



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4494

Introduced 1/17/2024, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Hijacking and Motor Vehicle Theft Prevention and Insurance Verification Act. Provides for the repeal of the Act's repealer. Amends the School Code and the Illinois Vehicle Code. Requires all driver education courses to include information pertaining to the best practices for safely sharing the roadway with bicyclists and pedestrians. Allows the Secretary of State to disclose social security numbers and associated information to the Selective Service System for compliance purposes. Prohibits a person from, without authority, acquiring, selling, exchanging, giving away, or transferring a salvage vehicle. Includes an unvacated revocation of a pretrial release in the definition of "conviction". Removes a provision that requires a person whose license is suspended to surrender the license to the Secretary and removes holding a suspended license from the offense of unlawful use of a license or permit. Increases the maximum period of time a seasonal restricted permit for farmers may be held from 180 days to 210 days, in accordance with updated federal regulations. Clarifies that a driver's license suspended after involvement in an uninsured vehicle crash shall remain suspended until the applicable statute of limitations for recovering damages has expired unless a driver submits a security deposit with Secretary in the amount of damages expected to be entered in any civil suit arising from the crash. Allows the Secretary to destroy records over 20 years old under specified conditions. Requires bicyclists to adhere to traffic signals and motorists to yield the right of way to bicyclists adhering to those signals, and allows bicyclists to proceed in accordance with pedestrian traffic signals. Requires motorists passing a bicyclist to change lanes, if possible and, if not, maintain a distance of at least 3 feet from the bicyclist. Prohibits a motorist from driving in a bike or pedestrian lane or trail. Makes the submission to an examination for the purpose of obtaining a driver's license or permit for some other person a Class 4 felony (was previously designated as a Class A misdemeanor).

LRB103 36896 MXP 67009 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 (20 ILCS 4005/12 rep.)

5 Section 5. The Illinois Vehicle Hijacking and Motor
6 Vehicle Theft Prevention and Insurance Verification Act is
7 amended by repealing Section 12.

8 Section 10. The School Code is amended by changing
9 Sections 27-24.2 and 27-24.2a as follows:

10 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

11 Sec. 27-24.2. Safety education; driver education course.
12 Instruction shall be given in safety education in each of
13 grades one through 8, equivalent to one class period each
14 week, and any school district which maintains grades 9 through
15 12 shall offer a driver education course in any such school
16 which it operates. Its curriculum shall include content
17 dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois
18 Vehicle Code, the rules adopted pursuant to those Chapters
19 insofar as they pertain to the operation of motor vehicles,
20 and the portions of the Litter Control Act relating to the
21 operation of motor vehicles. The course of instruction given
22 in grades 10 through 12 shall include an emphasis on the

1 development of knowledge, attitudes, habits, and skills
2 necessary for the safe operation of motor vehicles, including
3 motorcycles insofar as they can be taught in the classroom,
4 and instruction on distracted driving as a major traffic
5 safety issue. In addition, the course shall include
6 instruction on special hazards existing at and required safety
7 and driving precautions that must be observed at emergency
8 situations, highway construction and maintenance zones, and
9 railroad crossings and the approaches thereto. Beginning with
10 the 2017-2018 school year, the course shall also include
11 instruction concerning law enforcement procedures for traffic
12 stops, including a demonstration of the proper actions to be
13 taken during a traffic stop and appropriate interactions with
14 law enforcement. Beginning with the 2024-2025 school year, the
15 course shall also include information pertaining to the best
16 practices for safely sharing the roadway with bicyclists and
17 pedestrians. The course of instruction required of each
18 eligible student at the high school level shall consist of a
19 minimum of 30 clock hours of classroom instruction and a
20 minimum of 6 clock hours of individual behind-the-wheel
21 instruction in a dual control car on public roadways taught by
22 a driver education instructor endorsed by the State Board of
23 Education. A school district's decision to allow a student to
24 take a portion of the driver education course through a
25 distance learning program must be determined on a case-by-case
26 basis and must be approved by the school's administration,

1 including the student's driver education teacher, and the
2 student's parent or guardian. Under no circumstances may the
3 student take the entire driver education course through a
4 distance learning program. Both the classroom instruction part
5 and the practice driving part of a driver education course
6 shall be open to a resident or non-resident student attending
7 a non-public school in the district wherein the course is
8 offered. Each student attending any public or non-public high
9 school in the district must receive a passing grade in at least
10 8 courses during the previous 2 semesters prior to enrolling
11 in a driver education course, or the student shall not be
12 permitted to enroll in the course; provided that the local
13 superintendent of schools (with respect to a student attending
14 a public high school in the district) or chief school
15 administrator (with respect to a student attending a
16 non-public high school in the district) may waive the
17 requirement if the superintendent or chief school
18 administrator, as the case may be, deems it to be in the best
19 interest of the student. A student may be allowed to commence
20 the classroom instruction part of such driver education course
21 prior to reaching age 15 if such student then will be eligible
22 to complete the entire course within 12 months after being
23 allowed to commence such classroom instruction.

24 A school district may offer a driver education course in a
25 school by contracting with a commercial driver training school
26 to provide both the classroom instruction part and the

1 practice driving part or either one without having to request
2 a modification or waiver of administrative rules of the State
3 Board of Education if the school district approves the action
4 during a public hearing on whether to enter into a contract
5 with a commercial driver training school. The public hearing
6 shall be held at a regular or special school board meeting
7 prior to entering into such a contract. If a school district
8 chooses to approve a contract with a commercial driver
9 training school, then the district must provide evidence to
10 the State Board of Education that the commercial driver
11 training school with which it will contract holds a license
12 issued by the Secretary of State under Article IV of Chapter 6
13 of the Illinois Vehicle Code and that each instructor employed
14 by the commercial driver training school to provide
15 instruction to students served by the school district holds a
16 valid teaching license issued under the requirements of this
17 Code and rules of the State Board of Education. Such evidence
18 must include, but need not be limited to, a list of each
19 instructor assigned to teach students served by the school
20 district, which list shall include the instructor's name,
21 personal identification number as required by the State Board
22 of Education, birth date, and driver's license number. Once
23 the contract is entered into, the school district shall notify
24 the State Board of Education of any changes in the personnel
25 providing instruction either (i) within 15 calendar days after
26 an instructor leaves the program or (ii) before a new

1 instructor is hired. Such notification shall include the
2 instructor's name, personal identification number as required
3 by the State Board of Education, birth date, and driver's
4 license number. If the school district maintains an Internet
5 website, then the district shall post a copy of the final
6 contract between the district and the commercial driver
7 training school on the district's Internet website. If no
8 Internet website exists, then the school district shall make
9 available the contract upon request. A record of all materials
10 in relation to the contract must be maintained by the school
11 district and made available to parents and guardians upon
12 request. The instructor's date of birth and driver's license
13 number and any other personally identifying information as
14 deemed by the federal Driver's Privacy Protection Act of 1994
15 must be redacted from any public materials.

16 Such a course may be commenced immediately after the
17 completion of a prior course. Teachers of such courses shall
18 meet the licensure requirements of this Code and regulations
19 of the State Board as to qualifications. Except for a contract
20 with a Certified Driver Rehabilitation Specialist, a school
21 district that contracts with a third party to teach a driver
22 education course under this Section must ensure the teacher
23 meets the educator licensure and endorsement requirements
24 under Article 21B and must follow the same evaluation and
25 observation requirements that apply to non-tenured teachers
26 under Article 24A. The teacher evaluation must be conducted by

1 a school administrator employed by the school district and
2 must be submitted annually to the district superintendent and
3 all school board members for oversight purposes.

4 Subject to rules of the State Board of Education, the
5 school district may charge a reasonable fee, not to exceed
6 \$50, to students who participate in the course, unless a
7 student is unable to pay for such a course, in which event the
8 fee for such a student must be waived. However, the district
9 may increase this fee to an amount not to exceed \$250 by school
10 board resolution following a public hearing on the increase,
11 which increased fee must be waived for students who
12 participate in the course and are unable to pay for the course.
13 The total amount from driver education fees and reimbursement
14 from the State for driver education must not exceed the total
15 cost of the driver education program in any year and must be
16 deposited into the school district's driver education fund as
17 a separate line item budget entry. All moneys deposited into
18 the school district's driver education fund must be used
19 solely for the funding of a high school driver education
20 program approved by the State Board of Education that uses
21 driver education instructors endorsed by the State Board of
22 Education.

23 (Source: P.A. 101-183, eff. 8-2-19; 101-450, eff. 8-23-19;
24 102-558, eff. 8-20-21.)

25 (105 ILCS 5/27-24.2a)

1 Sec. 27-24.2a. Non-public school driver education course.
2 Beginning with the 2017-2018 school year, any non-public
3 school's driver education course shall include instruction
4 concerning law enforcement procedures for traffic stops,
5 including a demonstration of the proper actions to be taken
6 during a traffic stop and appropriate interactions with law
7 enforcement. Beginning with the 2024-2025 school year, the
8 course shall also include information pertaining to the best
9 practices for safely sharing the roadway with bicyclists and
10 pedestrians.

11 (Source: P.A. 99-720, eff. 1-1-17.)

12 Section 15. The Illinois Vehicle Code is amended by
13 changing Sections 2-112, 2-123, 3-117.1, 6-100, 6-107.5,
14 6-117, 6-205, 6-206, 6-208, 6-209, 6-301, 6-521, 7-211, 7-503,
15 11-306, 11-307, 11-501.01, 11-501.1, 11-703, and 11-1425 and
16 by adding Section 11-712 as follows:

17 (625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

18 Sec. 2-112. Distribution of synopsis laws.

19 (a) The Secretary of State may publish a synopsis or
20 summary of the laws of this State regulating the operation of
21 vehicles and may deliver a copy thereof without charge with
22 each original vehicle registration and with each original
23 driver's license.

24 (b) The Secretary of State shall make any necessary

1 revisions in its publications including, but not limited to,
2 the Illinois Rules of the Road, to accurately conform its
3 publications to the provisions of the Pedestrians with
4 Disabilities Safety Act.

5 (c) The Secretary of State shall include, in the Illinois
6 Rules of the Road publication, information advising drivers of
7 the laws and best practices for safely sharing the roadway
8 with bicyclists and pedestrians, including, but not limited to
9 information advising drivers to use the Dutch Reach method
10 when opening a vehicle door after parallel parking on a street
11 (checking the rear-view mirror, checking the side-view mirror,
12 then opening the door with the right hand, thereby reducing
13 the risk of injuring a bicyclist or opening the door in the
14 path a vehicle approaching from behind).

15 (d) The Secretary of State shall include, in the Illinois
16 Rules of the Road publication, information advising drivers to
17 use the zipper merge method when merging into a reduced number
18 of lanes (drivers in merging lanes are expected to use both
19 lanes to advance to the lane reduction point and merge at that
20 location, alternating turns).

21 (e) The Secretary of State, in consultation with the
22 Illinois State Police, shall include in the Illinois Rules of
23 the Road publication a description of law enforcement
24 procedures during traffic stops and the actions that a
25 motorist should take during a traffic stop, including
26 appropriate interactions with law enforcement officers.

1 (f) The Secretary of State shall include, in the Illinois
2 Rules of Road publication, information advising drivers on
3 best practices related to stranded motorists. This may
4 include, but is not limited to, how to safely pull the vehicle
5 out of traffic, activating hazard lights, when to remain in a
6 vehicle, how to safely exit a stranded vehicle, where to find a
7 safe place outside the stranded vehicle, and emergency numbers
8 to call for assistance.

9 (Source: P.A. 102-455, eff. 1-1-22; 103-249, eff. 1-1-24.)

10 (625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)

11 Sec. 2-123. Sale and distribution of information.

12 (a) Except as otherwise provided in this Section, the
13 Secretary may make the driver's license, vehicle and title
14 registration lists, in part or in whole, and any statistical
15 information derived from these lists available to local
16 governments, elected state officials, state educational
17 institutions, and all other governmental units of the State
18 and Federal Government requesting them for governmental
19 purposes. The Secretary shall require any such applicant for
20 services to pay for the costs of furnishing such services and
21 the use of the equipment involved, and in addition is
22 empowered to establish prices and charges for the services so
23 furnished and for the use of the electronic equipment
24 utilized.

25 (b) The Secretary is further empowered to and he may, in

1 his discretion, furnish to any applicant, other than listed in
2 subsection (a) of this Section, vehicle or driver data on a
3 computer tape, disk, other electronic format or computer
4 processable medium, or printout at a fixed fee of \$500, in
5 advance, and require in addition a further sufficient deposit
6 based upon the Secretary of State's estimate of the total cost
7 of the information requested and a charge of \$50, per 1,000
8 units or part thereof identified or the actual cost, whichever
9 is greater. The Secretary is authorized to refund any
10 difference between the additional deposit and the actual cost
11 of the request. This service shall not be in lieu of an
12 abstract of a driver's record nor of a title or registration
13 search. This service may be limited to entities purchasing a
14 minimum number of records as required by administrative rule.
15 The information sold pursuant to this subsection shall be the
16 entire vehicle or driver data list, or part thereof. The
17 information sold pursuant to this subsection shall not contain
18 personally identifying information unless the information is
19 to be used for one of the purposes identified in subsection
20 (f-5) of this Section. Commercial purchasers of driver and
21 vehicle record databases shall enter into a written agreement
22 with the Secretary of State that includes disclosure of the
23 commercial use of the information to be purchased.

24 (b-1) The Secretary is further empowered to and may, in
25 his or her discretion, furnish vehicle or driver data on a
26 computer tape, disk, or other electronic format or computer

1 processible medium, at no fee, to any State or local
2 governmental agency that uses the information provided by the
3 Secretary to transmit data back to the Secretary that enables
4 the Secretary to maintain accurate driving records, including
5 dispositions of traffic cases. This information may be
6 provided without fee not more often than once every 6 months.

7 (c) Secretary of State may issue registration lists. The
8 Secretary of State may compile a list of all registered
9 vehicles. Each list of registered vehicles shall be arranged
10 serially according to the registration numbers assigned to
11 registered vehicles and may contain in addition the names and
12 addresses of registered owners and a brief description of each
13 vehicle including the serial or other identifying number
14 thereof. Such compilation may be in such form as in the
15 discretion of the Secretary of State may seem best for the
16 purposes intended.

17 (d) The Secretary of State shall furnish no more than 2
18 current available lists of such registrations to the sheriffs
19 of all counties and to the chiefs of police of all cities and
20 villages and towns of 2,000 population and over in this State
21 at no cost. Additional copies may be purchased by the sheriffs
22 or chiefs of police at the fee of \$500 each or at the cost of
23 producing the list as determined by the Secretary of State.
24 Such lists are to be used for governmental purposes only.

25 (e) (Blank).

26 (e-1) (Blank).

1 (f) The Secretary of State shall make a title or
2 registration search of the records of his office and a written
3 report on the same for any person, upon written application of
4 such person, accompanied by a fee of \$5 for each registration
5 or title search. The written application shall set forth the
6 intended use of the requested information. No fee shall be
7 charged for a title or registration search, or for the
8 certification thereof requested by a government agency. The
9 report of the title or registration search shall not contain
10 personally identifying information unless the request for a
11 search was made for one of the purposes identified in
12 subsection (f-5) of this Section. The report of the title or
13 registration search shall not contain highly restricted
14 personal information unless specifically authorized by this
15 Code.

16 The Secretary of State shall certify a title or
17 registration record upon written request. The fee for
18 certification shall be \$5 in addition to the fee required for a
19 title or registration search. Certification shall be made
20 under the signature of the Secretary of State and shall be
21 authenticated by Seal of the Secretary of State.

22 The Secretary of State may notify the vehicle owner or
23 registrant of the request for purchase of his title or
24 registration information as the Secretary deems appropriate.

25 No information shall be released to the requester until
26 expiration of a 10-day period. This 10-day period shall not

1 apply to requests for information made by law enforcement
2 officials, government agencies, financial institutions,
3 attorneys, insurers, employers, automobile associated
4 businesses, persons licensed as a private detective or firms
5 licensed as a private detective agency under the Private
6 Detective, Private Alarm, Private Security, Fingerprint
7 Vendor, and Locksmith Act of 2004, who are employed by or are
8 acting on behalf of law enforcement officials, government
9 agencies, financial institutions, attorneys, insurers,
10 employers, automobile associated businesses, and other
11 business entities for purposes consistent with the Illinois
12 Vehicle Code, the vehicle owner or registrant or other
13 entities as the Secretary may exempt by rule and regulation.

14 Any misrepresentation made by a requester of title or
15 vehicle information shall be punishable as a petty offense,
16 except in the case of persons licensed as a private detective
17 or firms licensed as a private detective agency which shall be
18 subject to disciplinary sanctions under Section 40-10 of the
19 Private Detective, Private Alarm, Private Security,
20 Fingerprint Vendor, and Locksmith Act of 2004.

21 (f-5) The Secretary of State shall not disclose or
22 otherwise make available to any person or entity any
23 personally identifying information obtained by the Secretary
24 of State in connection with a driver's license, vehicle, or
25 title registration record unless the information is disclosed
26 for one of the following purposes:

1 (1) For use by any government agency, including any
2 court or law enforcement agency, in carrying out its
3 functions, or any private person or entity acting on
4 behalf of a federal, State, or local agency in carrying
5 out its functions.

6 (2) For use in connection with matters of motor
7 vehicle or driver safety and theft; motor vehicle
8 emissions; motor vehicle product alterations, recalls, or
9 advisories; performance monitoring of motor vehicles,
10 motor vehicle parts, and dealers; and removal of non-owner
11 records from the original owner records of motor vehicle
12 manufacturers.

13 (3) For use in the normal course of business by a
14 legitimate business or its agents, employees, or
15 contractors, but only:

16 (A) to verify the accuracy of personal information
17 submitted by an individual to the business or its
18 agents, employees, or contractors; and

19 (B) if such information as so submitted is not
20 correct or is no longer correct, to obtain the correct
21 information, but only for the purposes of preventing
22 fraud by, pursuing legal remedies against, or
23 recovering on a debt or security interest against, the
24 individual.

25 (4) For use in research activities and for use in
26 producing statistical reports, if the personally

1 identifying information is not published, redisclosed, or
2 used to contact individuals.

3 (5) For use in connection with any civil, criminal,
4 administrative, or arbitral proceeding in any federal,
5 State, or local court or agency or before any
6 self-regulatory body, including the service of process,
7 investigation in anticipation of litigation, and the
8 execution or enforcement of judgments and orders, or
9 pursuant to an order of a federal, State, or local court.

10 (6) For use by any insurer or insurance support
11 organization or by a self-insured entity or its agents,
12 employees, or contractors in connection with claims
13 investigation activities, antifraud activities, rating, or
14 underwriting.

15 (7) For use in providing notice to the owners of towed
16 or impounded vehicles.

17 (8) For use by any person licensed as a private
18 detective or firm licensed as a private detective agency
19 under the Private Detective, Private Alarm, Private
20 Security, Fingerprint Vendor, and Locksmith Act of 2004,
21 private investigative agency or security service licensed
22 in Illinois for any purpose permitted under this
23 subsection.

24 (9) For use by an employer or its agent or insurer to
25 obtain or verify information relating to a holder of a
26 commercial driver's license that is required under chapter

1 313 of title 49 of the United States Code.

2 (10) For use in connection with the operation of
3 private toll transportation facilities.

4 (11) For use by any requester, if the requester
5 demonstrates it has obtained the written consent of the
6 individual to whom the information pertains.

7 (12) For use by members of the news media, as defined
8 in Section 1-148.5, for the purpose of newsgathering when
9 the request relates to the operation of a motor vehicle or
10 public safety.

11 (13) For any other use specifically authorized by law,
12 if that use is related to the operation of a motor vehicle
13 or public safety.

14 (f-6) The Secretary of State shall not disclose or
15 otherwise make available to any person or entity any highly
16 restricted personal information obtained by the Secretary of
17 State in connection with a driver's license, vehicle, or title
18 registration record unless specifically authorized by this
19 Code.

20 (g) 1. The Secretary of State may, upon receipt of a
21 written request and a fee as set forth in Section 6-118,
22 furnish to the person or agency so requesting a driver's
23 record or data contained therein. Such document may include a
24 record of: current driver's license issuance information,
25 except that the information on judicial driving permits shall
26 be available only as otherwise provided by this Code;

1 convictions; orders entered revoking, suspending or cancelling
2 a driver's license or privilege; and notations of crash
3 involvement. All other information, unless otherwise permitted
4 by this Code, shall remain confidential. Information released
5 pursuant to a request for a driver's record shall not contain
6 personally identifying information, unless the request for the
7 driver's record was made for one of the purposes set forth in
8 subsection (f-5) of this Section. The Secretary of State may,
9 without fee, allow a parent or guardian of a person under the
10 age of 18 years, who holds an instruction permit or graduated
11 driver's license, to view that person's driving record online,
12 through a computer connection. The parent or guardian's online
13 access to the driving record will terminate when the
14 instruction permit or graduated driver's license holder
15 reaches the age of 18.

16 2. The Secretary of State shall not disclose or otherwise
17 make available to any person or entity any highly restricted
18 personal information obtained by the Secretary of State in
19 connection with a driver's license, vehicle, or title
20 registration record unless specifically authorized by this
21 Code. The Secretary of State may certify an abstract of a
22 driver's record upon written request therefor. Such
23 certification shall be made under the signature of the
24 Secretary of State and shall be authenticated by the Seal of
25 his office.

26 3. All requests for driving record information shall be

1 made in a manner prescribed by the Secretary and shall set
2 forth the intended use of the requested information.

3 The Secretary of State may notify the affected driver of
4 the request for purchase of his driver's record as the
5 Secretary deems appropriate.

6 No information shall be released to the requester until
7 expiration of a 10-day period. This 10-day period shall not
8 apply to requests for information made by law enforcement
9 officials, government agencies, financial institutions,
10 attorneys, insurers, employers, automobile associated
11 businesses, persons licensed as a private detective or firms
12 licensed as a private detective agency under the Private
13 Detective, Private Alarm, Private Security, Fingerprint
14 Vendor, and Locksmith Act of 2004, who are employed by or are
15 acting on behalf of law enforcement officials, government
16 agencies, financial institutions, attorneys, insurers,
17 employers, automobile associated businesses, and other
18 business entities for purposes consistent with the Illinois
19 Vehicle Code, the affected driver or other entities as the
20 Secretary may exempt by rule and regulation.

21 Any misrepresentation made by a requester of driver
22 information shall be punishable as a petty offense, except in
23 the case of persons licensed as a private detective or firms
24 licensed as a private detective agency which shall be subject
25 to disciplinary sanctions under Section 40-10 of the Private
26 Detective, Private Alarm, Private Security, Fingerprint

1 Vendor, and Locksmith Act of 2004.

2 4. The Secretary of State may furnish without fee, upon
3 the written request of a law enforcement agency, any
4 information from a driver's record on file with the Secretary
5 of State when such information is required in the enforcement
6 of this Code or any other law relating to the operation of
7 motor vehicles, including records of dispositions; documented
8 information involving the use of a motor vehicle; whether such
9 individual has, or previously had, a driver's license; and the
10 address and personal description as reflected on said driver's
11 record.

12 5. Except as otherwise provided in this Section, the
13 Secretary of State may furnish, without fee, information from
14 an individual driver's record on file, if a written request
15 therefor is submitted by any public transit system or
16 authority, public defender, law enforcement agency, a state or
17 federal agency, or an Illinois local intergovernmental
18 association, if the request is for the purpose of a background
19 check of applicants for employment with the requesting agency,
20 or for the purpose of an official investigation conducted by
21 the agency, or to determine a current address for the driver so
22 public funds can be recovered or paid to the driver, or for any
23 other purpose set forth in subsection (f-5) of this Section.

24 The Secretary may also furnish the courts a copy of an
25 abstract of a driver's record, without fee, subsequent to an
26 arrest for a violation of Section 11-501 or a similar

1 provision of a local ordinance. Such abstract may include
2 records of dispositions; documented information involving the
3 use of a motor vehicle as contained in the current file;
4 whether such individual has, or previously had, a driver's
5 license; and the address and personal description as reflected
6 on said driver's record.

7 6. Any certified abstract issued by the Secretary of State
8 or transmitted electronically by the Secretary of State
9 pursuant to this Section, to a court or on request of a law
10 enforcement agency, for the record of a named person as to the
11 status of the person's driver's license shall be prima facie
12 evidence of the facts therein stated and if the name appearing
13 in such abstract is the same as that of a person named in an
14 information or warrant, such abstract shall be prima facie
15 evidence that the person named in such information or warrant
16 is the same person as the person named in such abstract and
17 shall be admissible for any prosecution under this Code and be
18 admitted as proof of any prior conviction or proof of records,
19 notices, or orders recorded on individual driving records
20 maintained by the Secretary of State.

21 7. Subject to any restrictions contained in the Juvenile
22 Court Act of 1987, and upon receipt of a proper request and a
23 fee as set forth in Section 6-118, the Secretary of State shall
24 provide a driver's record or data contained therein to the
25 affected driver, or the affected driver's attorney, upon
26 verification. Such record shall contain all the information

1 referred to in paragraph 1 of this subsection (g) plus: any
2 recorded crash involvement as a driver; information recorded
3 pursuant to subsection (e) of Section 6-117 and paragraph (4)
4 of subsection (a) of Section 6-204 of this Code. All other
5 information, unless otherwise permitted by this Code, shall
6 remain confidential.

7 (h) The Secretary shall not disclose social security
8 numbers or any associated information obtained from the Social
9 Security Administration except pursuant to a written request
10 by, or with the prior written consent of, the individual
11 except: (1) to officers and employees of the Secretary who
12 have a need to know the social security numbers in performance
13 of their official duties, (2) to law enforcement officials for
14 a civil or criminal law enforcement investigation, and if an
15 officer of the law enforcement agency has made a written
16 request to the Secretary specifying the law enforcement
17 investigation for which the social security numbers are being
18 sought, though the Secretary retains the right to require
19 additional verification regarding the validity of the request,
20 (3) to the United States Department of Transportation, or any
21 other State, pursuant to the administration and enforcement of
22 the Commercial Motor Vehicle Safety Act of 1986 or
23 participation in State-to-State verification service, (4)
24 pursuant to the order of a court of competent jurisdiction,
25 (5) to the Department of Healthcare and Family Services
26 (formerly Department of Public Aid) for utilization in the

1 child support enforcement duties assigned to that Department
2 under provisions of the Illinois Public Aid Code after the
3 individual has received advanced meaningful notification of
4 what redisclosure is sought by the Secretary in accordance
5 with the federal Privacy Act, (5.5) to the Department of
6 Healthcare and Family Services and the Department of Human
7 Services solely for the purpose of verifying Illinois
8 residency where such residency is an eligibility requirement
9 for benefits under the Illinois Public Aid Code or any other
10 health benefit program administered by the Department of
11 Healthcare and Family Services or the Department of Human
12 Services, (6) to the Illinois Department of Revenue solely for
13 use by the Department in the collection of any tax or debt that
14 the Department of Revenue is authorized or required by law to
15 collect, provided that the Department shall not disclose the
16 social security number to any person or entity outside of the
17 Department, (7) to the Illinois Department of Veterans'
18 Affairs for the purpose of confirming veteran status, ~~or~~ (8)
19 the last 4 digits to the Illinois State Board of Elections for
20 purposes of voter registration and as may be required pursuant
21 to an agreement for a multi-state voter registration list
22 maintenance system, or (9) to the Selective Service System for
23 the purpose of registration for compliance with the
24 requirement of the federal Military Selective Service Act if
25 the applicant is a male United States citizen or immigrant
26 between the age of 18 and 26 and authorized to be issued a

1 permit or license. If social security information is disclosed
2 by the Secretary in accordance with this Section, no liability
3 shall rest with the Office of the Secretary of State or any of
4 its officers or employees, as the information is released for
5 official purposes only.

6 (i) (Blank).

7 (j) Medical statements or medical reports received in the
8 Secretary of State's Office shall be confidential. Except as
9 provided in this Section, no confidential information may be
10 open to public inspection or the contents disclosed to anyone,
11 except officers and employees of the Secretary who have a need
12 to know the information contained in the medical reports and
13 the Driver License Medical Advisory Board, unless so directed
14 by an order of a court of competent jurisdiction. If the
15 Secretary receives a medical report regarding a driver that
16 does not address a medical condition contained in a previous
17 medical report, the Secretary may disclose the unaddressed
18 medical condition to the driver or his or her physician, or
19 both, solely for the purpose of submission of a medical report
20 that addresses the condition.

21 (k) Beginning July 1, 2023, disbursement of fees collected
22 under this Section shall be as follows: (1) of the \$20 fee for
23 a driver's record, \$11 shall be paid into the Secretary of
24 State Special Services Fund, and \$6 shall be paid into the
25 General Revenue Fund; (2) 50% of the amounts collected under
26 subsection (b) shall be paid into the General Revenue Fund;

1 and (3) all remaining fees shall be disbursed under subsection
2 (g) of Section 2-119 of this Code.

3 (l) (Blank).

4 (m) Notations of crash involvement that may be disclosed
5 under this Section shall not include notations relating to
6 damage to a vehicle or other property being transported by a
7 tow truck. This information shall remain confidential,
8 provided that nothing in this subsection (m) shall limit
9 disclosure of any notification of crash involvement to any law
10 enforcement agency or official.

11 (n) Requests made by the news media for driver's license,
12 vehicle, or title registration information may be furnished
13 without charge or at a reduced charge, as determined by the
14 Secretary, when the specific purpose for requesting the
15 documents is deemed to be in the public interest. Waiver or
16 reduction of the fee is in the public interest if the principal
17 purpose of the request is to access and disseminate
18 information regarding the health, safety, and welfare or the
19 legal rights of the general public and is not for the principal
20 purpose of gaining a personal or commercial benefit. The
21 information provided pursuant to this subsection shall not
22 contain personally identifying information unless the
23 information is to be used for one of the purposes identified in
24 subsection (f-5) of this Section.

25 (o) The redisclosure of personally identifying information
26 obtained pursuant to this Section is prohibited, except to the

1 extent necessary to effectuate the purpose for which the
2 original disclosure of the information was permitted.

3 (p) The Secretary of State is empowered to adopt rules to
4 effectuate this Section.

5 (Source: P.A. 102-982, eff. 7-1-23; 103-8, eff. 7-1-23.)

6 (625 ILCS 5/3-117.1) (from Ch. 95 1/2, par. 3-117.1)

7 Sec. 3-117.1. When junking certificates or salvage
8 certificates must be obtained.

9 (a) Except as provided in Chapter 4 and Section 3-117.3 of
10 this Code, a person who possesses a junk vehicle shall within
11 15 days cause the certificate of title, salvage certificate,
12 certificate of purchase, or a similarly acceptable
13 out-of-state document of ownership to be surrendered to the
14 Secretary of State along with an application for a junking
15 certificate, except as provided in Section 3-117.2, whereupon
16 the Secretary of State shall issue to such a person a junking
17 certificate, which shall authorize the holder thereof to
18 possess, transport, or, by an endorsement, transfer ownership
19 in such junked vehicle, and a certificate of title shall not
20 again be issued for such vehicle. The owner of a junk vehicle
21 is not required to surrender the certificate of title under
22 this subsection if (i) there is no lienholder on the
23 certificate of title or (ii) the owner of the junk vehicle has
24 a valid lien release from the lienholder releasing all
25 interest in the vehicle and the owner applying for the junk

1 certificate matches the current record on the certificate of
2 title file for the vehicle.

3 A licensee who possesses a junk vehicle and a Certificate
4 of Title, Salvage Certificate, Certificate of Purchase, or a
5 similarly acceptable out-of-state document of ownership for
6 such junk vehicle, may transport the junk vehicle to another
7 licensee prior to applying for or obtaining a junking
8 certificate, by executing a uniform invoice. The licensee
9 transferor shall furnish a copy of the uniform invoice to the
10 licensee transferee at the time of transfer. In any case, the
11 licensee transferor shall apply for a junking certificate in
12 conformance with Section 3-117.1 of this Chapter. The
13 following information shall be contained on a uniform invoice:

14 (1) The business name, address, and dealer license
15 number of the person disposing of the vehicle, junk
16 vehicle, or vehicle cowl;

17 (2) The name and address of the person acquiring the
18 vehicle, junk vehicle, or vehicle cowl and, if that person
19 is a dealer, the Illinois or out-of-state dealer license
20 number of that dealer;

21 (3) The date of the disposition of the vehicle, junk
22 vehicle, or vehicle cowl;

23 (4) The year, make, model, color, and description of
24 each vehicle, junk vehicle, or vehicle cowl disposed of by
25 such person;

26 (5) The manufacturer's vehicle identification number,

1 Secretary of State identification number, or Illinois
2 State Police number for each vehicle, junk vehicle, or
3 vehicle cowl part disposed of by such person;

4 (6) The printed name and legible signature of the
5 person or agent disposing of the vehicle, junk vehicle, or
6 vehicle cowl; and

7 (7) The printed name and legible signature of the
8 person accepting delivery of the vehicle, junk vehicle, or
9 vehicle cowl.

10 The Secretary of State may certify a junking manifest in a
11 form prescribed by the Secretary of State that reflects those
12 vehicles for which junking certificates have been applied or
13 issued. A junking manifest may be issued to any person and it
14 shall constitute evidence of ownership for the vehicle listed
15 upon it. A junking manifest may be transferred only to a person
16 licensed under Section 5-301 of this Code as a scrap
17 processor. A junking manifest will allow the transportation of
18 those vehicles to a scrap processor prior to receiving the
19 junk certificate from the Secretary of State.

20 (b) An application for a salvage certificate shall be
21 submitted to the Secretary of State in any of the following
22 situations:

23 (1) When an insurance company makes a payment of
24 damages on a total loss claim for a vehicle, the insurance
25 company shall be deemed to be the owner of such vehicle and
26 the vehicle shall be considered to be salvage except that

1 ownership of (i) a vehicle that has incurred only hail
2 damage that does not affect the operational safety of the
3 vehicle or (ii) any vehicle 9 model years of age or older
4 may, by agreement between the registered owner and the
5 insurance company, be retained by the registered owner of
6 such vehicle. The insurance company shall promptly deliver
7 or mail within 20 days the certificate of title along with
8 proper application and fee to the Secretary of State, and
9 a salvage certificate shall be issued in the name of the
10 insurance company. Notwithstanding the foregoing, an
11 insurer making payment of damages on a total loss claim
12 for the theft of a vehicle shall not be required to apply
13 for a salvage certificate unless the vehicle is recovered
14 and has incurred damage that initially would have caused
15 the vehicle to be declared a total loss by the insurer.

16 (1.1) When a vehicle of a self-insured company is to
17 be sold in the State of Illinois and has sustained damaged
18 by collision, fire, theft, rust corrosion, or other means
19 so that the self-insured company determines the vehicle to
20 be a total loss, or if the cost of repairing the damage,
21 including labor, would be greater than 70% of its fair
22 market value without that damage, the vehicle shall be
23 considered salvage. The self-insured company shall
24 promptly deliver the certificate of title along with
25 proper application and fee to the Secretary of State, and
26 a salvage certificate shall be issued in the name of the

1 self-insured company. A self-insured company making
2 payment of damages on a total loss claim for the theft of a
3 vehicle may exchange the salvage certificate for a
4 certificate of title if the vehicle is recovered without
5 damage. In such a situation, the self-insured shall fill
6 out and sign a form prescribed by the Secretary of State
7 which contains an affirmation under penalty of perjury
8 that the vehicle was recovered without damage and the
9 Secretary of State may, by rule, require photographs to be
10 submitted.

11 (2) When a vehicle the ownership of which has been
12 transferred to any person through a certificate of
13 purchase from acquisition of the vehicle at an auction,
14 other dispositions as set forth in Sections 4-208 and
15 4-209 of this Code, or a lien arising under Section
16 18a-501 of this Code shall be deemed salvage or junk at the
17 option of the purchaser. The person acquiring such vehicle
18 in such manner shall promptly deliver or mail, within 20
19 days after the acquisition of the vehicle, the certificate
20 of purchase, the proper application and fee, and, if the
21 vehicle is an abandoned mobile home under the Abandoned
22 Mobile Home Act, a certification from a local law
23 enforcement agency that the vehicle was purchased or
24 acquired at a public sale under the Abandoned Mobile Home
25 Act to the Secretary of State and a salvage certificate or
26 junking certificate shall be issued in the name of that

1 person. The salvage certificate or junking certificate
2 issued by the Secretary of State under this Section shall
3 be free of any lien that existed against the vehicle prior
4 to the time the vehicle was acquired by the applicant
5 under this Code.

6 (3) A vehicle which has been repossessed by a
7 lienholder shall be considered to be salvage only when the
8 repossessed vehicle, on the date of repossession by the
9 lienholder, has sustained damage by collision, fire,
10 theft, rust corrosion, or other means so that the cost of
11 repairing such damage, including labor, would be greater
12 than 50% of its fair market value without such damage. If
13 the lienholder determines that such vehicle is damaged in
14 excess of 50% of such fair market value, the lienholder
15 shall, before sale, transfer, or assignment of the
16 vehicle, make application for a salvage certificate, and
17 shall submit with such application the proper fee and
18 evidence of possession. If the facts required to be shown
19 in subsection (f) of Section 3-114 are satisfied, the
20 Secretary of State shall issue a salvage certificate in
21 the name of the lienholder making the application. In any
22 case wherein the vehicle repossessed is not damaged in
23 excess of 50% of its fair market value, the lienholder
24 shall comply with the requirements of subsections (f),
25 (f-5), and (f-10) of Section 3-114, except that the
26 affidavit of repossession made by or on behalf of the

1 lienholder shall also contain an affirmation under penalty
2 of perjury that the vehicle on the date of sale is not
3 damaged in excess of 50% of its fair market value. If the
4 facts required to be shown in subsection (f) of Section
5 3-114 are satisfied, the Secretary of State shall issue a
6 certificate of title as set forth in Section 3-116 of this
7 Code. The Secretary of State may by rule or regulation
8 require photographs to be submitted.

9 (4) A vehicle which is a part of a fleet of more than 5
10 commercial vehicles registered in this State or any other
11 state or registered proportionately among several states
12 shall be considered to be salvage when such vehicle has
13 sustained damage by collision, fire, theft, rust,
14 corrosion or similar means so that the cost of repairing
15 such damage, including labor, would be greater than 50% of
16 the fair market value of the vehicle without such damage.
17 If the owner of a fleet vehicle desires to sell, transfer,
18 or assign his interest in such vehicle to a person within
19 this State other than an insurance company licensed to do
20 business within this State, and the owner determines that
21 such vehicle, at the time of the proposed sale, transfer
22 or assignment is damaged in excess of 50% of its fair
23 market value, the owner shall, before such sale, transfer
24 or assignment, make application for a salvage certificate.
25 The application shall contain with it evidence of
26 possession of the vehicle. If the fleet vehicle at the

1 time of its sale, transfer, or assignment is not damaged
2 in excess of 50% of its fair market value, the owner shall
3 so state in a written affirmation on a form prescribed by
4 the Secretary of State by rule or regulation. The
5 Secretary of State may by rule or regulation require
6 photographs to be submitted. Upon sale, transfer or
7 assignment of the fleet vehicle the owner shall mail the
8 affirmation to the Secretary of State.

9 (5) A vehicle that has been submerged in water to the
10 point that rising water has reached over the door sill and
11 has entered the passenger or trunk compartment is a "flood
12 vehicle". A flood vehicle shall be considered to be
13 salvage only if the vehicle has sustained damage so that
14 the cost of repairing the damage, including labor, would
15 be greater than 50% of the fair market value of the vehicle
16 without that damage. The salvage certificate issued under
17 this Section shall indicate the word "flood", and the word
18 "flood" shall be conspicuously entered on subsequent
19 titles for the vehicle. A person who possesses or acquires
20 a flood vehicle that is not damaged in excess of 50% of its
21 fair market value shall make application for title in
22 accordance with Section 3-116 of this Code, designating
23 the vehicle as "flood" in a manner prescribed by the
24 Secretary of State. The certificate of title issued shall
25 indicate the word "flood", and the word "flood" shall be
26 conspicuously entered on subsequent titles for the

1 vehicle.

2 (6) When any licensed rebuilder, repairer, new or used
3 vehicle dealer, or remittance agent has submitted an
4 application for title to a vehicle (other than an
5 application for title to a rebuilt vehicle) that he or she
6 knows or reasonably should have known to have sustained
7 damages in excess of 50% of the vehicle's fair market
8 value without that damage; provided, however, that any
9 application for a salvage certificate for a vehicle
10 recovered from theft and acquired from an insurance
11 company shall be made as required by paragraph (1) of this
12 subsection (b).

13 (c) Any person who without authority acquires, sells,
14 exchanges, gives away, transfers or destroys or offers to
15 acquire, sell, exchange, give away, transfer or destroy the
16 certificate of title to any vehicle which is a junk or salvage
17 vehicle shall be guilty of a Class 3 felony.

18 (c-5) Any person who without authority acquires, sells,
19 exchanges, gives away, or transfers a salvage vehicle is
20 guilty of a Class A misdemeanor for a first offense and a Class
21 4 felony for a second or subsequent offense.

22 (d) Except as provided under subsection (a), any person
23 who knowingly fails to surrender to the Secretary of State a
24 certificate of title, salvage certificate, certificate of
25 purchase or a similarly acceptable out-of-state document of
26 ownership as required under the provisions of this Section is

1 guilty of a Class A misdemeanor for a first offense and a Class
2 4 felony for a subsequent offense; except that a person
3 licensed under this Code who violates paragraph (5) of
4 subsection (b) of this Section is guilty of a business offense
5 and shall be fined not less than \$1,000 nor more than \$5,000
6 for a first offense and is guilty of a Class 4 felony for a
7 second or subsequent violation.

8 (e) Any vehicle which is salvage or junk may not be driven
9 or operated on roads and highways within this State. A
10 violation of this subsection is a Class A misdemeanor. A
11 salvage vehicle displaying valid special plates issued under
12 Section 3-601(b) of this Code, which is being driven to or from
13 an inspection conducted under Section 3-308 of this Code, is
14 exempt from the provisions of this subsection. A salvage
15 vehicle for which a short term permit has been issued under
16 Section 3-307 of this Code is exempt from the provisions of
17 this subsection for the duration of the permit.

18 (Source: P.A. 101-81, eff. 7-12-19; 102-319, eff. 1-1-22;
19 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

20 (625 ILCS 5/6-100) (from Ch. 95 1/2, par. 6-100)

21 (Text of Section before amendment by P.A. 103-210)

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

24 (a) Application Process. The process of obtaining a
25 driver's license, identification card, or permit. The process

1 begins when a person enters a Secretary of State Driver
2 Services facility and requests a driver's license,
3 identification card or permit.

4 (b) Conviction. A final adjudication of guilty by a court
5 of competent jurisdiction either after a bench trial, trial by
6 jury, plea of guilty, order of forfeiture, unvacated
7 revocation of pretrial release, or default.

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

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

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

26 (f) Limited Term REAL ID compliant driver's license. A

1 REAL ID compliant driver's license issued to a person who is
2 not a permanent resident or citizen of the United States, and
3 marked "Limited Term" on the face of the license.

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

5 (Text of Section after amendment by P.A. 103-210)

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

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

13 (b) Conviction. A final adjudication of guilty by a court
14 of competent jurisdiction either after a bench trial, trial by
15 jury, plea of guilty, order of forfeiture, unvacated
16 revocation of pretrial release, 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.

24 (d) Standard driver's license. A driver's license issued
25 in a manner which is not compliant with the REAL ID Act and

1 implementing regulations. Standard driver's licenses shall be
2 marked "Federal Limits Apply" and shall have a color or design
3 different from the REAL ID compliant driver's license.

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

9 (f) Limited Term REAL ID compliant driver's license. A
10 REAL ID compliant driver's license issued to a person who is
11 not a permanent resident or citizen of the United States, or an
12 individual who has an approved application for asylum in the
13 United States or has entered the United States in refugee
14 status, and marked "Limited Term" on the face of the license.
15 (Source: P.A. 103-210, eff. 7-1-24.)

16 (625 ILCS 5/6-107.5)

17 Sec. 6-107.5. Adult Driver Education Course.

18 (a) The Secretary shall establish by rule the curriculum
19 and designate the materials to be used in an adult driver
20 education course. The course shall be at least 6 hours in
21 length and shall include instruction on traffic laws; highway
22 signs, signals, and markings that regulate, warn, or direct
23 traffic; issues commonly associated with motor vehicle crashes
24 including poor decision-making, risk taking, impaired driving,
25 distraction, speed, failure to use a safety belt, driving at

1 night, failure to yield the right-of-way, texting while
2 driving, using wireless communication devices, and alcohol and
3 drug awareness; ~~and~~ instruction on law enforcement procedures
4 during traffic stops, including actions that a motorist should
5 take during a traffic stop and appropriate interactions with
6 law enforcement officers; and information advising drivers of
7 the laws and best practices for safely sharing the roadway
8 with bicyclists and pedestrians. The curriculum shall not
9 require the operation of a motor vehicle.

10 (b) The Secretary shall certify course providers. The
11 requirements to be a certified course provider, the process
12 for applying for certification, and the procedure for
13 decertifying a course provider shall be established by rule.

14 (b-5) In order to qualify for certification as an adult
15 driver education course provider, each applicant must
16 authorize an investigation that includes a fingerprint-based
17 background check to determine if the applicant has ever been
18 convicted of a criminal offense and, if so, the disposition of
19 any conviction. This authorization shall indicate the scope of
20 the inquiry and the agencies that may be contacted. Upon
21 receiving this authorization, the Secretary of State may
22 request and receive information and assistance from any
23 federal, State, or local governmental agency as part of the
24 authorized investigation. Each applicant shall submit his or
25 her fingerprints to the Illinois State Police in the form and
26 manner prescribed by the Illinois State Police. These

1 fingerprints shall be checked against fingerprint records now
2 and hereafter filed in the Illinois State Police and Federal
3 Bureau of Investigation criminal history record databases. The
4 Illinois State Police shall charge applicants a fee for
5 conducting the criminal history record check, which shall be
6 deposited into the State Police Services Fund and shall not
7 exceed the actual cost of the State and national criminal
8 history record check. The Illinois State Police shall furnish,
9 pursuant to positive identification, records of Illinois
10 criminal convictions to the Secretary and shall forward the
11 national criminal history record information to the Secretary.
12 Applicants shall pay any other fingerprint-related fees.
13 Unless otherwise prohibited by law, the information derived
14 from the investigation, including the source of the
15 information and any conclusions or recommendations derived
16 from the information by the Secretary of State, shall be
17 provided to the applicant upon request to the Secretary of
18 State prior to any final action by the Secretary of State on
19 the application. Any criminal conviction information obtained
20 by the Secretary of State shall be confidential and may not be
21 transmitted outside the Office of the Secretary of State,
22 except as required by this subsection (b-5), and may not be
23 transmitted to anyone within the Office of the Secretary of
24 State except as needed for the purpose of evaluating the
25 applicant. At any administrative hearing held under Section
26 2-118 of this Code relating to the denial, cancellation,

1 suspension, or revocation of certification of an adult driver
2 education course provider, the Secretary of State may utilize
3 at that hearing any criminal history, criminal conviction, and
4 disposition information obtained under this subsection (b-5).
5 The information obtained from the investigation may be
6 maintained by the Secretary of State or any agency to which the
7 information was transmitted. Only information and standards
8 which bear a reasonable and rational relation to the
9 performance of providing adult driver education shall be used
10 by the Secretary of State. Any employee of the Secretary of
11 State who gives or causes to be given away any confidential
12 information concerning any criminal convictions or disposition
13 of criminal convictions of an applicant shall be guilty of a
14 Class A misdemeanor unless release of the information is
15 authorized by this Section.

16 (c) The Secretary may permit a course provider to offer
17 the course online, if the Secretary is satisfied the course
18 provider has established adequate procedures for verifying:

19 (1) the identity of the person taking the course
20 online; and

21 (2) the person completes the entire course.

22 (d) The Secretary shall establish a method of electronic
23 verification of a student's successful completion of the
24 course.

25 (e) The fee charged by the course provider must bear a
26 reasonable relationship to the cost of the course. The

1 Secretary shall post on the Secretary of State's website a
2 list of approved course providers, the fees charged by the
3 providers, and contact information for each provider.

4 (f) In addition to any other fee charged by the course
5 provider, the course provider shall collect a fee of \$5 from
6 each student to offset the costs incurred by the Secretary in
7 administering this program. The \$5 shall be submitted to the
8 Secretary within 14 days of the day on which it was collected.
9 All such fees received by the Secretary shall be deposited in
10 the Secretary of State Driver Services Administration Fund.

11 (Source: P.A. 102-455, eff. 1-1-22; 102-538, eff. 8-20-21;
12 102-813, eff. 5-13-22; 102-982, eff. 7-1-23.)

13 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

14 Sec. 6-117. Records to be kept by the Secretary of State.

15 (a) The Secretary of State shall file every application
16 for a license or permit accepted under this Chapter, and shall
17 maintain suitable indexes thereof. The records of the
18 Secretary of State shall indicate the action taken with
19 respect to such applications.

20 (b) The Secretary of State shall maintain appropriate
21 records of all licenses and permits refused, cancelled,
22 disqualified, revoked, or suspended and of the revocation,
23 suspension, and disqualification of driving privileges of
24 persons not licensed under this Chapter, and such records
25 shall note the reasons for such action.

1 (c) The Secretary of State shall maintain appropriate
2 records of convictions reported under this Chapter. Records of
3 conviction may be maintained in a computer processible medium.

4 (d) The Secretary of State may also maintain appropriate
5 records of any crash reports received.

6 (e) The Secretary of State shall also maintain appropriate
7 records of any disposition of supervision or records relative
8 to a driver's referral to a driver remedial or rehabilitative
9 program, as required by the Secretary of State or the courts.
10 Such records shall only be available for use by the Secretary,
11 the driver licensing administrator of any other state, law
12 enforcement agencies, the courts, and the affected driver or,
13 upon proper verification, such affected driver's attorney.

14 (f) The Secretary of State shall also maintain or contract
15 to maintain appropriate records of all photographs and
16 signatures obtained in the process of issuing any driver's
17 license, permit, or identification card. The record shall be
18 confidential and shall not be disclosed except to those
19 entities listed under Section 6-110.1 of this Code.

20 (g) The Secretary of State may establish a First Person
21 Consent organ and tissue donor registry in compliance with
22 subsection (b-1) of Section 5-20 of the Illinois Anatomical
23 Gift Act, as follows:

24 (1) The Secretary shall offer, to each applicant for
25 issuance or renewal of a driver's license or
26 identification card who is 16 years of age or older, the

1 opportunity to have his or her name included in the First
2 Person Consent organ and tissue donor registry. The
3 Secretary must advise the applicant or licensee that he or
4 she is under no compulsion to have his or her name included
5 in the registry. An individual who agrees to having his or
6 her name included in the First Person Consent organ and
7 tissue donor registry has given full legal consent to the
8 donation of any of his or her organs or tissue upon his or
9 her death. A brochure explaining this method of executing
10 an anatomical gift must be given to each applicant for
11 issuance or renewal of a driver's license or
12 identification card. The brochure must advise the
13 applicant or licensee (i) that he or she is under no
14 compulsion to have his or her name included in this
15 registry and (ii) that he or she may wish to consult with
16 family, friends, or clergy before doing so.

17 (2) The Secretary of State may establish additional
18 methods by which an individual may have his or her name
19 included in the First Person Consent organ and tissue
20 donor registry.

21 (3) When an individual has agreed to have his or her
22 name included in the First Person Consent organ and tissue
23 donor registry, the Secretary of State shall note that
24 agreement in the First Person consent organ and tissue
25 donor registry. Representatives of federally designated
26 organ procurement agencies and tissue banks and the

1 offices of Illinois county coroners and medical examiners
2 may inquire of the Secretary of State whether a potential
3 organ donor's name is included in the First Person Consent
4 organ and tissue donor registry, and the Secretary of
5 State may provide that information to the representative.

6 (4) An individual may withdraw his or her consent to
7 be listed in the First Person Consent organ and tissue
8 donor registry maintained by the Secretary of State by
9 notifying the Secretary of State in writing, or by any
10 other means approved by the Secretary, of the individual's
11 decision to have his or her name removed from the
12 registry.

13 (5) The Secretary of State may undertake additional
14 efforts, including education and awareness activities, to
15 promote organ and tissue donation.

16 (6) In the absence of gross negligence or willful
17 misconduct, the Secretary of State and his or her
18 employees are immune from any civil or criminal liability
19 in connection with an individual's consent to be listed in
20 the organ and tissue donor registry.

21 (h) The Secretary of State may destroy a driving record
22 created 20 or more years ago for a person who was convicted of
23 an offense and who did not have an Illinois driver's license if
24 the record no longer contains any convictions or withdrawal of
25 driving privileges due to the convictions.

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

1 (625 ILCS 5/6-205)

2 Sec. 6-205. Mandatory revocation of license or permit;
3 hardship cases.

4 (a) Except as provided in this Section, the Secretary of
5 State shall immediately revoke the license, permit, or driving
6 privileges of any driver upon receiving a report of the
7 driver's conviction of any of the following offenses:

8 1. Reckless homicide resulting from the operation of a
9 motor vehicle;

10 2. Violation of Section 11-501 of this Code or a
11 similar provision of a local ordinance relating to the
12 offense of operating or being in physical control of a
13 vehicle while under the influence of alcohol, other drug
14 or drugs, intoxicating compound or compounds, or any
15 combination thereof;

16 3. Any felony under the laws of any State or the
17 federal government in the commission of which a motor
18 vehicle was used;

19 4. Violation of Section 11-401 of this Code relating
20 to the offense of leaving the scene of a traffic crash
21 involving death or personal injury;

22 5. Perjury or the making of a false affidavit or
23 statement under oath to the Secretary of State under this
24 Code or under any other law relating to the ownership or
25 operation of motor vehicles;

1 6. Conviction upon 3 charges of violation of Section
2 11-503 of this Code relating to the offense of reckless
3 driving committed within a period of 12 months;

4 7. Conviction of any offense defined in Section 4-102
5 of this Code if the person exercised actual physical
6 control over the vehicle during the commission of the
7 offense;

8 8. Violation of Section 11-504 of this Code relating
9 to the offense of drag racing;

10 9. Violation of Chapters 8 and 9 of this Code;

11 10. Violation of Section 12-5 of the Criminal Code of
12 1961 or the Criminal Code of 2012 arising from the use of a
13 motor vehicle;

14 11. Violation of Section 11-204.1 of this Code
15 relating to aggravated fleeing or attempting to elude a
16 peace officer;

17 12. Violation of paragraph (1) of subsection (b) of
18 Section 6-507, or a similar law of any other state,
19 relating to the unlawful operation of a commercial motor
20 vehicle;

21 13. Violation of paragraph (a) of Section 11-502 of
22 this Code or a similar provision of a local ordinance if
23 the driver has been previously convicted of a violation of
24 that Section or a similar provision of a local ordinance
25 and the driver was less than 21 years of age at the time of
26 the offense;

1 14. Violation of paragraph (a) of Section 11-506 of
2 this Code or a similar provision of a local ordinance
3 relating to the offense of street racing;

4 15. A second or subsequent conviction of driving while
5 the person's driver's license, permit or privileges was
6 revoked for reckless homicide or a similar out-of-state
7 offense;

8 16. Any offense against any provision in this Code, or
9 any local ordinance, regulating the movement of traffic
10 when that offense was the proximate cause of the death of
11 any person. Any person whose driving privileges have been
12 revoked pursuant to this paragraph may seek to have the
13 revocation terminated or to have the length of revocation
14 reduced by requesting an administrative hearing with the
15 Secretary of State prior to the projected driver's license
16 application eligibility date;

17 17. Violation of subsection (a-2) of Section 11-1301.3
18 of this Code or a similar provision of a local ordinance;

19 18. A second or subsequent conviction of illegal
20 possession, while operating or in actual physical control,
21 as a driver, of a motor vehicle, of any controlled
22 substance prohibited under the Illinois Controlled
23 Substances Act, any cannabis prohibited under the Cannabis
24 Control Act, or any methamphetamine prohibited under the
25 Methamphetamine Control and Community Protection Act. A
26 defendant found guilty of this offense while operating a

1 motor vehicle shall have an entry made in the court record
2 by the presiding judge that this offense did occur while
3 the defendant was operating a motor vehicle and order the
4 clerk of the court to report the violation to the
5 Secretary of State;

6 19. Violation of subsection (a) of Section 11-1414 of
7 this Code, or a similar provision of a local ordinance,
8 relating to the offense of overtaking or passing of a
9 school bus when the driver, in committing the violation,
10 is involved in a motor vehicle crash that results in death
11 to another and the violation is a proximate cause of the
12 death.

13 (b) The Secretary of State shall also immediately revoke
14 the license or permit of any driver in the following
15 situations:

16 1. Of any minor upon receiving the notice provided for
17 in Section 5-901 of the Juvenile Court Act of 1987 that the
18 minor has been adjudicated under that Act as having
19 committed an offense relating to motor vehicles prescribed
20 in Section 4-103 of this Code;

21 2. Of any person when any other law of this State
22 requires either the revocation or suspension of a license
23 or permit;

24 3. Of any person adjudicated under the Juvenile Court
25 Act of 1987 based on an offense determined to have been
26 committed in furtherance of the criminal activities of an

1 organized gang as provided in Section 5-710 of that Act,
2 and that involved the operation or use of a motor vehicle
3 or the use of a driver's license or permit. The revocation
4 shall remain in effect for the period determined by the
5 court.

6 (c) (1) Whenever a person is convicted of any of the
7 offenses enumerated in this Section, the court may recommend
8 and the Secretary of State in his discretion, without regard
9 to whether the recommendation is made by the court may, upon
10 application, issue to the person a restricted driving permit
11 granting the privilege of driving a motor vehicle between the
12 petitioner's residence and petitioner's place of employment or
13 within the scope of the petitioner's employment related
14 duties, or to allow the petitioner to transport himself or
15 herself or a family member of the petitioner's household to a
16 medical facility for the receipt of necessary medical care or
17 to allow the petitioner to transport himself or herself to and
18 from alcohol or drug remedial or rehabilitative activity
19 recommended by a licensed service provider, or to allow the
20 petitioner to transport himself or herself or a family member
21 of the petitioner's household to classes, as a student, at an
22 accredited educational institution, or to allow the petitioner
23 to transport children, elderly persons, or persons with
24 disabilities who do not hold driving privileges and are living
25 in the petitioner's household to and from daycare; if the
26 petitioner is able to demonstrate that no alternative means of

1 transportation is reasonably available and that the petitioner
2 will not endanger the public safety or welfare; provided that
3 the Secretary's discretion shall be limited to cases where
4 undue hardship, as defined by the rules of the Secretary of
5 State, would result from a failure to issue the restricted
6 driving permit.

7 (1.5) A person subject to the provisions of paragraph 4 of
8 subsection (b) of Section 6-208 of this Code may make
9 application for a restricted driving permit at a hearing
10 conducted under Section 2-118 of this Code after the
11 expiration of 5 years from the effective date of the most
12 recent revocation, or after 5 years from the date of release
13 from a period of imprisonment resulting from a conviction of
14 the most recent offense, whichever is later, provided the
15 person, in addition to all other requirements of the
16 Secretary, shows by clear and convincing evidence:

17 (A) a minimum of 3 years of uninterrupted abstinence
18 from alcohol and the unlawful use or consumption of
19 cannabis under the Cannabis Control Act, a controlled
20 substance under the Illinois Controlled Substances Act, an
21 intoxicating compound under the Use of Intoxicating
22 Compounds Act, or methamphetamine under the
23 Methamphetamine Control and Community Protection Act; and

24 (B) the successful completion of any rehabilitative
25 treatment and involvement in any ongoing rehabilitative
26 activity that may be recommended by a properly licensed

1 service provider according to an assessment of the
2 person's alcohol or drug use under Section 11-501.01 of
3 this Code.

4 In determining whether an applicant is eligible for a
5 restricted driving permit under this paragraph (1.5), the
6 Secretary may consider any relevant evidence, including, but
7 not limited to, testimony, affidavits, records, and the
8 results of regular alcohol or drug tests. Persons subject to
9 the provisions of paragraph 4 of subsection (b) of Section
10 6-208 of this Code and who have been convicted of more than one
11 violation of paragraph (3), paragraph (4), or paragraph (5) of
12 subsection (a) of Section 11-501 of this Code shall not be
13 eligible to apply for a restricted driving permit.

14 A restricted driving permit issued under this paragraph
15 (1.5) shall provide that the holder may only operate motor
16 vehicles equipped with an ignition interlock device as
17 required under paragraph (2) of subsection (c) of this Section
18 and subparagraph (A) of paragraph 3 of subsection (c) of
19 Section 6-206 of this Code. The Secretary may revoke a
20 restricted driving permit or amend the conditions of a
21 restricted driving permit issued under this paragraph (1.5) if
22 the holder operates a vehicle that is not equipped with an
23 ignition interlock device, or for any other reason authorized
24 under this Code.

25 A restricted driving permit issued under this paragraph
26 (1.5) shall be revoked, and the holder barred from applying

1 for or being issued a restricted driving permit in the future,
2 if the holder is subsequently convicted of a violation of
3 Section 11-501 of this Code, a similar provision of a local
4 ordinance, or a similar offense in another state or on a
5 military installation.

6 (2) If a person's license or permit is revoked or
7 suspended due to 2 or more convictions of violating Section
8 11-501 of this Code, ~~or~~ a similar provision of a local
9 ordinance or a similar out-of-state offense, or a similar
10 offense committed on a military installation, or due to 2 or
11 more convictions of violating Section 9-3 of the Criminal Code
12 of 1961 or the Criminal Code of 2012, where the use of alcohol
13 or other drugs is recited as an element of the offense, or a
14 similar out-of-state offense, or a combination of these
15 offenses, arising out of separate occurrences, that person, if
16 issued a restricted driving permit, may not operate a vehicle
17 unless it has been equipped with an ignition interlock device
18 as defined in Section 1-129.1.

19 (3) If:

20 (A) a person's license or permit is revoked or
21 suspended 2 or more times due to any combination of:

22 (i) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense or a
25 similar offense committed on a military installation,
26 or Section 9-3 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, where the use of alcohol or
2 other drugs is recited as an element of the offense, or
3 a similar out-of-state offense or a similar offense
4 committed on a military installation; or

5 (ii) a statutory summary suspension or revocation
6 under Section 11-501.1 or a suspension under paragraph
7 6 of subsection (a) of Section 6-206 for refusal of
8 chemical testing in another state or a suspension
9 under paragraph (31) of subsection (a) of Section
10 6-206; or

11 (iii) a suspension pursuant to Section 6-203.1;
12 arising out of separate occurrences; or

13 (B) a person has been convicted of one violation of
14 subparagraph (C) or (F) of paragraph (1) of subsection (d)
15 of Section 11-501 of this Code, Section 9-3 of the
16 Criminal Code of 1961 or the Criminal Code of 2012,
17 relating to the offense of reckless homicide where the use
18 of alcohol or other drugs was recited as an element of the
19 offense, or a similar provision of a law of another state
20 or military installation;

21 that person, if issued a restricted driving permit, may not
22 operate a vehicle unless it has been equipped with an ignition
23 interlock device as defined in Section 1-129.1.

24 (4) The person issued a permit conditioned on the use of an
25 ignition interlock device must pay to the Secretary of State
26 DUI Administration Fund an amount not to exceed \$30 per month.

1 The Secretary shall establish by rule the amount and the
2 procedures, terms, and conditions relating to these fees.

3 (5) If the restricted driving permit is issued for
4 employment purposes, then the prohibition against operating a
5 motor vehicle that is not equipped with an ignition interlock
6 device does not apply to the operation of an occupational
7 vehicle owned or leased by that person's employer when used
8 solely for employment purposes. For any person who, within a
9 5-year period, is convicted of a second or subsequent offense
10 under Section 11-501 of this Code, or a similar provision of a
11 local ordinance or similar out-of-state offense or a similar
12 offense committed on a military installation, this employment
13 exemption does not apply until either a one-year period has
14 elapsed during which that person had his or her driving
15 privileges revoked or a one-year period has elapsed during
16 which that person had a restricted driving permit which
17 required the use of an ignition interlock device on every
18 motor vehicle owned or operated by that person.

19 (6) In each case the Secretary of State may issue a
20 restricted driving permit for a period he deems appropriate,
21 except that the permit shall expire no later than 2 years from
22 the date of issuance. A restricted driving permit issued under
23 this Section shall be subject to cancellation, revocation, and
24 suspension by the Secretary of State in like manner and for
25 like cause as a driver's license issued under this Code may be
26 cancelled, revoked, or suspended; except that a conviction

1 upon one or more offenses against laws or ordinances
2 regulating the movement of traffic shall be deemed sufficient
3 cause for the revocation, suspension, or cancellation of a
4 restricted driving permit. The Secretary of State may, as a
5 condition to the issuance of a restricted driving permit,
6 require the petitioner to participate in a designated driver
7 remedial or rehabilitative program. The Secretary of State is
8 authorized to cancel a restricted driving permit if the permit
9 holder does not successfully complete the program. However, if
10 an individual's driving privileges have been revoked in
11 accordance with paragraph 13 of subsection (a) of this
12 Section, no restricted driving permit shall be issued until
13 the individual has served 6 months of the revocation period.

14 (c-5) (Blank).

15 (c-6) If a person is convicted of a second violation of
16 operating a motor vehicle while the person's driver's license,
17 permit or privilege was revoked, where the revocation was for
18 a violation of Section 9-3 of the Criminal Code of 1961 or the
19 Criminal Code of 2012 relating to the offense of reckless
20 homicide or a similar out-of-state offense or a similar
21 offense committed on a military installation, the person's
22 driving privileges shall be revoked pursuant to subdivision
23 (a) (15) of this Section. The person may not make application
24 for a license or permit until the expiration of five years from
25 the effective date of the revocation or the expiration of five
26 years from the date of release from a term of imprisonment,

1 whichever is later.

2 (c-7) If a person is convicted of a third or subsequent
3 violation of operating a motor vehicle while the person's
4 driver's license, permit or privilege was revoked, where the
5 revocation was for a violation of Section 9-3 of the Criminal
6 Code of 1961 or the Criminal Code of 2012 relating to the
7 offense of reckless homicide or a similar out-of-state offense
8 or a similar offense committed on a military installation, the
9 person may never apply for a license or permit.

10 (d) (1) Whenever a person under the age of 21 is convicted
11 under Section 11-501 of this Code or a similar provision of a
12 local ordinance or a similar out-of-state offense or a similar
13 offense committed on a military installation, the Secretary of
14 State shall revoke the driving privileges of that person. One
15 year after the date of revocation, and upon application, the
16 Secretary of State may, if satisfied that the person applying
17 will not endanger the public safety or welfare, issue a
18 restricted driving permit granting the privilege of driving a
19 motor vehicle only between the hours of 5 a.m. and 9 p.m. or as
20 otherwise provided by this Section for a period of one year.
21 After this one-year period, and upon reapplication for a
22 license as provided in Section 6-106, upon payment of the
23 appropriate reinstatement fee provided under paragraph (b) of
24 Section 6-118, the Secretary of State, in his discretion, may
25 reinstate the petitioner's driver's license and driving
26 privileges, or extend the restricted driving permit as many

1 times as the Secretary of State deems appropriate, by
2 additional periods of not more than 24 months each.

3 (2) If a person's license or permit is revoked or
4 suspended due to 2 or more convictions of violating Section
5 11-501 of this Code or a similar provision of a local ordinance
6 or a similar out-of-state offense or a similar offense
7 committed on a military installation, or Section 9-3 of the
8 Criminal Code of 1961 or the Criminal Code of 2012, where the
9 use of alcohol or other drugs is recited as an element of the
10 offense, or a similar out-of-state offense, or a similar
11 offense committed on a military installation, or a combination
12 of these offenses, arising out of separate occurrences, that
13 person, if issued a restricted driving permit, may not operate
14 a vehicle unless it has been equipped with an ignition
15 interlock device as defined in Section 1-129.1.

16 (3) If a person's license or permit is revoked or
17 suspended 2 or more times due to any combination of:

18 (A) a single conviction of violating Section 11-501 of
19 this Code or a similar provision of a local ordinance or a
20 similar out-of-state offense, or a similar offense
21 committed on a military installation, or Section 9-3 of
22 the Criminal Code of 1961 or the Criminal Code of 2012,
23 where the use of alcohol or other drugs is recited as an
24 element of the offense, or a similar out-of-state offense
25 or a similar offense committed on a military institution;
26 or

1 (B) a statutory summary suspension or revocation under
2 Section 11-501.1; or

3 (C) a suspension pursuant to Section 6-203.1;
4 arising out of separate occurrences, that person, if issued a
5 restricted driving permit, may not operate a vehicle unless it
6 has been equipped with an ignition interlock device as defined
7 in Section 1-129.1.

8 (3.5) If a person's license or permit is revoked or
9 suspended due to a conviction for a violation of subparagraph
10 (C) or (F) of paragraph (1) of subsection (d) of Section 11-501
11 of this Code, or a similar provision of a local ordinance or
12 similar out-of-state offense, that person, if issued a
13 restricted driving permit, may not operate a vehicle unless it
14 has been equipped with an ignition interlock device as defined
15 in Section 1-129.1.

16 (4) The person issued a permit conditioned upon the use of
17 an interlock device must pay to the Secretary of State DUI
18 Administration Fund an amount not to exceed \$30 per month. The
19 Secretary shall establish by rule the amount and the
20 procedures, terms, and conditions relating to these fees.

21 (5) If the restricted driving permit is issued for
22 employment purposes, then the prohibition against driving a
23 vehicle that is not equipped with an ignition interlock device
24 does not apply to the operation of an occupational vehicle
25 owned or leased by that person's employer when used solely for
26 employment purposes. For any person who, within a 5-year

1 period, is convicted of a second or subsequent offense under
2 Section 11-501 of this Code, or a similar provision of a local
3 ordinance or similar out-of-state offense, or a similar
4 offense committed on a military installation, this employment
5 exemption does not apply until either a one-year period has
6 elapsed during which that person had his or her driving
7 privileges revoked or a one-year period has elapsed during
8 which that person had a restricted driving permit which
9 required the use of an ignition interlock device on every
10 motor vehicle owned or operated by that person.

11 (6) A restricted driving permit issued under this Section
12 shall be subject to cancellation, revocation, and suspension
13 by the Secretary of State in like manner and for like cause as
14 a driver's license issued under this Code may be cancelled,
15 revoked, or suspended; except that a conviction upon one or
16 more offenses against laws or ordinances regulating the
17 movement of traffic shall be deemed sufficient cause for the
18 revocation, suspension, or cancellation of a restricted
19 driving permit.

20 (d-5) The revocation of the license, permit, or driving
21 privileges of a person convicted of a third or subsequent
22 violation of Section 6-303 of this Code committed while his or
23 her driver's license, permit, or privilege was revoked because
24 of a violation of Section 9-3 of the Criminal Code of 1961 or
25 the Criminal Code of 2012, relating to the offense of reckless
26 homicide, or a similar provision of a law of another state or

1 military installation, is permanent. The Secretary may not, at
2 any time, issue a license or permit to that person.

3 (e) This Section is subject to the provisions of the
4 Driver License Compact.

5 (f) Any revocation imposed upon any person under
6 subsections 2 and 3 of paragraph (b) that is in effect on
7 December 31, 1988 shall be converted to a suspension for a like
8 period of time.

9 (g) The Secretary of State shall not issue a restricted
10 driving permit to a person under the age of 16 years whose
11 driving privileges have been revoked under any provisions of
12 this Code.

13 (h) The Secretary of State shall require the use of
14 ignition interlock devices for a period not less than 5 years
15 on all vehicles owned by a person who has been convicted of a
16 second or subsequent offense under Section 11-501 of this Code
17 or a similar provision of a local ordinance or a similar
18 provision of a law of another state or military installation.

19 The person must pay to the Secretary of State DUI
20 Administration Fund an amount not to exceed \$30 for each month
21 that he or she uses the device. The Secretary shall establish
22 by rule and regulation the procedures for certification and
23 use of the interlock system, the amount of the fee, and the
24 procedures, terms, and conditions relating to these fees.
25 During the time period in which a person is required to install
26 an ignition interlock device under this subsection (h), that

1 person shall only operate vehicles in which ignition interlock
2 devices have been installed, except as allowed by subdivision
3 (c)(5) or (d)(5) of this Section. Regardless of whether an
4 exemption under subdivision (c)(5) or (d)(5) applies, every
5 person subject to this subsection shall not be eligible for
6 reinstatement until the person installs an ignition interlock
7 device and maintains the ignition interlock device for 5
8 years.

9 (i) (Blank).

10 (j) In accordance with 49 C.F.R. 384, the Secretary of
11 State may not issue a restricted driving permit for the
12 operation of a commercial motor vehicle to a person holding a
13 CDL whose driving privileges have been revoked, suspended,
14 cancelled, or disqualified under any provisions of this Code.

15 (k) The Secretary of State shall notify by mail any person
16 whose driving privileges have been revoked under paragraph 16
17 of subsection (a) of this Section that his or her driving
18 privileges and driver's license will be revoked 90 days from
19 the date of the mailing of the notice.

20 (Source: P.A. 101-623, eff. 7-1-20; 102-299, eff. 8-6-21;
21 102-982, eff. 7-1-23.)

22 (625 ILCS 5/6-206)

23 Sec. 6-206. Discretionary authority to suspend or revoke
24 license or permit; right to a hearing.

25 (a) The Secretary of State is authorized to suspend or

1 revoke the driving privileges of any person without
2 preliminary hearing upon a showing of the person's records or
3 other sufficient evidence that the person:

4 1. Has committed an offense for which mandatory
5 revocation of a driver's license or permit is required
6 upon conviction;

7 2. Has been convicted of not less than 3 offenses
8 against traffic regulations governing the movement of
9 vehicles committed within any 12-month period. No
10 revocation or suspension shall be entered more than 6
11 months after the date of last conviction;

12 3. Has been repeatedly involved as a driver in motor
13 vehicle collisions or has been repeatedly convicted of
14 offenses against laws and ordinances regulating the
15 movement of traffic, to a degree that indicates lack of
16 ability to exercise ordinary and reasonable care in the
17 safe operation of a motor vehicle or disrespect for the
18 traffic laws and the safety of other persons upon the
19 highway;

20 4. Has by the unlawful operation of a motor vehicle
21 caused or contributed to a crash resulting in injury
22 requiring immediate professional treatment in a medical
23 facility or doctor's office to any person, except that any
24 suspension or revocation imposed by the Secretary of State
25 under the provisions of this subsection shall start no
26 later than 6 months after being convicted of violating a

1 law or ordinance regulating the movement of traffic, which
2 violation is related to the crash, or shall start not more
3 than one year after the date of the crash, whichever date
4 occurs later;

5 5. Has permitted an unlawful or fraudulent use of a
6 driver's license, identification card, or permit;

7 6. Has been lawfully convicted of an offense or
8 offenses in another state, including the authorization
9 contained in Section 6-203.1, which if committed within
10 this State would be grounds for suspension or revocation;

11 7. Has refused or failed to submit to an examination
12 provided for by Section 6-207 or has failed to pass the
13 examination;

14 8. Is ineligible for a driver's license or permit
15 under the provisions of Section 6-103;

16 9. Has made a false statement or knowingly concealed a
17 material fact or has used false information or
18 identification in any application for a license,
19 identification card, or permit;

20 10. Has possessed, displayed, or attempted to
21 fraudulently use any license, identification card, or
22 permit not issued to the person;

23 11. Has operated a motor vehicle upon a highway of
24 this State when the person's driving privilege or
25 privilege to obtain a driver's license or permit was
26 revoked or suspended unless the operation was authorized

1 by a monitoring device driving permit, judicial driving
2 permit issued prior to January 1, 2009, probationary
3 license to drive, or restricted driving permit issued
4 under this Code;

5 12. Has submitted to any portion of the application
6 process for another person or has obtained the services of
7 another person to submit to any portion of the application
8 process for the purpose of obtaining a license,
9 identification card, or permit for some other person;

10 13. Has operated a motor vehicle upon a highway of
11 this State when the person's driver's license or permit
12 was invalid under the provisions of Sections 6-107.1 and
13 6-110;

14 14. Has committed a violation of Section 6-301,
15 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
16 14B of the Illinois Identification Card Act or a similar
17 offense in another state if, at the time of the offense,
18 the person held an Illinois driver's license or
19 identification card;

20 15. Has been convicted of violating Section 21-2 of
21 the Criminal Code of 1961 or the Criminal Code of 2012
22 relating to criminal trespass to vehicles if the person
23 exercised actual physical control over the vehicle during
24 the commission of the offense, in which case the
25 suspension shall be for one year;

26 16. Has been convicted of violating Section 11-204 of

1 this Code relating to fleeing from a peace officer;

2 17. Has refused to submit to a test, or tests, or a
3 similar out-of-state offense or a similar offense
4 committed on a military installation, as required under
5 Section 11-501.1 of this Code and the person has not
6 sought a hearing as provided for in Section 11-501.1;

7 18. (Blank);

8 19. Has committed a violation of paragraph (a) or (b)
9 of Section 6-101 relating to driving without a driver's
10 license;

11 20. Has been convicted of violating Section 6-104
12 relating to classification of driver's license;

13 21. Has been convicted of violating Section 11-402 of
14 this Code relating to leaving the scene of a crash
15 resulting in damage to a vehicle in excess of \$1,000, in
16 which case the suspension shall be for one year;

17 22. Has used a motor vehicle in violating paragraph
18 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
19 the Criminal Code of 1961 or the Criminal Code of 2012
20 relating to unlawful use of weapons, in which case the
21 suspension shall be for one year;

22 23. Has, as a driver, been convicted of committing a
23 violation of paragraph (a) of Section 11-502 of this Code
24 for a second or subsequent time within one year of a
25 similar violation;

26 24. Has been convicted by a court-martial or punished

1 by non-judicial punishment by military authorities of the
2 United States at a military installation in Illinois or in
3 another state of or for a traffic-related offense that is
4 the same as or similar to an offense specified under
5 Section 6-205 or 6-206 of this Code;

6 25. Has permitted any form of identification to be
7 used by another in the application process in order to
8 obtain or attempt to obtain a license, identification
9 card, or permit;

10 26. Has altered or attempted to alter a license or has
11 possessed an altered license, identification card, or
12 permit;

13 27. (Blank);

14 28. Has been convicted for a first time of the illegal
15 possession, while operating or in actual physical control,
16 as a driver, of a motor vehicle, of any controlled
17 substance prohibited under the Illinois Controlled
18 Substances Act, any cannabis prohibited under the Cannabis
19 Control Act, or any methamphetamine prohibited under the
20 Methamphetamine Control and Community Protection Act, in
21 which case the person's driving privileges shall be
22 suspended for one year. Any defendant found guilty of this
23 offense while operating a motor vehicle shall have an
24 entry made in the court record by the presiding judge that
25 this offense did occur while the defendant was operating a
26 motor vehicle and order the clerk of the court to report

1 the violation to the Secretary of State;

2 29. Has been convicted of the following offenses that
3 were committed while the person was operating or in actual
4 physical control, as a driver, of a motor vehicle:
5 criminal sexual assault, predatory criminal sexual assault
6 of a child, aggravated criminal sexual assault, criminal
7 sexual abuse, aggravated criminal sexual abuse, juvenile
8 pimping, soliciting for a juvenile prostitute, promoting
9 juvenile prostitution as described in subdivision (a)(1),
10 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
11 of 1961 or the Criminal Code of 2012, and the manufacture,
12 sale or delivery of controlled substances or instruments
13 used for illegal drug use or abuse in which case the
14 driver's driving privileges shall be suspended for one
15 year;

16 30. Has been convicted a second or subsequent time for
17 any combination of the offenses named in paragraph 29 of
18 this subsection, in which case the person's driving
19 privileges shall be suspended for 5 years;

20 31. Has refused to submit to a test as required by
21 Section 11-501.6 of this Code or Section 5-16c of the Boat
22 Registration and Safety Act or has submitted to a test
23 resulting in an alcohol concentration of 0.08 or more or
24 any amount of a drug, substance, or compound resulting
25 from the unlawful use or consumption of cannabis as listed
26 in the Cannabis Control Act, a controlled substance as

1 listed in the Illinois Controlled Substances Act, an
2 intoxicating compound as listed in the Use of Intoxicating
3 Compounds Act, or methamphetamine as listed in the
4 Methamphetamine Control and Community Protection Act, in
5 which case the penalty shall be as prescribed in Section
6 6-208.1;

7 32. Has been convicted of Section 24-1.2 of the
8 Criminal Code of 1961 or the Criminal Code of 2012
9 relating to the aggravated discharge of a firearm if the
10 offender was located in a motor vehicle at the time the
11 firearm was discharged, in which case the suspension shall
12 be for 3 years;

13 33. Has as a driver, who was less than 21 years of age
14 on the date of the offense, been convicted a first time of
15 a violation of paragraph (a) of Section 11-502 of this
16 Code or a similar provision of a local ordinance;

17 34. Has committed a violation of Section 11-1301.5 of
18 this Code or a similar provision of a local ordinance;

19 35. Has committed a violation of Section 11-1301.6 of
20 this Code or a similar provision of a local ordinance;

21 36. Is under the age of 21 years at the time of arrest
22 and has been convicted of not less than 2 offenses against
23 traffic regulations governing the movement of vehicles
24 committed within any 24-month period. No revocation or
25 suspension shall be entered more than 6 months after the
26 date of last conviction;

1 37. Has committed a violation of subsection (c) of
2 Section 11-907 of this Code that resulted in damage to the
3 property of another or the death or injury of another;

4 38. Has been convicted of a violation of Section 6-20
5 of the Liquor Control Act of 1934 or a similar provision of
6 a local ordinance and the person was an occupant of a motor
7 vehicle at the time of the violation;

8 39. Has committed a second or subsequent violation of
9 Section 11-1201 of this Code;

10 40. Has committed a violation of subsection (a-1) of
11 Section 11-908 of this Code;

12 41. Has committed a second or subsequent violation of
13 Section 11-605.1 of this Code, a similar provision of a
14 local ordinance, or a similar violation in any other state
15 within 2 years of the date of the previous violation, in
16 which case the suspension shall be for 90 days;

17 42. Has committed a violation of subsection (a-1) of
18 Section 11-1301.3 of this Code or a similar provision of a
19 local ordinance;

20 43. Has received a disposition of court supervision
21 for a violation of subsection (a), (d), or (e) of Section
22 6-20 of the Liquor Control Act of 1934 or a similar
23 provision of a local ordinance and the person was an
24 occupant of a motor vehicle at the time of the violation,
25 in which case the suspension shall be for a period of 3
26 months;

1 44. Is under the age of 21 years at the time of arrest
2 and has been convicted of an offense against traffic
3 regulations governing the movement of vehicles after
4 having previously had his or her driving privileges
5 suspended or revoked pursuant to subparagraph 36 of this
6 Section;

7 45. Has, in connection with or during the course of a
8 formal hearing conducted under Section 2-118 of this Code:
9 (i) committed perjury; (ii) submitted fraudulent or
10 falsified documents; (iii) submitted documents that have
11 been materially altered; or (iv) submitted, as his or her
12 own, documents that were in fact prepared or composed for
13 another person;

14 46. Has committed a violation of subsection (j) of
15 Section 3-413 of this Code;

16 47. Has committed a violation of subsection (a) of
17 Section 11-502.1 of this Code;

18 48. Has submitted a falsified or altered medical
19 examiner's certificate to the Secretary of State or
20 provided false information to obtain a medical examiner's
21 certificate;

22 49. Has been convicted of a violation of Section
23 11-1002 or 11-1002.5 that resulted in a Type A injury to
24 another, in which case the driving privileges of the
25 person shall be suspended for 12 months;

26 50. Has committed a violation of subsection (b-5) of

1 Section 12-610.2 that resulted in great bodily harm,
2 permanent disability, or disfigurement, in which case the
3 driving privileges of the person shall be suspended for 12
4 months;

5 51. Has committed a violation of Section 10-15 Of the
6 Cannabis Regulation and Tax Act or a similar provision of
7 a local ordinance while in a motor vehicle; or

8 52. Has committed a violation of subsection (b) of
9 Section 10-20 of the Cannabis Regulation and Tax Act or a
10 similar provision of a local ordinance.

11 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
12 and 27 of this subsection, license means any driver's license,
13 any traffic ticket issued when the person's driver's license
14 is deposited in lieu of bail, a suspension notice issued by the
15 Secretary of State, a duplicate or corrected driver's license,
16 a probationary driver's license, or a temporary driver's
17 license.

18 (b) If any conviction forming the basis of a suspension or
19 revocation authorized under this Section is appealed, the
20 Secretary of State may rescind or withhold the entry of the
21 order of suspension or revocation, as the case may be,
22 provided that a certified copy of a stay order of a court is
23 filed with the Secretary of State. If the conviction is
24 affirmed on appeal, the date of the conviction shall relate
25 back to the time the original judgment of conviction was
26 entered and the 6-month limitation prescribed shall not apply.

1 (c) 1. Upon suspending or revoking the driver's license or
2 permit of any person as authorized in this Section, the
3 Secretary of State shall immediately notify the person in
4 writing of the revocation or suspension. The notice to be
5 deposited in the United States mail, postage prepaid, to the
6 last known address of the person.

7 2. If the Secretary of State suspends the driver's license
8 of a person under subsection 2 of paragraph (a) of this
9 Section, a person's privilege to operate a vehicle as an
10 occupation shall not be suspended, provided an affidavit is
11 properly completed, the appropriate fee received, and a permit
12 issued prior to the effective date of the suspension, unless 5
13 offenses were committed, at least 2 of which occurred while
14 operating a commercial vehicle in connection with the driver's
15 regular occupation. All other driving privileges shall be
16 suspended by the Secretary of State. Any driver prior to
17 operating a vehicle for occupational purposes only must submit
18 the affidavit on forms to be provided by the Secretary of State
19 setting forth the facts of the person's occupation. The
20 affidavit shall also state the number of offenses committed
21 while operating a vehicle in connection with the driver's
22 regular occupation. The affidavit shall be accompanied by the
23 driver's license. Upon receipt of a properly completed
24 affidavit, the Secretary of State shall issue the driver a
25 permit to operate a vehicle in connection with the driver's
26 regular occupation only. Unless the permit is issued by the

1 Secretary of State prior to the date of suspension, the
2 privilege to drive any motor vehicle shall be suspended as set
3 forth in the notice that was mailed under this Section. If an
4 affidavit is received subsequent to the effective date of this
5 suspension, a permit may be issued for the remainder of the
6 suspension period.

7 The provisions of this subparagraph shall not apply to any
8 driver required to possess a CDL for the purpose of operating a
9 commercial motor vehicle.

10 Any person who falsely states any fact in the affidavit
11 required herein shall be guilty of perjury under Section 6-302
12 and upon conviction thereof shall have all driving privileges
13 revoked without further rights.

14 3. At the conclusion of a hearing under Section 2-118 of
15 this Code, the Secretary of State shall either rescind or
16 continue an order of revocation or shall substitute an order
17 of suspension; or, good cause appearing therefor, rescind,
18 continue, change, or extend the order of suspension. If the
19 Secretary of State does not rescind the order, the Secretary
20 may upon application, to relieve undue hardship (as defined by
21 the rules of the Secretary of State), issue a restricted
22 driving permit granting the privilege of driving a motor
23 vehicle between the petitioner's residence and petitioner's
24 place of employment or within the scope of the petitioner's
25 employment-related duties, or to allow the petitioner to
26 transport himself or herself, or a family member of the

1 petitioner's household to a medical facility, to receive
2 necessary medical care, to allow the petitioner to transport
3 himself or herself to and from alcohol or drug remedial or
4 rehabilitative activity recommended by a licensed service
5 provider, or to allow the petitioner to transport himself or
6 herself or a family member of the petitioner's household to
7 classes, as a student, at an accredited educational
8 institution, or to allow the petitioner to transport children,
9 elderly persons, or persons with disabilities who do not hold
10 driving privileges and are living in the petitioner's
11 household to and from daycare. The petitioner must demonstrate
12 that no alternative means of transportation is reasonably
13 available and that the petitioner will not endanger the public
14 safety or welfare.

15 (A) If a person's license or permit is revoked or
16 suspended due to 2 or more convictions of violating
17 Section 11-501 of this Code or a similar provision of a
18 local ordinance or a similar out-of-state offense, or a
19 similar offense committed on a military installation, or
20 Section 9-3 of the Criminal Code of 1961 or the Criminal
21 Code of 2012, where the use of alcohol or other drugs is
22 recited as an element of the offense, or a similar
23 out-of-state offense, or a similar offense committed on a
24 military installation, or a combination of these offenses,
25 arising out of separate occurrences, that person, if
26 issued a restricted driving permit, may not operate a

1 vehicle unless it has been equipped with an ignition
2 interlock device as defined in Section 1-129.1.

3 (B) If a person's license or permit is revoked or
4 suspended 2 or more times due to any combination of:

5 (i) a single conviction of violating Section
6 11-501 of this Code or a similar provision of a local
7 ordinance or a similar out-of-state offense or a
8 similar offense committed on a military installation
9 or Section 9-3 of the Criminal Code of 1961 or the
10 Criminal Code of 2012, where the use of alcohol or
11 other drugs is recited as an element of the offense, or
12 a similar out-of-state offense or a similar offense
13 committed on a military installation; or

14 (ii) a statutory summary suspension or revocation
15 under Section 11-501.1 or a suspension under paragraph
16 (6) of subsection (a) of Section 6-206 for refusal of
17 chemical testing in another state or a suspension
18 under paragraph (31) of subsection (a) of Section
19 6-206; or

20 (iii) a suspension under Section 6-203.1;

21 arising out of separate occurrences; that person, if
22 issued a restricted driving permit, may not operate a
23 vehicle unless it has been equipped with an ignition
24 interlock device as defined in Section 1-129.1.

25 (B-5) If a person's license or permit is revoked or
26 suspended due to a conviction for a violation of

1 subparagraph (C) or (F) of paragraph (1) of subsection (d)
2 of Section 11-501 of this Code, or a similar provision of a
3 local ordinance or similar out-of-state offense or a
4 similar offense committed on a military installation, that
5 person, if issued a restricted driving permit, may not
6 operate a vehicle unless it has been equipped with an
7 ignition interlock device as defined in Section 1-129.1.

8 (C) The person issued a permit conditioned upon the
9 use of an ignition interlock device must pay to the
10 Secretary of State DUI Administration Fund an amount not
11 to exceed \$30 per month. The Secretary shall establish by
12 rule the amount and the procedures, terms, and conditions
13 relating to these fees.

14 (D) If the restricted driving permit is issued for
15 employment purposes, then the prohibition against
16 operating a motor vehicle that is not equipped with an
17 ignition interlock device does not apply to the operation
18 of an occupational vehicle owned or leased by that
19 person's employer when used solely for employment
20 purposes. For any person who, within a 5-year period, is
21 convicted of a second or subsequent offense under Section
22 11-501 of this Code, or a similar provision of a local
23 ordinance or similar out-of-state offense or a similar
24 offense committed on a military installation, this
25 employment exemption does not apply until either a
26 one-year period has elapsed during which that person had

1 his or her driving privileges revoked or a one-year period
2 has elapsed during which that person had a restricted
3 driving permit which required the use of an ignition
4 interlock device on every motor vehicle owned or operated
5 by that person.

6 (E) In each case the Secretary may issue a restricted
7 driving permit for a period deemed appropriate, except
8 that all permits shall expire no later than 2 years from
9 the date of issuance. A restricted driving permit issued
10 under this Section shall be subject to cancellation,
11 revocation, and suspension by the Secretary of State in
12 like manner and for like cause as a driver's license
13 issued under this Code may be cancelled, revoked, or
14 suspended; except that a conviction upon one or more
15 offenses against laws or ordinances regulating the
16 movement of traffic shall be deemed sufficient cause for
17 the revocation, suspension, or cancellation of a
18 restricted driving permit. The Secretary of State may, as
19 a condition to the issuance of a restricted driving
20 permit, require the applicant to participate in a
21 designated driver remedial or rehabilitative program. The
22 Secretary of State is authorized to cancel a restricted
23 driving permit if the permit holder does not successfully
24 complete the program.

25 (F) A person subject to the provisions of paragraph 4
26 of subsection (b) of Section 6-208 of this Code may make

1 application for a restricted driving permit at a hearing
2 conducted under Section 2-118 of this Code after the
3 expiration of 5 years from the effective date of the most
4 recent revocation or after 5 years from the date of
5 release from a period of imprisonment resulting from a
6 conviction of the most recent offense, whichever is later,
7 provided the person, in addition to all other requirements
8 of the Secretary, shows by clear and convincing evidence:

9 (i) a minimum of 3 years of uninterrupted
10 abstinence from alcohol and the unlawful use or
11 consumption of cannabis under the Cannabis Control
12 Act, a controlled substance under the Illinois
13 Controlled Substances Act, an intoxicating compound
14 under the Use of Intoxicating Compounds Act, or
15 methamphetamine under the Methamphetamine Control and
16 Community Protection Act; and

17 (ii) the successful completion of any
18 rehabilitative treatment and involvement in any
19 ongoing rehabilitative activity that may be
20 recommended by a properly licensed service provider
21 according to an assessment of the person's alcohol or
22 drug use under Section 11-501.01 of this Code.

23 In determining whether an applicant is eligible for a
24 restricted driving permit under this subparagraph (F), the
25 Secretary may consider any relevant evidence, including,
26 but not limited to, testimony, affidavits, records, and

1 the results of regular alcohol or drug tests. Persons
2 subject to the provisions of paragraph 4 of subsection (b)
3 of Section 6-208 of this Code and who have been convicted
4 of more than one violation of paragraph (3), paragraph
5 (4), or paragraph (5) of subsection (a) of Section 11-501
6 of this Code shall not be eligible to apply for a
7 restricted driving permit under this subparagraph (F).

8 A restricted driving permit issued under this
9 subparagraph (F) shall provide that the holder may only
10 operate motor vehicles equipped with an ignition interlock
11 device as required under paragraph (2) of subsection (c)
12 of Section 6-205 of this Code and subparagraph (A) of
13 paragraph 3 of subsection (c) of this Section. The
14 Secretary may revoke a restricted driving permit or amend
15 the conditions of a restricted driving permit issued under
16 this subparagraph (F) if the holder operates a vehicle
17 that is not equipped with an ignition interlock device, or
18 for any other reason authorized under this Code.

19 A restricted driving permit issued under this
20 subparagraph (F) shall be revoked, and the holder barred
21 from applying for or being issued a restricted driving
22 permit in the future, if the holder is convicted of a
23 violation of Section 11-501 of this Code, a similar
24 provision of a local ordinance, or a similar offense in
25 another state or on a military installation.

26 (c-3) In the case of a suspension under paragraph 43 of

1 subsection (a), reports received by the Secretary of State
2 under this Section shall, except during the actual time the
3 suspension is in effect, be privileged information and for use
4 only by the courts, police officers, prosecuting authorities,
5 the driver licensing administrator of any other state, the
6 Secretary of State, or the parent or legal guardian of a driver
7 under the age of 18. However, beginning January 1, 2008, if the
8 person is a CDL holder, the suspension shall also be made
9 available to the driver licensing administrator of any other
10 state, the U.S. Department of Transportation, and the affected
11 driver or motor carrier or prospective motor carrier upon
12 request.

13 (c-4) In the case of a suspension under paragraph 43 of
14 subsection (a), the Secretary of State shall notify the person
15 by mail that his or her driving privileges and driver's
16 license will be suspended one month after the date of the
17 mailing of the notice.

18 (c-5) The Secretary of State may, as a condition of the
19 reissuance of a driver's license or permit to an applicant
20 whose driver's license or permit has been suspended before he
21 or she reached the age of 21 years pursuant to any of the
22 provisions of this Section, require the applicant to
23 participate in a driver remedial education course and be
24 retested under Section 6-109 of this Code.

25 (d) This Section is subject to the provisions of the
26 Driver License Compact.

1 (e) The Secretary of State shall not issue a restricted
2 driving permit to a person under the age of 16 years whose
3 driving privileges have been suspended or revoked under any
4 provisions of this Code.

5 (f) In accordance with 49 CFR 384, the Secretary of State
6 may not issue a restricted driving permit for the operation of
7 a commercial motor vehicle to a person holding a CDL whose
8 driving privileges have been suspended, revoked, cancelled, or
9 disqualified under any provisions of this Code.

10 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
11 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
12 7-1-23; 103-154, eff. 6-30-23.)

13 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

14 Sec. 6-208. Period of suspension - application after
15 revocation.

16 (a) Except as otherwise provided by this Code or any other
17 law of this State, the Secretary of State shall not suspend a
18 driver's license, permit, or privilege to drive a motor
19 vehicle on the highways for a period of more than one year.

20 (b) Any person whose license, permit, or privilege to
21 drive a motor vehicle on the highways has been revoked shall
22 not be entitled to have such license, permit, or privilege
23 renewed or restored. However, such person may, except as
24 provided under subsections (d) and (d-5) of Section 6-205,
25 make application for a license pursuant to Section 6-106 (i)

1 if the revocation was for a cause that has been removed or (ii)
2 as provided in the following subparagraphs:

3 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,
4 4, and 5, the person may make application for a license (A)
5 after the expiration of one year from the effective date
6 of the revocation, (B) in the case of a violation of
7 paragraph (b) of Section 11-401 of this Code or a similar
8 provision of a local ordinance, after the expiration of 3
9 years from the effective date of the revocation, or (C) in
10 the case of a violation of Section 9-3 of the Criminal Code
11 of 1961 or the Criminal Code of 2012 or a similar provision
12 of a law of another state or a military installation
13 relating to the offense of reckless homicide or a
14 violation of subparagraph (F) of paragraph 1 of subsection
15 (d) of Section 11-501 of this Code relating to aggravated
16 driving under the influence of alcohol, other drug or
17 drugs, intoxicating compound or compounds, or any
18 combination thereof, if the violation was the proximate
19 cause of a death, after the expiration of 2 years from the
20 effective date of the revocation or after the expiration
21 of 24 months from the date of release from a period of
22 imprisonment as provided in Section 6-103 of this Code,
23 whichever is later.

24 1.3. If the person is convicted of a second or
25 subsequent violation of Section 11-501 of this Code or a
26 similar provision of a local ordinance or a similar

1 out-of-state offense or a similar offense committed on a
2 military installation, or Section 9-3 of the Criminal Code
3 of 1961 or the Criminal Code of 2012, in which the use of
4 alcohol or other drugs is recited as an element of the
5 offense, or a similar out-of-state offense or a similar
6 offense committed on a military installation, or a
7 combination of these offenses, arising out of separate
8 occurrences, that person may not make application for a
9 driver's license until:

10 (A) the person has first been issued a restricted
11 driving permit by the Secretary of State; and

12 (B) the expiration of a continuous period of not
13 less than 5 years following the issuance of the
14 restricted driving permit during which the person's
15 restricted driving permit is not suspended, cancelled,
16 or revoked for a violation of any provision of law, or
17 any rule or regulation of the Secretary of State
18 relating to the required use of an ignition interlock
19 device.

20 1.5. If the person is convicted of a violation of
21 Section 6-303 of this Code committed while his or her
22 driver's license, permit, or privilege was revoked because
23 of a violation of Section 9-3 of the Criminal Code of 1961
24 or the Criminal Code of 2012, relating to the offense of
25 reckless homicide, or a similar provision of a law of
26 another state or a similar offense committed on a military

1 installation, the person may not make application for a
2 license or permit until the expiration of 3 years from the
3 date of the conviction.

4 2. If such person is convicted of committing a second
5 violation within a 20-year period of:

6 (A) Section 11-501 of this Code, ~~or~~ a similar
7 out-of-state offense, a similar provision of a local
8 ordinance or a similar offense committed on a military
9 installation;

10 (B) Paragraph (b) of Section 11-401 of this Code, ~~or~~
11 a similar out-of-state offense, or a similar provision
12 of a local ordinance or a similar offense committed on
13 a military installation;

14 (C) Section 9-3 of the Criminal Code of 1961 or the
15 Criminal Code of 2012, relating to the offense of
16 reckless homicide, a similar out-of-state offense or a
17 similar offense committed on a military installation;

18 or

19 (D) any combination of the above offenses
20 committed at different instances;

21 then such person may not make application for a license
22 until after the expiration of 5 years from the effective
23 date of the most recent revocation. The 20-year period
24 shall be computed by using the dates the offenses were
25 committed and shall also include similar out-of-state
26 offenses and similar offenses committed on a military

1 installation.

2 2.5. If a person is convicted of a second violation of
3 Section 6-303 of this Code committed while the person's
4 driver's license, permit, or privilege was revoked because
5 of a violation of Section 9-3 of the Criminal Code of 1961
6 or the Criminal Code of 2012, relating to the offense of
7 reckless homicide, ~~or~~ a similar provision of a law of
8 another state or a similar offense committed on a military
9 installation, the person may not make application for a
10 license or permit until the expiration of 5 years from the
11 date of release from a term of imprisonment.

12 3. However, except as provided in subparagraph 4, if
13 such person is convicted of committing a third violation
14 or any combination of the above offenses, including
15 similar out-of-state offenses and similar offenses
16 committed on a military installation, contained in
17 subparagraph 2, then such person may not make application
18 for a license until after the expiration of 10 years from
19 the effective date of the most recent revocation.

20 4. Except as provided in paragraph (1.5) of subsection
21 (c) of Section 6-205 and subparagraph (F) of paragraph 3
22 of subsection (c) of Section 6-206 of this Code, the
23 person may not make application for a license if the
24 person is convicted of committing a fourth or subsequent
25 violation of Section 11-501 of this Code or a similar
26 provision of a local ordinance, Section 11-401 of this

1 Code, Section 9-3 of the Criminal Code of 1961 or the
2 Criminal Code of 2012, or a combination of these offenses,
3 similar provisions of local ordinances, similar
4 out-of-state offenses, or similar offenses committed on a
5 military installation.

6 4.5. A bona fide resident of a foreign jurisdiction
7 who is subject to the provisions of subparagraph 4 of this
8 subsection (b) may make application for termination of the
9 revocation after a period of 10 years from the effective
10 date of the most recent revocation. However, if a person
11 who has been granted a termination of revocation under
12 this subparagraph 4.5 subsequently becomes a resident of
13 this State, the revocation shall be reinstated and the
14 person shall be subject to the provisions of subparagraph
15 4.

16 5. The person may not make application for a license
17 or permit if the person is convicted of a third or
18 subsequent violation of Section 6-303 of this Code
19 committed while his or her driver's license, permit, or
20 privilege was revoked because of a violation of Section
21 9-3 of the Criminal Code of 1961 or the Criminal Code of
22 2012, relating to the offense of reckless homicide, ~~or~~ a
23 similar provision of a law of another state, or a similar
24 offense committed on a military installation.

25 Notwithstanding any other provision of this Code, all
26 persons referred to in this paragraph (b) may not have their

1 privileges restored until the Secretary receives payment of
2 the required reinstatement fee pursuant to subsection (b) of
3 Section 6-118.

4 In no event shall the Secretary issue such license unless
5 and until such person has had a hearing pursuant to this Code
6 and the appropriate administrative rules and the Secretary is
7 satisfied, after a review or investigation of such person,
8 that to grant the privilege of driving a motor vehicle on the
9 highways will not endanger the public safety or welfare.

10 (c) (Blank).

11 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16;
12 99-642, eff. 7-28-16.)

13 (625 ILCS 5/6-209) (from Ch. 95 1/2, par. 6-209)

14 Sec. 6-209. Notice of Cancellation, Suspension or
15 Revocation - Surrender and Return of License. The Secretary of
16 State upon cancelling, suspending or revoking a license or
17 permit shall immediately notify the holder thereof in writing
18 and, where the license or permit is cancelled or revoked,
19 shall require that such license or permit shall be surrendered
20 to the Secretary of State. ~~However, upon payment of the~~
21 ~~reinstatement fee set out in subsection (g) of Section 6-118~~
22 ~~at the end of any period of suspension of a license the~~
23 ~~licensee, if not ineligible for some other reason, shall be~~
24 ~~entitled to reinstatement of driving privileges and may apply~~
25 ~~for a duplicate driver's license if it has not then expired;~~

1 ~~er, in case it has expired, to apply for a new license.~~

2 (Source: P.A. 101-185, eff. 1-1-20.)

3 (625 ILCS 5/6-301) (from Ch. 95 1/2, par. 6-301)

4 Sec. 6-301. Unlawful use of license or permit.

5 (a) It is a violation of this Section for any person:

6 1. To display or cause to be displayed or have in his
7 possession any cancelled or revoked ~~or suspended~~ license
8 or permit;

9 2. To lend his license or permit to any other person or
10 knowingly allow the use thereof by another;

11 3. To display or represent as his own any license or
12 permit issued to another;

13 4. To fail or refuse to surrender to the Secretary of
14 State or his agent or any peace officer upon his lawful
15 demand, any license or permit, which has been ~~suspended,~~
16 revoked or cancelled;

17 5. To allow any unlawful use of a license or permit
18 issued to him;

19 6. To ~~submit to an examination or to~~ obtain the
20 services of another person to submit to an examination for
21 the purpose of obtaining a drivers license or permit for
22 some other person. For purposes of this subsection,
23 submission to an examination includes providing answers to
24 the person taking the examination, whether those answers
25 are provided in person or remotely, via any electronic

1 device, including, but not limited to, microphones and
2 cell phones;

3 7. To submit to an examination for the purpose of
4 obtaining a drivers license or permit for some other
5 person. For purposes of this subsection, submission to an
6 examination includes providing answers to the person
7 taking the examination, whether those answers are provided
8 in person or remotely, via any electronic device,
9 including, but not limited to, microphones and cell
10 phones.

11 (b) Sentence.

12 1. Any person convicted of a violation of paragraphs 1
13 through 6 of subsection (a) of this Section shall be
14 guilty of a Class A misdemeanor and shall be sentenced to a
15 minimum fine of \$500 or 50 hours of community service,
16 preferably at an alcohol abuse prevention program, if
17 available.

18 1.5 Any person convicted of a violation of paragraph 7
19 of subsection (a) of this Section shall be guilty of a
20 Class 4 felony and shall be sentenced to a minimum fine of
21 \$1,000.

22 2. Any person convicted of a second or subsequent
23 violation of paragraphs 1 through 6 of subsection (a) of
24 this Section shall be guilty of a Class 4 felony.

25 2.5 Any person convicted of a second of subsequent
26 violation of paragraph 7 of subsection (a) of this Section

1 shall be guilty of a Class 3 felony.

2 3. In addition to any other sentence imposed under
3 paragraph 1 or 2 of this subsection (b), a person
4 convicted of a violation of paragraph 6 of subsection (a)
5 shall be imprisoned for not less than 7 days.

6 4. In addition to any other sentence imposed under
7 paragraph 2 or 4 of this subsection (b), a person
8 convicted of a violation of paragraph 7 of subsection (a)
9 shall be imprisoned for not less than 30 days.

10 (c) This Section does not prohibit any lawfully authorized
11 investigative, protective, law enforcement or other activity
12 of any agency of the United States, State of Illinois or any
13 other state or political subdivision thereof.

14 (d) This Section does not apply to licenses and permits
15 invalidated under Section 6-301.3 of this Code.

16 (Source: P.A. 92-647, eff. 1-1-03; 92-883, eff. 1-13-03.)

17 (625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

18 Sec. 6-521. Rulemaking Authority.

19 (a) The Secretary of State, using the authority to license
20 motor vehicle operators under this Code, may adopt such rules
21 and regulations as may be necessary to establish standards,
22 policies and procedures for the licensing and sanctioning of
23 commercial motor vehicle drivers in order to meet the
24 requirements of the Commercial Motor Vehicle Act of 1986
25 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part

1 383 or Part 1572; and administrative and policy decisions of
2 the U.S. Secretary of Transportation and the Federal Motor
3 Carrier Safety Administration. The Secretary may, as provided
4 in the CMVSA, establish stricter requirements for the
5 licensing of commercial motor vehicle drivers than those
6 established by the federal government.

7 (b) By January 1, 1994, the Secretary of State shall
8 establish rules and regulations for the issuance of a
9 restricted commercial driver's license for farm-related
10 service industries consistent with federal guidelines. The
11 restricted license shall be available for a seasonal period or
12 periods not to exceed a total of 210 ~~180~~ days in any 12-month
13 ~~12-month~~ period.

14 (c) (Blank).

15 (d) By July 1, 1995, the Secretary of State shall
16 establish rules and regulations for the issuance and
17 cancellation of a School Bus Driver's Permit. The permit shall
18 be required for the operation of a school bus as provided in
19 subsection (c), a non-restricted CDL with passenger
20 endorsement, or a properly classified driver's license. The
21 permit will establish that the school bus driver has met all
22 the requirements of the application and screening process
23 established by Section 6-106.1 of this Code.

24 (Source: P.A. 98-726, eff. 1-1-15.)

25 (625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

1 Sec. 7-211. Duration of suspension.

2 (a) Unless a suspension is terminated under other
3 provisions of this Code, the driver's license or registration
4 and nonresident's operating privilege suspended as provided in
5 Section 7-205 shall remain suspended and shall not be renewed
6 nor shall any license or registration be issued to the person
7 until:

8 1. The person deposits or there shall be deposited and
9 filed on the person's behalf the security required under
10 Section 7-201;

11 2. (Blank); ~~Two years have elapsed following the date~~
12 ~~the driver's license and registrations were suspended and~~
13 ~~evidence satisfactory to the Secretary of State that~~
14 ~~during the period no action for damages arising out of a~~
15 ~~motor vehicle crash has been properly filed;~~

16 3. Receipt of proper notice that the person has filed
17 bankruptcy which would include all claims for personal
18 injury and property damage resulting from the crash;

19 4. (Blank); ~~or After the expiration of 5 years from~~
20 ~~the date of the crash, the Secretary of State has not~~
21 ~~received documentation that any action at law for damages~~
22 ~~arising out of the motor vehicle crash has been filed~~
23 ~~against the person; or~~

24 5. The applicable statute of limitations has expired
25 and the person seeking reinstatement provides evidence
26 satisfactory to the Secretary of State that, during the

1 statute of limitations period, no action for damages
2 arising out of the a motor vehicle crash has been properly
3 filed.

4 An affidavit that no action at law for damages arising out
5 of the motor vehicle crash has been filed against the
6 applicant, or if filed that it is not still pending shall be
7 prima facie evidence of that fact. The Secretary of State may
8 take whatever steps are necessary to verify the statement set
9 forth in the applicant's affidavit.

10 (b) The driver's license or registration and nonresident's
11 operating privileges suspended as provided in Section 7-205
12 shall also remain suspended and shall not be renewed nor shall
13 any license or registration be issued to the person until the
14 person gives proof of his or her financial responsibility in
15 the future as provided in Section 1-164.5. The proof is to be
16 maintained by the person in a manner satisfactory to the
17 Secretary of State for a period of 3 years after the date the
18 proof is first filed.

19 (Source: P.A. 102-52, eff. 1-1-22; 102-982, eff. 7-1-23.)

20 (625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

21 Sec. 7-503. Unclaimed Security Deposits. During July,
22 annually, the Secretary shall compile a list of all securities
23 on deposit, pursuant to this Article, for one year since the
24 expiration of the applicable statute of limitations ~~more than~~
25 ~~3 years~~ and concerning which he has received no notice as to

1 the pendency of any judicial proceeding that could affect the
2 disposition thereof. Thereupon, he shall promptly send a
3 notice to the last known address of each depositor advising
4 him that his deposit will be subject to escheat to the State of
5 Illinois if not claimed within 30 days after the mailing date
6 of such notice. At the expiration of such time, the Secretary
7 of State shall file with the State Treasurer an order
8 directing the transfer of such deposit to the general revenue
9 fund in the State Treasury. Upon receipt of such order, the
10 State Treasurer shall make such transfer, after converting to
11 cash any other type of security. Thereafter any person having
12 a legal claim against such deposit may enforce it by
13 appropriate proceedings in the Court of Claims subject to the
14 limitations prescribed for such Court. At the expiration of
15 such limitation period such deposit shall escheat to the State
16 of Illinois.

17 (Source: P.A. 94-239, eff. 1-1-06.)

18 (625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

19 Sec. 11-306. Traffic-control signal legend. Whenever
20 traffic is controlled by traffic-control signals exhibiting
21 different colored lights or color lighted arrows, successively
22 one at a time or in combination, only the colors green, red and
23 yellow shall be used, except for special pedestrian signals
24 carrying a word legend, and the lights shall indicate and
25 apply to drivers of vehicles, bicyclists, and pedestrians as

1 follows:

2 (a) Green indication.

3 1. Vehicular traffic facing a circular green signal
4 may proceed straight through or turn right or left unless
5 a sign at such place prohibits either such turn. Vehicular
6 traffic, including vehicles turning right or left, shall
7 yield the right of way to other vehicles, bicyclists, and
8 to pedestrians lawfully within the intersection or an
9 adjacent crosswalk at the time such signal is exhibited.

10 2. Vehicular traffic facing a green arrow signal,
11 shown alone or in combination with another indication, may
12 cautiously enter the intersection only to make the
13 movement indicated by such arrow, or such other movement
14 as is permitted by other indications shown at the same
15 time. Such vehicular traffic shall yield the right of way
16 to bicyclists and pedestrians lawfully within an adjacent
17 crosswalk and to other traffic lawfully using the
18 intersection.

19 3. Unless otherwise directed by a pedestrian-control
20 signal, as provided in Section 11-307, pedestrians facing
21 any green signal, except when the sole green signal is a
22 turn arrow, may proceed across the roadway within any
23 marked or unmarked crosswalk.

24 (b) Steady yellow indication.

25 1. Vehicular traffic facing a steady circular yellow
26 or yellow arrow signal is thereby warned that the related

1 green movement is being terminated or that a red
2 indication will be exhibited immediately thereafter.

3 2. Pedestrians facing a steady circular yellow or
4 yellow arrow signal, unless otherwise directed by a
5 pedestrian-control signal as provided in Section 11-307,
6 are thereby advised that there is insufficient time to
7 cross the roadway before a red indication is shown and no
8 pedestrian shall then start to cross the roadway.

9 (b-5) Flashing yellow arrow indication.

10 1. Vehicular traffic facing a flashing yellow arrow
11 indication may cautiously enter the intersection only to
12 make the movement indicated by the arrow and shall yield
13 the right-of-way to other vehicles and pedestrians
14 lawfully within the intersection or an adjacent crosswalk
15 at the time the signal is exhibited.

16 2. Pedestrians facing a flashing yellow arrow
17 indication, unless otherwise directed by a
18 pedestrian-control signal as provided in Section 11-307,
19 may proceed across the roadway within any marked or
20 unmarked crosswalk that crosses the lane or lanes used to
21 depart the intersection by traffic controlled by the
22 flashing yellow arrow indication. Pedestrians shall yield
23 the right-of-way to vehicles lawfully within the
24 intersection at the time that the flashing yellow signal
25 indication is first displayed.

26 (c) Steady red indication.

1 1. Except as provided in paragraphs 3 and 3.5 of this
2 subsection (c), vehicular traffic facing a steady circular
3 red signal alone shall stop at a clearly marked stop line,
4 but if there is no such stop line, before entering the
5 crosswalk on the near side of the intersection, or if
6 there is no such crosswalk, then before entering the
7 intersection, and shall remain standing until an
8 indication to proceed is shown.

9 2. Except as provided in paragraphs 3 and 3.5 of this
10 subsection (c), vehicular traffic facing a steady red
11 arrow signal shall not enter the intersection to make the
12 movement indicated by the arrow and, unless entering the
13 intersection to make a movement permitted by another
14 signal, shall stop at a clearly marked stop line, but if
15 there is no such stop line, before entering the crosswalk
16 on the near side of the intersection, or if there is no
17 such crosswalk, then before entering the intersection, and
18 shall remain standing until an indication permitting the
19 movement indicated by such red arrow is shown.

20 3. Except when a sign is in place prohibiting a turn
21 and local authorities by ordinance or State authorities by
22 rule or regulation prohibit any such turn, vehicular
23 traffic facing any steady red signal may cautiously enter
24 the intersection to turn right, or to turn left from a
25 one-way street into a one-way street, after stopping as
26 required by paragraph 1 or paragraph 2 of this subsection.

1 After stopping, the driver shall yield the right of way to
2 any vehicle in the intersection or approaching on another
3 roadway so closely as to constitute an immediate hazard
4 during the time such driver is moving across or within the
5 intersection or junction or roadways. Such driver shall
6 yield the right of way to bicyclists or pedestrians within
7 the intersection or an adjacent crosswalk.

8 3.5. ~~The In municipalities with less than 2,000,000~~
9 ~~inhabitants, after stopping as required by paragraph 1 or~~
10 ~~2 of this subsection,~~ the driver of a motorcycle or
11 bicycle, facing a steady red signal which fails to change
12 to a green signal within a reasonable period of time not
13 less than 120 seconds because of a signal malfunction or
14 because the signal has failed to detect the arrival of the
15 motorcycle or bicycle due to the vehicle's size or weight,
16 shall have the right to proceed, after yielding the right
17 of way to oncoming traffic facing a green signal, subject
18 to the rules applicable after making a stop at a stop sign
19 as required by Section 11-1204 of this Code.

20 4. Unless otherwise directed by a pedestrian-control
21 signal as provided in Section 11-307, pedestrians facing a
22 steady circular red or red arrow signal alone shall not
23 enter the roadway.

24 (d) In the event an official traffic control signal is
25 erected and maintained at a place other than an intersection,
26 the provisions of this Section shall be applicable except as

1 to provisions which by their nature can have no application.
2 Any stop required shall be at a traffic sign or a marking on
3 the pavement indicating where the stop shall be made or, in the
4 absence of such sign or marking, the stop shall be made at the
5 signal.

6 (e) The motorman of any streetcar shall obey the above
7 signals as applicable to vehicles.

8 (Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12;
9 98-798, eff. 7-31-14.)

10 (625 ILCS 5/11-307) (from Ch. 95 1/2, par. 11-307)

11 Sec. 11-307. Pedestrian-control signals. Whenever special
12 pedestrian-control signals exhibiting the words "Walk" or
13 "Don't Walk" or the illuminated symbols of a walking person or
14 an upraised palm are in place such signals shall indicate as
15 follows:

16 (a) Walk or walking person symbol. Pedestrians facing such
17 signal may proceed across the roadway in the direction of the
18 signal, and shall be given the right of way by the drivers of
19 all vehicles. Bicyclists may proceed across the roadway in the
20 direction of the signal, shall be given the right of way by the
21 drivers of all vehicles, and shall yield the right of way to
22 all pedestrians.

23 (b) Don't Walk or upraised palm symbol. No pedestrian or
24 bicyclist shall start to cross the roadway in the direction of
25 such signal, but any pedestrian or bicyclist who has partly

1 completed his crossing on the Walk signal or walking person
2 symbol shall proceed to a sidewalk or safety island while the
3 "Don't Walk" signal or upraised palm symbol is illuminated,
4 steady, or flashing.

5 (Source: P.A. 81-553.)

6 (625 ILCS 5/11-501.01)

7 Sec. 11-501.01. Additional administrative sanctions.

8 (a) After a finding of guilt and prior to any final
9 sentencing or an order for supervision, for an offense based
10 upon an arrest for a violation of Section 11-501 or a similar
11 provision of a local ordinance, individuals shall be required
12 to undergo a professional evaluation to determine if an
13 alcohol, drug, or intoxicating compound abuse problem exists
14 and the extent of the problem, and undergo the imposition of
15 treatment as appropriate. Programs conducting these
16 evaluations shall be licensed by the Department of Human
17 Services. The cost of any professional evaluation shall be
18 paid for by the individual required to undergo the
19 professional evaluation.

20 (b) Any person who is found guilty of or pleads guilty to
21 violating Section 11-501, including any person receiving a
22 disposition of court supervision for violating that Section,
23 may be required by the Court to attend a victim impact panel
24 offered by, or under contract with, a county State's
25 Attorney's office, a probation and court services department,

1 Mothers Against Drunk Driving, or the Alliance Against
2 Intoxicated Motorists. All costs generated by the victim
3 impact panel shall be paid from fees collected from the
4 offender or as may be determined by the court.

5 (c) (Blank).

6 (d) The Secretary of State shall revoke the driving
7 privileges of any person convicted under Section 11-501 or a
8 similar provision of a local ordinance.

9 (e) The Secretary of State shall require the use of
10 ignition interlock devices for a period not less than 5 years
11 on all vehicles owned by a person who has been convicted of a
12 second or subsequent offense of Section 11-501 or a similar
13 provision of a local ordinance, a similar provision of a law of
14 another state, or a similar offense committed on a military
15 installation. The person must pay to the Secretary of State
16 DUI Administration Fund an amount not to exceed \$30 for each
17 month that he or she uses the device. The Secretary shall
18 establish by rule and regulation the procedures for
19 certification and use of the interlock system, the amount of
20 the fee, and the procedures, terms, and conditions relating to
21 these fees. During the time period in which a person is
22 required to install an ignition interlock device under this
23 subsection (e), that person shall only operate vehicles in
24 which ignition interlock devices have been installed, except
25 as allowed by subdivision (c) (5) or (d) (5) of Section 6-205 of
26 this Code.

1 (f) (Blank).

2 (g) The Secretary of State Police DUI Fund is created as a
3 special fund in the State treasury and, subject to
4 appropriation, shall be used for enforcement and prevention of
5 driving while under the influence of alcohol, other drug or
6 drugs, intoxicating compound or compounds or any combination
7 thereof, as defined by Section 11-501 of this Code, including,
8 but not limited to, the purchase of law enforcement equipment
9 and commodities to assist in the prevention of alcohol-related
10 criminal violence throughout the State; police officer
11 training and education in areas related to alcohol-related
12 crime, including, but not limited to, DUI training; and police
13 officer salaries, including, but not limited to, salaries for
14 hire back funding for safety checkpoints, saturation patrols,
15 and liquor store sting operations.

16 (h) Whenever an individual is sentenced for an offense
17 based upon an arrest for a violation of Section 11-501 or a
18 similar provision of a local ordinance, and the professional
19 evaluation recommends remedial or rehabilitative treatment or
20 education, neither the treatment nor the education shall be
21 the sole disposition and either or both may be imposed only in
22 conjunction with another disposition. The court shall monitor
23 compliance with any remedial education or treatment
24 recommendations contained in the professional evaluation.
25 Programs conducting alcohol or other drug evaluation or
26 remedial education must be licensed by the Department of Human

1 Services. If the individual is not a resident of Illinois,
2 however, the court may accept an alcohol or other drug
3 evaluation or remedial education program in the individual's
4 state of residence. Programs providing treatment must be
5 licensed under existing applicable alcoholism and drug
6 treatment licensure standards.

7 (i) (Blank).

8 (j) A person that is subject to a chemical test or tests of
9 blood under subsection (a) of Section 11-501.1 or subdivision
10 (c)(2) of Section 11-501.2 of this Code, whether or not that
11 person consents to testing, shall be liable for the expense up
12 to \$500 for blood withdrawal by a physician authorized to
13 practice medicine, a licensed physician assistant, a licensed
14 advanced practice registered nurse, a registered nurse, a
15 trained phlebotomist, a licensed paramedic, or a qualified
16 person other than a police officer approved by the Illinois
17 State Police to withdraw blood, who responds, whether at a law
18 enforcement facility or a health care facility, to a police
19 department request for the drawing of blood based upon refusal
20 of the person to submit to a lawfully requested breath test or
21 probable cause exists to believe the test would disclose the
22 ingestion, consumption, or use of drugs or intoxicating
23 compounds if:

24 (1) the person is found guilty of violating Section
25 11-501 of this Code or a similar provision of a local
26 ordinance; or

1 (2) the person pleads guilty to or stipulates to facts
2 supporting a violation of Section 11-503 of this Code or a
3 similar provision of a local ordinance when the plea or
4 stipulation was the result of a plea agreement in which
5 the person was originally charged with violating Section
6 11-501 of this Code or a similar local ordinance.

7 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

8 (625 ILCS 5/11-501.1)

9 Sec. 11-501.1. Suspension of drivers license; statutory
10 summary alcohol, other drug or drugs, or intoxicating compound
11 or compounds related suspension or revocation; implied
12 consent.

13 (a) Any person who drives or is in actual physical control
14 of a motor vehicle upon the public highways of this State shall
15 be deemed to have given consent, subject to the provisions of
16 Section 11-501.2, to a chemical test or tests of blood,
17 breath, other bodily substance, or urine for the purpose of
18 determining the content of alcohol, other drug or drugs, or
19 intoxicating compound or compounds or any combination thereof
20 in the person's blood if arrested, as evidenced by the
21 issuance of a Uniform Traffic Ticket, for any offense as
22 defined in Section 11-501 or a similar provision of a local
23 ordinance, or if arrested for violating Section 11-401. If a
24 law enforcement officer has probable cause to believe the
25 person was under the influence of alcohol, other drug or

1 drugs, intoxicating compound or compounds, or any combination
2 thereof, the law enforcement officer shall request a chemical
3 test or tests which shall be administered at the direction of
4 the arresting officer. The law enforcement agency employing
5 the officer shall designate which of the aforesaid tests shall
6 be administered. Up to 2 additional tests of urine or other
7 bodily substance may be administered even after a blood or
8 breath test or both has been administered. For purposes of
9 this Section, an Illinois law enforcement officer of this
10 State who is investigating the person for any offense defined
11 in Section 11-501 may travel into an adjoining state, where
12 the person has been transported for medical care, to complete
13 an investigation and to request that the person submit to the
14 test or tests set forth in this Section. The requirements of
15 this Section that the person be arrested are inapplicable, but
16 the officer shall issue the person a Uniform Traffic Ticket
17 for an offense as defined in Section 11-501 or a similar
18 provision of a local ordinance prior to requesting that the
19 person submit to the test or tests. The issuance of the Uniform
20 Traffic Ticket shall not constitute an arrest, but shall be
21 for the purpose of notifying the person that he or she is
22 subject to the provisions of this Section and of the officer's
23 belief of the existence of probable cause to arrest. Upon
24 returning to this State, the officer shall file the Uniform
25 Traffic Ticket with the Circuit Clerk of the county where the
26 offense was committed, and shall seek the issuance of an

1 arrest warrant or a summons for the person.

2 (a-5) (Blank).

3 (b) Any person who is dead, unconscious, or who is
4 otherwise in a condition rendering the person incapable of
5 refusal, shall be deemed not to have withdrawn the consent
6 provided by paragraph (a) of this Section and the test or tests
7 may be administered, subject to the provisions of Section
8 11-501.2.

9 (c) A person requested to submit to a test as provided
10 above shall be warned by the law enforcement officer
11 requesting the test that a refusal to submit to the test will
12 result in the statutory summary suspension of the person's
13 privilege to operate a motor vehicle, as provided in Section
14 6-208.1 of this Code, and will also result in the
15 disqualification of the person's privilege to operate a
16 commercial motor vehicle, as provided in Section 6-514 of this
17 Code, if the person is a CDL holder. The person shall also be
18 warned that a refusal to submit to the test, when the person
19 was involved in a motor vehicle crash that caused personal
20 injury or death to another, will result in the statutory
21 summary revocation of the person's privilege to operate a
22 motor vehicle, as provided in Section 6-208.1, and will also
23 result in the disqualification of the person's privilege to
24 operate a commercial motor vehicle, as provided in Section
25 6-514 of this Code, if the person is a CDL holder. The person
26 shall also be warned by the law enforcement officer that if the

1 person submits to the test or tests provided in paragraph (a)
2 of this Section and the alcohol concentration in the person's
3 blood, other bodily substance, or breath is 0.08 or greater,
4 or testing discloses the presence of cannabis as listed in the
5 Cannabis Control Act with a tetrahydrocannabinol concentration
6 as defined in paragraph 6 of subsection (a) of Section
7 11-501.2 of this Code, or any amount of a drug, substance, or
8 compound resulting from the unlawful use or consumption of a
9 controlled substance listed in the Illinois Controlled
10 Substances Act, an intoxicating compound listed in the Use of
11 Intoxicating Compounds Act, or methamphetamine as listed in
12 the Methamphetamine Control and Community Protection Act is
13 detected in the person's blood, other bodily substance or
14 urine, a statutory summary suspension of the person's
15 privilege to operate a motor vehicle, as provided in Sections
16 6-208.1 and 11-501.1 of this Code, will be imposed. If the
17 person is also a CDL holder, he or she shall be warned by the
18 law enforcement officer that if the person submits to the test
19 or tests provided in paragraph (a) of this Section and the
20 alcohol concentration in the person's blood, other bodily
21 substance, or breath is 0.08 or greater, or any amount of a
22 drug, substance, or compound resulting from the unlawful use
23 or consumption of cannabis as covered by the Cannabis Control
24 Act, a controlled substance listed in the Illinois Controlled
25 Substances Act, an intoxicating compound listed in the Use of
26 Intoxicating Compounds Act, or methamphetamine as listed in

1 the Methamphetamine Control and Community Protection Act is
2 detected in the person's blood, other bodily substance, or
3 urine, a disqualification of the person's privilege to operate
4 a commercial motor vehicle, as provided in Section 6-514 of
5 this Code, will be imposed.

6 A person who is under the age of 21 at the time the person
7 is requested to submit to a test as provided above shall, in
8 addition to the warnings provided for in this Section, be
9 further warned by the law enforcement officer requesting the
10 test that if the person submits to the test or tests provided
11 in paragraph (a) of this Section and the alcohol concentration
12 in the person's blood, other bodily substance, or breath is
13 greater than 0.00 and less than 0.08, a suspension of the
14 person's privilege to operate a motor vehicle, as provided
15 under Sections 6-208.2 and 11-501.8 of this Code, will be
16 imposed. The results of this test shall be admissible in a
17 civil or criminal action or proceeding arising from an arrest
18 for an offense as defined in Section 11-501 of this Code or a
19 similar provision of a local ordinance or pursuant to Section
20 11-501.4 in prosecutions for reckless homicide brought under
21 the Criminal Code of 1961 or the Criminal Code of 2012. These
22 test results, however, shall be admissible only in actions or
23 proceedings directly related to the incident upon which the
24 test request was made.

25 A person requested to submit to a test shall also
26 acknowledge, in writing, receipt of the warning required under

1 this Section. If the person refuses to acknowledge receipt of
2 the warning, the law enforcement officer shall make a written
3 notation on the warning that the person refused to sign the
4 warning. A person's refusal to sign the warning shall not be
5 evidence that the person was not read the warning.

6 (d) If the person refuses testing or submits to a test that
7 discloses an alcohol concentration of 0.08 or more, or testing
8 discloses the presence of cannabis as listed in the Cannabis
9 Control Act with a tetrahydrocannabinol concentration as
10 defined in paragraph 6 of subsection (a) of Section 11-501.2
11 of this Code, or any amount of a drug, substance, or
12 intoxicating compound in the person's breath, blood, other
13 bodily substance, or urine resulting from the unlawful use or
14 consumption of a controlled substance listed in the Illinois
15 Controlled Substances Act, an intoxicating compound listed in
16 the Use of Intoxicating Compounds Act, or methamphetamine as
17 listed in the Methamphetamine Control and Community Protection
18 Act, the law enforcement officer shall immediately submit a
19 sworn report to the circuit court of venue and the Secretary of
20 State, certifying that the test or tests was or were requested
21 under paragraph (a) and the person refused to submit to a test,
22 or tests, or submitted to testing that disclosed an alcohol
23 concentration of 0.08 or more, testing discloses the presence
24 of cannabis as listed in the Cannabis Control Act with a
25 tetrahydrocannabinol concentration as defined in paragraph 6
26 of subsection (a) of Section 11-501.2 of this Code, or any

1 amount of a drug, substance, or intoxicating compound in the
2 person's breath, blood, other bodily substance, or urine
3 resulting from the unlawful use or consumption of a controlled
4 substance listed in the Illinois Controlled Substances Act, an
5 intoxicating compound listed in the Use of Intoxicating
6 Compounds Act, or methamphetamine as listed in the
7 Methamphetamine Control and Community Protection Act. If the
8 person is also a CDL holder and refuses testing or submits to a
9 test that discloses an alcohol concentration of 0.08 or more,
10 or any amount of a drug, substance, or intoxicating compound
11 in the person's breath, blood, other bodily substance, or
12 urine resulting from the unlawful use or consumption of
13 cannabis listed in the Cannabis Control Act, a controlled
14 substance listed in the Illinois Controlled Substances Act, an
15 intoxicating compound listed in the Use of Intoxicating
16 Compounds Act, or methamphetamine as listed in the
17 Methamphetamine Control and Community Protection Act, the law
18 enforcement officer shall also immediately submit a sworn
19 report to the circuit court of venue and the Secretary of
20 State, certifying that the test or tests was or were requested
21 under paragraph (a) and the person refused to submit to a test,
22 or tests, or submitted to testing that disclosed an alcohol
23 concentration of 0.08 or more, or any amount of a drug,
24 substance, or intoxicating compound in the person's breath,
25 blood, other bodily substance, or urine resulting from the
26 unlawful use or consumption of cannabis listed in the Cannabis

1 Control Act, a controlled substance listed in the Illinois
2 Controlled Substances Act, an intoxicating compound listed in
3 the Use of Intoxicating Compounds Act, or methamphetamine as
4 listed in the Methamphetamine Control and Community Protection
5 Act.

6 (e) Upon receipt of the sworn report of a law enforcement
7 officer submitted under paragraph (d), the Secretary of State
8 shall enter the statutory summary suspension or revocation and
9 disqualification for the periods specified in Sections 6-208.1
10 and 6-514, respectively, and effective as provided in
11 paragraph (g).

12 If the person is a first offender as defined in Section
13 11-500 of this Code, and is not convicted of a violation of
14 Section 11-501 of this Code or a similar provision of a local
15 ordinance, then reports received by the Secretary of State
16 under this Section shall, except during the actual time the
17 Statutory Summary Suspension is in effect, be privileged
18 information and for use only by the courts, police officers,
19 prosecuting authorities or the Secretary of State, unless the
20 person is a CDL holder, is operating a commercial motor
21 vehicle or vehicle required to be placarded for hazardous
22 materials, in which case the suspension shall not be
23 privileged. Reports received by the Secretary of State under
24 this Section shall also be made available to the parent or
25 guardian of a person under the age of 18 years that holds an
26 instruction permit or a graduated driver's license, regardless

1 of whether the statutory summary suspension is in effect. A
2 statutory summary revocation shall not be privileged
3 information.

4 (f) The law enforcement officer submitting the sworn
5 report under paragraph (d) shall serve immediate notice of the
6 statutory summary suspension or revocation on the person and
7 the suspension or revocation and disqualification shall be
8 effective as provided in paragraph (g).

9 (1) In cases involving a person who is not a CDL holder
10 where the blood alcohol concentration of 0.08 or greater
11 or any amount of a drug, substance, or compound resulting
12 from the unlawful use or consumption of a controlled
13 substance listed in the Illinois Controlled Substances
14 Act, an intoxicating compound listed in the Use of
15 Intoxicating Compounds Act, or methamphetamine as listed
16 in the Methamphetamine Control and Community Protection
17 Act is established by a subsequent analysis of blood,
18 other bodily substance, or urine or analysis of whole
19 blood or other bodily substance establishes a
20 tetrahydrocannabinol concentration as defined in paragraph
21 6 of subsection (a) of Section 11-501.2 of this Code,
22 collected at the time of arrest, the arresting officer or
23 arresting agency shall give notice as provided in this
24 Section or by deposit in the United States mail of the
25 notice in an envelope with postage prepaid and addressed
26 to the person at his or her address as shown on the Uniform

1 Traffic Ticket and the statutory summary suspension shall
2 begin as provided in paragraph (g).

3 (1.3) In cases involving a person who is a CDL holder
4 where the blood alcohol concentration of 0.08 or greater
5 or any amount of a drug, substance, or compound resulting
6 from the unlawful use or consumption of cannabis as
7 covered by the Cannabis Control Act, a controlled
8 substance listed in the Illinois Controlled Substances
9 Act, an intoxicating compound listed in the Use of
10 Intoxicating Compounds Act, or methamphetamine as listed
11 in the Methamphetamine Control and Community Protection
12 Act is established by a subsequent analysis of blood,
13 other bodily substance, or urine collected at the time of
14 arrest, the arresting officer or arresting agency shall
15 give notice as provided in this Section or by deposit in
16 the United States mail of the notice in an envelope with
17 postage prepaid and addressed to the person at his or her
18 address as shown on the Uniform Traffic Ticket and the
19 statutory summary suspension and disqualification shall
20 begin as provided in paragraph (g).

21 (1.5) (Blank). ~~The officer shall confiscate any~~
22 ~~Illinois driver's license or permit on the person at the~~
23 ~~time of arrest. If the person has a valid driver's license~~
24 ~~or permit, the officer shall issue the person a receipt,~~
25 ~~in a form prescribed by the Secretary of State, that will~~
26 ~~allow that person to drive during the periods provided for~~

1 ~~in paragraph (g). The officer shall immediately forward~~
2 ~~the driver's license or permit to the circuit court of~~
3 ~~venue along with the sworn report provided for in~~
4 ~~paragraph (d).~~

5 (2) (Blank).

6 (g) The statutory summary suspension or revocation and
7 disqualification referred to in this Section shall take effect
8 on the 46th day following the date the notice of the statutory
9 summary suspension or revocation was given to the person.

10 (h) The following procedure shall apply whenever a person
11 is arrested for any offense as defined in Section 11-501 or a
12 similar provision of a local ordinance:

13 Upon receipt of the sworn report from the law enforcement
14 officer, the Secretary of State shall confirm the statutory
15 summary suspension or revocation by mailing a notice of the
16 effective date of the suspension or revocation to the person
17 and the court of venue. The Secretary of State shall also mail
18 notice of the effective date of the disqualification to the
19 person. However, should the sworn report be defective by not
20 containing sufficient information or be completed in error,
21 the confirmation of the statutory summary suspension or
22 revocation shall not be mailed to the person or entered to the
23 record; instead, the sworn report shall be forwarded to the
24 court of venue with a copy returned to the issuing agency
25 identifying any defect.

26 (i) As used in this Section, "personal injury" includes

1 any Type A injury as indicated on the traffic crash report
2 completed by a law enforcement officer that requires immediate
3 professional attention in either a doctor's office or a
4 medical facility. A Type A injury includes severely bleeding
5 wounds, distorted extremities, and injuries that require the
6 injured party to be carried from the scene.

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

8 (625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

9 Sec. 11-703. Overtaking a vehicle on the left. The
10 following rules govern the overtaking and passing of vehicles
11 proceeding in the same direction, subject to those
12 limitations, exceptions, and special rules otherwise stated in
13 this Chapter:

14 (a) The driver of a vehicle overtaking another vehicle
15 proceeding in the same direction shall pass to the left
16 thereof at a safe distance and shall not again drive to the
17 right side of the roadway until safely clear of the
18 overtaken vehicle. In no event shall such movement be made
19 by driving off the pavement or the main traveled portion
20 of the roadway.

21 (b) Except when overtaking and passing on the right is
22 permitted, the driver of an overtaken vehicle shall give
23 way to the right in favor of the overtaking vehicle on
24 audible signal and shall not increase the speed of his
25 vehicle until completely passed by the overtaking vehicle.

1 (c) The driver of a 2 wheeled vehicle may not, in
2 passing upon the left of any vehicle proceeding in the
3 same direction, pass upon the right of any vehicle
4 proceeding in the same direction unless there is an
5 unobstructed lane of traffic available to permit such
6 passing maneuver safely.

7 (d) The operator of a motor vehicle overtaking a
8 bicycle or individual proceeding in the same direction on
9 a highway shall:

10 (1) if another lane of traffic proceeding in the
11 same direction is available, make a lane
12 change into another available lane with due
13 regard for safety and traffic conditions, if
14 practicable and not prohibited by law, before
15 overtaking or passing the bicycle; and

16 (2) leave a safe distance, but not less than 3
17 feet, when passing the bicycle or individual and
18 shall maintain that distance until safely past the
19 overtaken bicycle or individual ~~leave a safe~~
20 ~~distance, but not less than 3 feet, when passing~~
21 ~~the bicycle or individual and shall maintain that~~
22 ~~distance until safely past the overtaken bicycle~~
23 ~~or individual.~~

24 (d-5) A driver of a motor vehicle overtaking a bicycle
25 proceeding in the same direction on a highway may, subject
26 to the provisions in paragraph (d) of this Section and

1 Section 11-706 of this Code, pass to the left of the
2 bicycle on a portion of the highway designated as a
3 no-passing zone under Section 11-707 of this Code if the
4 driver is able to overtake and pass the bicycle when:

5 (1) the bicycle is traveling at a speed of less
6 than half of the posted speed limit of the highway;

7 (2) the driver is able to overtake and pass the
8 bicycle without exceeding the posted speed limit of
9 the highway; and

10 (3) there is sufficient distance to the left of
11 the centerline of the highway for the motor vehicle to
12 meet the overtaking and passing requirements under
13 this Section.

14 (e) A person driving a motor vehicle shall not, in a
15 reckless manner, drive the motor vehicle unnecessarily
16 close to, toward, or near a bicyclist, pedestrian, or a
17 person riding a horse or driving an animal drawn vehicle.

18 (f) Every person convicted of paragraph (e) of this
19 Section shall be guilty of a Class A misdemeanor if the
20 violation does not result in great bodily harm or
21 permanent disability or disfigurement to another. If the
22 violation results in great bodily harm or permanent
23 disability or disfigurement to another, the person shall
24 be guilty of a Class 3 felony.

25 (Source: P.A. 100-359, eff. 1-1-18.)

1 (625 ILCS 5/11-712 new)

2 Sec. 11-712. Driving in bicycle lanes, pedestrian or
3 bicycle trails or paths. No person shall drive a motor vehicle
4 in a bicycle lane, trail, or path, designated by an official
5 sign or marking for the exclusive use of bicycles or
6 pedestrians. A violation of this Section is not an offense
7 against traffic regulations governing the movement of
8 vehicles.

9 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

10 Sec. 11-1425. Stop when traffic obstructed.

11 (a) No driver shall enter an intersection or a marked
12 crosswalk or drive onto any railroad grade crossing unless
13 there is sufficient space on the other side of the
14 intersection, crosswalk or railroad grade crossing to
15 accommodate the vehicle he is operating without obstructing
16 the passage of other vehicles, pedestrians or railroad trains
17 notwithstanding any traffic-control signal indication to
18 proceed.

19 (b) No driver shall enter a highway rail grade crossing
20 unless there is sufficient space on the other side of the
21 highway rail grade crossing to accommodate the vehicle being
22 operated without obstructing the passage of a train or other
23 railroad equipment using the rails, notwithstanding any
24 traffic-control signal indication to proceed.

25 (b-5) No driver operating a commercial motor vehicle, as

1 defined in Section 6-500 of this Code, shall enter a highway
2 rail grade crossing unless there is sufficient space on the
3 other side of the highway rail grade crossing to accommodate
4 the vehicle being operated without obstructing the passage of
5 a train or other railroad equipment using the rails,
6 notwithstanding any traffic-control signal indication to
7 proceed.

8 (c) (Blank).

9 (d) Beginning with the effective date of this amendatory
10 Act of the 95th General Assembly, the Secretary of State shall
11 suspend for a period of one month the driving privileges of any
12 person convicted of a violation of subsections ~~subsection~~ (b)
13 and (b-5) of this Section or a similar provision of a local
14 ordinance; the Secretary shall suspend for a period of 3
15 months the driving privileges of any person convicted of a
16 second or subsequent violation of subsections ~~subsection~~ (b)
17 and (b-5) of this Section or a similar provision of a local
18 ordinance if the second or subsequent violation occurs within
19 5 years of a prior conviction for the same offense. In addition
20 to the suspensions authorized by this Section, any person
21 convicted of violating subsections ~~subsection~~ (b) and (b-5) of
22 this Section or a similar provision of a local ordinance shall
23 be subject to a mandatory fine of \$500 or 50 hours of community
24 service. Any person given a disposition of court supervision
25 for violating subsections ~~subsection~~ (b) and (b-5) of this
26 Section or a similar provision of a local ordinance shall also

1 be subject to a mandatory fine of \$500 or 50 hours of community
2 service. Upon a second or subsequent violation, in addition to
3 the suspensions authorized by this Section, the person shall
4 be subject to a mandatory fine of \$500 and 50 hours community
5 service. The Secretary may also grant, for the duration of any
6 suspension issued under this subsection, a restricted driving
7 permit granting the privilege of driving a motor vehicle
8 between the driver's residence and place of employment or
9 within other proper limits that the Secretary of State shall
10 find necessary to avoid any undue hardship. A restricted
11 driving permit issued hereunder shall be subject to
12 cancellation, revocation and suspension by the Secretary of
13 State in like manner and for like cause as a driver's license
14 may be cancelled, revoked or suspended; except that a
15 conviction upon one or more offenses against laws or
16 ordinances regulating the movement of traffic shall be deemed
17 sufficient cause for the revocation, suspension or
18 cancellation of the restricted driving permit. The Secretary
19 of State may, as a condition to the issuance of a restricted
20 driving permit, require the applicant to participate in a
21 designated driver remedial or rehabilitative program. Any
22 conviction for a violation of this subsection shall be
23 included as an offense for the purposes of determining
24 suspension action under any other provision of this Code,
25 provided however, that the penalties provided under this
26 subsection shall be imposed unless those penalties imposed

1 under other applicable provisions are greater.

2 (Source: P.A. 103-179, eff. 6-30-23.)

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

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