

7 Sec. 11. Records.

8 (a) The Secretary may make a search of his records and
9 furnish information as to whether a person has a current
10 Standard Illinois Identification Card or an Illinois Person
11 with a Disability Identification Card then on file, upon
12 receipt of a written application therefor accompanied with the
13 prescribed fee. However, the Secretary may not disclose
14 medical information concerning an individual to any person,
15 public agency, private agency, corporation or governmental
16 body unless the individual has submitted a written request for
17 the information or unless the individual has given prior
18 written consent for the release of the information to a
19 specific person or entity. This exception shall not apply to:

20 (1) offices and employees of the Secretary who have a need to
21 know the medical information in performance of their official
22 duties, or (2) orders of a court of competent jurisdiction.

23 When medical information is disclosed by the Secretary in
24 accordance with the provisions of this Section, no liability
25 shall rest with the Office of the Secretary of State as the

1 information is released for informational purposes only.

2 (b) Except as otherwise provided in this Section, the
3 Secretary may release personally identifying information only
4 to:

5 (1) officers and employees of the Secretary who have a
6 need to know that information for issuance of driver's
7 licenses, permits, or identification cards and
8 investigation of fraud or misconduct;

9 (2) other governmental agencies for use in their
10 official governmental functions;

11 (3) law enforcement agencies for a criminal or civil
12 investigation, except as restricted by subsections (g) and
13 (h);

14 (3-5) the State Board of Elections as may be required
15 by an agreement the State Board of Elections has entered
16 into with a multi-state voter registration list
17 maintenance system; or

18 (4) any entity that the Secretary has authorized, by
19 rule.

20 (c) Except as otherwise provided in this Section, the
21 Secretary may release highly restricted personal information
22 only to:

23 (1) officers and employees of the Secretary who have a
24 need to access the information for the issuance of
25 driver's licenses, permits, or identification cards and
26 investigation of fraud or misconduct;

1 (2) law enforcement officials for a criminal or civil
2 law enforcement investigation, except as restricted by
3 subsections (g) and (h);

4 (3) the State Board of Elections for the purpose of
5 providing the signature for completion of voter
6 registration; or

7 (4) any other entity the Secretary has authorized by
8 rule.

9 (d) Documents required to be submitted with an application
10 for an identification card to prove the applicant's identity
11 (name and date of birth), social security number or lack of a
12 social security number, written signature, residency, and, as
13 applicable, citizenship and immigration ~~proof of lawful~~ status
14 and country of citizenship shall be confidential and shall not
15 be disclosed except to the following persons:

16 (1) the individual to whom the identification card was
17 issued, upon written request;

18 (2) officers and employees of the Secretary of State
19 who have a need to have access to the stored images for
20 purposes of issuing and controlling driver's licenses,
21 permits, or identification cards and investigation of
22 fraud or misconduct;

23 (3) law enforcement officials for a civil or criminal
24 law enforcement investigation, except as restricted by
25 subsections (g) and (h);

26 (4) other entities that the Secretary may authorize by

1 rule.

2 (e) The Secretary may not disclose an individual's social
3 security number or any associated information obtained from
4 the Social Security Administration without the written request
5 or consent of the individual except: (i) to officers and
6 employees of the Secretary who have a need to know the social
7 security number in the performance of their official duties;
8 (ii) except as restricted by subsections (g) and (h) to law
9 enforcement officials for a civil or criminal law enforcement
10 investigation if an officer of the law enforcement agency has
11 made a written request to the Secretary specifying the law
12 enforcement investigation for which the social security number
13 is being sought; (iii) under a lawful court order signed by a
14 judge; (iv) to the Illinois Department of Veterans' Affairs
15 for the purpose of confirming veteran status to agencies in
16 other states responsible for the issuance of state
17 identification cards for participation in State-to-State
18 verification service; or (v) the last 4 digits to the Illinois
19 State Board of Elections for purposes of voter registration
20 and as may be required pursuant to an agreement for a
21 multi-state voter registration list maintenance system. The
22 Secretary retains the right to require additional verification
23 regarding the validity of a request from law enforcement. If
24 social security information is disclosed by the Secretary in
25 accordance with this Section, no liability shall rest with the
26 Office of the Secretary of State or any of its officers or

1 employees, as the information is released for official
2 purposes only.

3 (f) The Secretary of State shall not provide facial
4 recognition search services or photographs obtained in the
5 process of issuing an identification card to any federal,
6 State, or local law enforcement agency or other governmental
7 entity for the purpose of enforcing federal immigration laws.
8 This subsection shall not apply to requests from federal,
9 State, or local law enforcement agencies or other governmental
10 entities for facial recognition search services or photographs
11 obtained in the process of issuing a driver's license or
12 permit when the purpose of the request relates to criminal
13 activity other than violations of immigration laws.

14 (g) Notwithstanding any other provision of law, the
15 Secretary may not release highly restricted personal
16 information or personally identifying information or disclose
17 documents described in subsection (d) to any immigration
18 agent, as defined in Section 10 of the Illinois TRUST Act,
19 unless necessary to comply with the following, to the extent
20 that production of such information or documents is
21 specifically required:

22 (1) a lawful court order;

23 (2) a judicial warrant signed by a judge appointed
24 pursuant to Article III of the Constitution of the United
25 States; or

26 (3) a subpoena for individual records issued by a

1 federal or State court.

2 When responding to such a court order, warrant, or
3 subpoena, the Secretary shall disclose only those documents or
4 information specifically requested. Within 3 business days of
5 receiving such a court order, warrant, or subpoena, the
6 Secretary shall send a notification to the individual about
7 whom such information was requested that a court order,
8 warrant, or subpoena was received and the identity of the
9 entity that presented the court order, warrant, or subpoena.

10 (h) The Secretary shall not enter into or maintain any
11 agreement regarding the sharing of any highly restricted
12 personal information or personally identifying information or
13 documents described in subsection (d) unless all other parties
14 to such agreement certify that the information obtained will
15 not be used for civil immigration purposes or knowingly
16 disseminated to any third party for any purpose related to
17 civil immigration enforcement.

18 (Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

19 Section 20. The Illinois Vehicle Code is amended by
20 changing Sections 6-100, 6-100.5, 6-105.1, 6-106, 6-110.1,
21 6-110.2, 6-121, and 6-122 and by adding Section 6-110.3 as
22 follows:

23 (625 ILCS 5/6-100) (from Ch. 95 1/2, par. 6-100)

24 Sec. 6-100. Definitions. For the purposes of this Chapter,

1 the following words shall have the meanings ascribed to them:

2 (a) Application Process. The process of obtaining a
3 driver's license, identification card, or permit. The process
4 begins when a person enters a Secretary of State Driver
5 Services facility and requests a driver's license,
6 identification card or permit.

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

10 (c) Identification Card. A document made or issued by or
11 under the authority of the United States Government, the State
12 of Illinois or any other state or political subdivision
13 thereof, or any governmental or quasi-governmental
14 organization that, when completed with information concerning
15 the individual, is of a type intended or commonly accepted for
16 the purpose of identifying the individual.

17 (d) Standard ~~Non-compliant~~ driver's license. A driver's
18 license issued in a manner which is not compliant with the REAL
19 ID Act and implementing regulations. Standard ~~Non-compliant~~
20 driver's licenses shall be marked "Federal Limits Apply" ~~"Not~~
21 ~~for Federal Identification"~~ and shall have a color or design
22 different from the REAL ID compliant driver's license.

23 (e) REAL ID compliant driver's license. A driver's license
24 issued in compliance with the REAL ID Act and implementing
25 regulations. REAL ID compliant driver's licenses shall bear a
26 security marking approved by the United States Department of

1 Homeland Security.

2 (f) Limited Term REAL ID compliant driver's license. A
3 REAL ID compliant driver's license issued to a person who is
4 not a permanent resident or citizen of the United States, or an
5 individual who has an approved application for asylum in the
6 United States or has entered the United States in refugee
7 status, and marked "Limited Term" on the face of the license.

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

9 (625 ILCS 5/6-100.5)

10 Sec. 6-100.5. Issuance of REAL ID compliant and standard
11 ~~non-compliant~~ driver's licenses. The Secretary of State may
12 issue both REAL ID compliant driver's licenses and standard
13 ~~non-compliant~~ driver's licenses, and may permit applicants to
14 designate which type of driver's license they wish to receive.
15 All provisions of this Code applicable to standard
16 ~~non-compliant~~ driver's licenses shall also apply to REAL ID
17 compliant driver's licenses, except where the provisions are
18 inconsistent with the REAL ID Act and implementing
19 regulations. The Secretary shall establish by rule the date on
20 which issuance of REAL ID compliant driver's licenses will
21 begin.

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

23 (625 ILCS 5/6-105.1)

24 Sec. 6-105.1. Temporary visitor's driver's license.

1 (a) The Secretary of State may issue a temporary visitor's
2 driver's license to a foreign national who (i) resides in this
3 State, (ii) is ineligible to obtain a social security number,
4 and (iii) presents to the Secretary documentation, issued by
5 United States Citizenship and Immigration Services,
6 authorizing the person's presence in this country.

7 (a-5) The Secretary of State may issue a temporary
8 visitor's driver's license to an applicant who (i) has resided
9 in this State for a period in excess of one year, (ii) is
10 ineligible to obtain a social security number, and (iii) is
11 unable to present documentation issued by the United States
12 Citizenship and Immigration Services authorizing the person's
13 presence in this country. The applicant shall submit a valid
14 unexpired passport from the applicant's country of citizenship
15 or a valid unexpired consular identification document issued
16 by a consulate of that country as defined in Section 5 of the
17 Consular Identification Document Act (5 ILCS 230/5).

18 (a-10) Applicants for a temporary visitor's driver's
19 license who are under 18 years of age at the time of
20 application shall be subject to the provisions of Sections
21 6-107 and 6-108 of this Code.

22 (b) A temporary visitor's driver's license issued under
23 subsection (a) is valid for 3 years, or for the period of time
24 the individual is authorized to remain in this country,
25 whichever ends sooner. A temporary visitor's driver's license
26 issued under subsection (a-5) shall be valid for a period of 3

1 years.

2 (b-5) A temporary visitor's driver's license issued under
3 this Section may not be accepted for proof of the holder's
4 identity. A temporary visitor's driver's license issued under
5 this Section shall contain a notice on its face, in
6 capitalized letters, stating that the temporary visitor's
7 driver's license may not be accepted for proof of identity.

8 (c) The Secretary shall adopt rules for implementing this
9 Section, including rules:

10 (1) regarding the design and content of the temporary
11 visitor's driver's license;

12 (2) establishing criteria for proof of identification
13 and residency of an individual applying under subsection
14 (a-5);

15 (3) designating acceptable evidence that an applicant
16 is not eligible for a social security number; and

17 (4) regarding the issuance of temporary visitor's
18 instruction permits.

19 (d) Any person to whom the Secretary of State may issue a
20 temporary visitor's driver's license shall be subject to any
21 and all provisions of this Code and any and all implementing
22 regulations issued by the Secretary of State to the same
23 extent as any person issued a driver's license, unless
24 otherwise provided in this Code or by administrative rule,
25 including but not limited to the examination requirements in
26 Section 6-109 as well as the mandatory insurance requirements

1 and penalties set forth in Article VI of Chapter 7 of this
2 Code.

3 (d-5) A temporary visitor's driver's license is invalid if
4 the holder is unable to provide proof of liability insurance
5 as required by Section 7-601 of this Code upon the request of a
6 law enforcement officer, in which case the holder commits a
7 violation of Section 6-101 of this Code.

8 (e) Temporary visitor's driver's licenses shall be issued
9 from a central location after the Secretary of State has
10 verified the information provided by the applicant.

11 (f) There is created in the State treasury a special fund
12 to be known as the Driver Services Administration Fund. All
13 fees collected for the issuance of temporary visitor's
14 driver's licenses shall be deposited into the Fund. These
15 funds shall, subject to appropriation, be used by the Office
16 of the Secretary of State for costs related to the issuance of
17 temporary visitor's driver's licenses, and other operational
18 costs, including personnel, facilities, computer programming,
19 and data transmission.

20 (g) No temporary visitor's driver's licenses shall be
21 issued after the effective date of this amendatory Act of the
22 103rd General Assembly.

23 (Source: P.A. 97-1157, eff. 11-28-13.)

24 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

25 Sec. 6-106. Application for license or instruction permit.

1 (a) Every application for any permit or license authorized
2 to be issued under this Code shall be made upon a form
3 furnished by the Secretary of State. Every application shall
4 be accompanied by the proper fee and payment of such fee shall
5 entitle the applicant to not more than 3 attempts to pass the
6 examination within a period of one year after the date of
7 application.

8 (b) Every application shall state the legal name, ~~social~~
9 ~~security number~~, zip code, date of birth, sex, and residence
10 address of the applicant; briefly describe the applicant;
11 state whether the applicant has theretofore been licensed as a
12 driver, and, if so, when and by what state or country, and
13 whether any such license has ever been cancelled, suspended,
14 revoked or refused, and, if so, the date and reason for such
15 cancellation, suspension, revocation or refusal; shall include
16 an affirmation by the applicant that all information set forth
17 is true and correct; and shall bear the applicant's signature.
18 In addition to the residence address, the Secretary may allow
19 the applicant to provide a mailing address. In the case of an
20 applicant who is a judicial officer or peace officer, the
21 Secretary may allow the applicant to provide an office or work
22 address in lieu of a residence or mailing address. The
23 application form may also require the statement of such
24 additional relevant information as the Secretary of State
25 shall deem necessary to determine the applicant's competency
26 and eligibility. The Secretary of State may, in his

1 discretion, by rule or regulation, provide that an application
2 for a drivers license or permit may include a suitable
3 photograph of the applicant in the form prescribed by the
4 Secretary, and he may further provide that each drivers
5 license shall include a photograph of the driver. The
6 Secretary of State may utilize a photograph process or system
7 most suitable to deter alteration or improper reproduction of
8 a drivers license and to prevent substitution of another photo
9 thereon. For the purposes of this subsection (b), "peace
10 officer" means any person who by virtue of his or her office or
11 public employment is vested by law with a duty to maintain
12 public order or to make arrests for a violation of any penal
13 statute of this State, whether that duty extends to all
14 violations or is limited to specific violations.

15 (b-1) Every application shall state the social security
16 number of the applicant; except if the applicant is applying
17 for a standard driver's license and, on the date of
18 application, is ineligible for a social security number, then:

19 (1) if the applicant has documentation, issued by the
20 United States Department of Homeland Security, authorizing
21 the applicant's presence in this country, the applicant
22 shall provide such documentation instead of a social
23 security number; and

24 (2) if the applicant does not have documentation
25 described in paragraph (1), the applicant shall provide,
26 instead of a social security number, the following:

1 (A) documentation establishing that the applicant
2 has resided in this State for a period in excess of one
3 year;

4 (B) a passport validly issued to the applicant
5 from the applicant's country of citizenship or a
6 consular identification document validly issued to the
7 applicant by a consulate of that country as defined in
8 Section 5 of the Consular Identification Document Act,
9 as long as such documents are either unexpired or
10 presented by an applicant within 2 years of its
11 expiration date; and

12 (C) a social security card, if the applicant has a
13 social security number.

14 (b-3) Upon the first issuance of a request for proposals
15 for a digital driver's license and identification card
16 issuance and facial recognition system issued after January 1,
17 2020 (the effective date of Public Act 101-513), and upon
18 implementation of a new or revised system procured pursuant to
19 that request for proposals, the Secretary shall permit
20 applicants to choose between "male", "female" or "non-binary"
21 when designating the applicant's sex on the driver's license
22 application form. The sex designated by the applicant shall be
23 displayed on the driver's license issued to the applicant.

24 (b-5) Every applicant for a REAL ID compliant driver's
25 license or permit shall provide proof of lawful status in the
26 United States as defined in 6 CFR 37.3, as amended. ~~Applicants~~

1 ~~who are unable to provide the Secretary with proof of lawful~~
2 ~~status may apply for a driver's license or permit under~~
3 ~~Section 6-105.1 of this Code.~~

4 (c) The application form shall include a notice to the
5 applicant of the registration obligations of sex offenders
6 under the Sex Offender Registration Act. The notice shall be
7 provided in a form and manner prescribed by the Secretary of
8 State. For purposes of this subsection (c), "sex offender" has
9 the meaning ascribed to it in Section 2 of the Sex Offender
10 Registration Act.

11 (d) Any male United States citizen or immigrant who
12 applies for any permit or license authorized to be issued
13 under this Code or for a renewal of any permit or license, and
14 who is at least 18 years of age but less than 26 years of age,
15 must be registered in compliance with the requirements of the
16 federal Military Selective Service Act. The Secretary of State
17 must forward in an electronic format the necessary personal
18 information regarding the applicants identified in this
19 subsection (d) to the Selective Service System. The
20 applicant's signature on the application serves as an
21 indication that the applicant either has already registered
22 with the Selective Service System or that he is authorizing
23 the Secretary to forward to the Selective Service System the
24 necessary information for registration. The Secretary must
25 notify the applicant at the time of application that his
26 signature constitutes consent to registration with the

1 Selective Service System, if he is not already registered.

2 (e) Beginning on or before July 1, 2015, for each original
3 or renewal driver's license application under this Code, the
4 Secretary shall inquire as to whether the applicant is a
5 veteran for purposes of issuing a driver's license with a
6 veteran designation under subsection (e-5) of Section 6-110 of
7 this Code. The acceptable forms of proof shall include, but
8 are not limited to, Department of Defense form DD-214,
9 Department of Defense form DD-256 for applicants who did not
10 receive a form DD-214 upon the completion of initial basic
11 training, Department of Defense form DD-2 (Retired), an
12 identification card issued under the federal Veterans
13 Identification Card Act of 2015, or a United States Department
14 of Veterans Affairs summary of benefits letter. If the
15 document cannot be stamped, the Illinois Department of
16 Veterans' Affairs shall provide a certificate to the veteran
17 to provide to the Secretary of State. The Illinois Department
18 of Veterans' Affairs shall advise the Secretary as to what
19 other forms of proof of a person's status as a veteran are
20 acceptable.

21 For each applicant who is issued a driver's license with a
22 veteran designation, the Secretary shall provide the
23 Department of Veterans' Affairs with the applicant's name,
24 address, date of birth, gender and such other demographic
25 information as agreed to by the Secretary and the Department.
26 The Department may take steps necessary to confirm the

1 applicant is a veteran. If after due diligence, including
2 writing to the applicant at the address provided by the
3 Secretary, the Department is unable to verify the applicant's
4 veteran status, the Department shall inform the Secretary, who
5 shall notify the applicant that he or she must confirm status
6 as a veteran, or the driver's license will be cancelled.

7 For purposes of this subsection (e):

8 "Armed forces" means any of the Armed Forces of the United
9 States, including a member of any reserve component or
10 National Guard unit.

11 "Veteran" means a person who has served in the armed
12 forces and was discharged or separated under honorable
13 conditions.

14 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
15 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

16 (625 ILCS 5/6-110.1)

17 Sec. 6-110.1. Confidentiality of captured photographs or
18 images.

19 (a) The Secretary of State shall maintain a file on or
20 contract to file all photographs and signatures obtained in
21 the process of issuing a driver's license, permit, or
22 identification card. Except as otherwise provided in this
23 Section, the photographs and signatures shall be confidential
24 and shall not be disclosed except to the following persons:

25 (1) the individual to whom the driver's license or

1 permit was issued, upon written request;

2 (2) officers and employees of the Secretary of State
3 who have a need to have access to the stored images for
4 purposes of issuing and controlling driver's licenses,
5 permits, or identification cards and investigation of
6 fraud or misconduct;

7 (3) law enforcement officials for a civil or criminal
8 law enforcement investigation, except as restricted by
9 section 6-110.3;

10 (3-5) the State Board of Elections for the sole
11 purpose of providing the signatures required by a local
12 election authority to register a voter through an online
13 voter registration system;

14 (3-10) officers and employees of the Secretary of
15 State who have a need to have access to the stored images
16 for purposes of issuing and controlling notary public
17 commissions and for the purpose of providing the
18 signatures required to process online applications for
19 appointment and commission as notaries public; or

20 (4) other entities that the Secretary may authorize by
21 rule.

22 (b) The Secretary of State shall not provide facial
23 recognition search services or photographs obtained in the
24 process of issuing a driver's license or permit to any
25 federal, State, or local law enforcement agency or other
26 governmental entity for the purpose of enforcing federal

1 immigration laws. This subsection shall not apply to requests
2 from federal, State, or local law enforcement agencies or
3 other governmental entities for facial recognition search
4 services or photographs obtained in the process of issuing a
5 driver's license or permit when the purpose of the request
6 relates to criminal activity other than violations of
7 immigration laws.

8 (Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

9 (625 ILCS 5/6-110.2)

10 Sec. 6-110.2. Confidentiality of documents submitted with
11 an application for a driver's license. Documents required to
12 be submitted with an application for a driver's license to
13 prove the applicant's identity (name and date of birth),
14 social security number or lack of a social security number,
15 written signature, residency, and, as applicable, citizenship
16 or immigration ~~proof of lawful~~ status and country of
17 citizenship shall be confidential and shall not be disclosed
18 except to the following persons:

19 (1) the individual to whom the driver's license or
20 permit was issued, upon written request;

21 (2) officers and employees of the Secretary of State
22 who have a need to have access to the stored images for
23 purposes of issuing and controlling driver's licenses,
24 permits, or identification cards and investigation of
25 fraud or misconduct;

1 (3) law enforcement officials for a civil or criminal
2 law enforcement investigation, except as restricted by
3 Section 6-110.3;

4 (4) other entities that the Secretary may authorize by
5 rule.

6 (Source: P.A. 101-326, eff. 8-9-19.)

7 (625 ILCS 5/6-110.3 new)

8 Sec. 6-110.3. Restrictions on use of information for
9 certain purposes.

10 (a) Notwithstanding any other provision of law, the
11 Secretary may not release or make accessible in any manner any
12 highly restricted personal information as defined in Section
13 1-125.9 or personally identifying information as defined in
14 Section 1-159.2, provide images, photos, or facial recognition
15 services as described in Section 6-110.1, or disclose
16 documents as described in Section 6-110.2 to any immigration
17 agent as defined in Section 10 of the Illinois TRUST Act,
18 unless necessary to comply with the following, to the extent
19 that production of such information or documents is
20 specifically required:

21 (1) a lawful court order;

22 (2) a judicial warrant signed by a judge appointed
23 pursuant to Article III of the Constitution of the United
24 States; or

25 (3) a subpoena for individual records issued by a

1 federal or State court.

2 When responding to such a court order, warrant, or
3 subpoena, the Secretary shall disclose only those documents or
4 information specifically requested. Within 3 business days of
5 receiving such a court order, warrant, or subpoena, the
6 Secretary shall send a notification to the individual about
7 whom such information was requested that a court order,
8 warrant, or subpoena was received and the identity of the
9 entity that presented the court order, warrant, or subpoena.

10 (b) The Secretary shall not enter into or maintain any
11 agreement regarding the sharing of any highly restricted
12 personal information as defined in Section 1-125.9, personally
13 identifying information as defined in Section 1-159.2, images
14 or photos described in Section 6-110.1, or documents described
15 in Section 6-110.2 unless all other parties to such agreement
16 certify that the information obtained will not be used for
17 civil immigration purposes or knowingly disseminated to any
18 third party for any purpose related to civil immigration
19 enforcement.

20 (625 ILCS 5/6-121)

21 Sec. 6-121. Issuance of confidential drivers' licenses.

22 (a) Requirements for use of confidential drivers'
23 licenses. Confidential drivers' licenses may be issued to
24 local, state, and federal government agencies for bona fide
25 law enforcement purposes. The drivers' licenses may be issued

1 with fictitious names and addresses, and may be used only for
2 confidential, investigative, or undercover law enforcement
3 operations. Confidential drivers' licenses may be issued as
4 REAL ID compliant or standard ~~non-compliant~~ driver's licenses.

5 (b) Application procedures for confidential drivers'
6 licenses:

7 (1) Applications by local, state, and federal
8 government agencies for confidential drivers' licenses
9 must be made to the Secretary of State Police Department
10 on a form and in a manner prescribed by the Secretary of
11 State Police Department.

12 (2) The application form must include information, as
13 specific as possible without compromising investigations
14 or techniques, setting forth the need for the drivers'
15 licenses and the uses to which the licenses will be
16 limited.

17 (3) The application form must be signed and verified
18 by the local, state, or federal government agency head or
19 designee.

20 (4) Registration information maintained by the
21 Secretary of State Police Department for confidential
22 drivers' licenses must show the fictitious names and
23 addresses on all records subject to public disclosure. All
24 other information concerning these confidential drivers'
25 licenses are exempt from disclosure unless the disclosure
26 is ordered by a court of competent jurisdiction.

1 (c) Revocation and cancellation procedures for
2 confidential drivers' licenses:

3 (1) The Secretary of State Police Department may
4 revoke or refuse to renew confidential drivers' licenses
5 when they have reasonable cause to believe the licenses
6 are being used for purposes other than those set forth in
7 the application form or authorized by this Section.
8 Confidential drivers' licenses may also be revoked where
9 traffic violation citations have been issued to the driver
10 and subsequent investigation reveals that the issuance of
11 the citations was unrelated to the purposes for which the
12 confidential driver's license was issued. In such cases,
13 the citations and any resulting court orders, convictions,
14 supervisions or other sanctions must be treated by the
15 Secretary of State as though they were issued in relation
16 to the true driver's license of the individual to whom the
17 confidential driver's license was issued.

18 (2) A government agency must request cancellation of
19 confidential drivers' licenses that are no longer required
20 for the purposes for which they were issued.

21 (3) All revoked confidential drivers' licenses must be
22 promptly returned to the Secretary of State Police
23 Department by the government agency to which they were
24 issued.

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

1 (625 ILCS 5/6-122)

2 Sec. 6-122. Expedited driver's license. The Secretary of
3 State may provide for an expedited process for the issuance of
4 a driver's license, ~~excluding temporary visitor's driver's~~
5 ~~licenses~~. The Secretary shall charge an additional fee for the
6 issuance of an expedited driver's license, to be set by rule,
7 not to exceed \$75. All fees collected by the Secretary for
8 expedited driver's license service shall be deposited into the
9 Secretary of State Special Services Fund. The Secretary may
10 adopt rules regarding the eligibility, process, and fee for an
11 expedited driver's license.

12 (Source: P.A. 99-305, eff. 1-1-16.)

13 Section 99. Effective date. This Act takes effect July 1,
14 2024.

1 INDEX
2 Statutes amended in order of appearance

- 3 5 ILCS 230/10
- 4 10 ILCS 5/1A-16.1
- 5 15 ILCS 335/1A
- 6 15 ILCS 335/2 from Ch. 124, par. 22
- 7 15 ILCS 335/4 from Ch. 124, par. 24
- 8 15 ILCS 335/4D
- 9 15 ILCS 335/5 from Ch. 124, par. 25
- 10 15 ILCS 335/8 from Ch. 124, par. 28
- 11 15 ILCS 335/11 from Ch. 124, par. 31
- 12 625 ILCS 5/6-100 from Ch. 95 1/2, par. 6-100
- 13 625 ILCS 5/6-100.5
- 14 625 ILCS 5/6-105.1
- 15 625 ILCS 5/6-106 from Ch. 95 1/2, par. 6-106
- 16 625 ILCS 5/6-110.1
- 17 625 ILCS 5/6-110.2
- 18 625 ILCS 5/6-110.3 new
- 19 625 ILCS 5/6-115 from Ch. 95 1/2, par. 6-115
- 20 625 ILCS 5/6-121
- 21 625 ILCS 5/6-122