

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 4 as follows:

6 (15 ILCS 335/4)

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

8 Sec. 4. Identification card.

9 (a) In accordance with the requirements of this Section,
10 the ~~The~~ Secretary of State shall issue a standard Illinois
11 Identification Card, as well as a mobile Illinois
12 Identification Card, to any natural person who is a resident
13 of the State of Illinois who applies for such a card, or
14 renewal thereof. No identification card shall be issued to any
15 person who holds a valid foreign state identification card,
16 license, or permit unless the person first surrenders to the
17 Secretary of State the valid foreign state identification
18 card, license, or permit. The card shall be prepared and
19 supplied by the Secretary of State and shall include a
20 photograph and signature or mark of the applicant. However,
21 the Secretary of State may provide by rule for the issuance of
22 Illinois Identification Cards without photographs if the
23 applicant has a bona fide religious objection to being

1 photographed or to the display of his or her photograph. The
2 Illinois Identification Card may be used for identification
3 purposes in any lawful situation only by the person to whom it
4 was issued. As used in this Act, "photograph" means any color
5 photograph or digitally produced and captured image of an
6 applicant for an identification card. As used in this Act,
7 "signature" means the name of a person as written by that
8 person and captured in a manner acceptable to the Secretary of
9 State.

10 (a-5) If an applicant for an identification card has a
11 current driver's license or instruction permit issued by the
12 Secretary of State, the Secretary may require the applicant to
13 utilize the same residence address and name on the
14 identification card, driver's license, and instruction permit
15 records maintained by the Secretary. The Secretary may
16 promulgate rules to implement this provision.

17 (a-10) If the applicant is a judicial officer as defined
18 in Section 1-10 of the Judicial Privacy Act or a peace officer,
19 the applicant may elect to have his or her office or work
20 address listed on the card instead of the applicant's
21 residence or mailing address. The Secretary may promulgate
22 rules to implement this provision. For the purposes of this
23 subsection (a-10), "peace officer" means any person who by
24 virtue of his or her office or public employment is vested by
25 law with a duty to maintain public order or to make arrests for
26 a violation of any penal statute of this State, whether that

1 duty extends to all violations or is limited to specific
2 violations.

3 (a-15) The Secretary of State may provide for an expedited
4 process for the issuance of an Illinois Identification Card.
5 The Secretary shall charge an additional fee for the expedited
6 issuance of an Illinois Identification Card, to be set by
7 rule, not to exceed \$75. All fees collected by the Secretary
8 for expedited Illinois Identification Card service shall be
9 deposited into the Secretary of State Special Services Fund.
10 The Secretary may adopt rules regarding the eligibility,
11 process, and fee for an expedited Illinois Identification
12 Card. If the Secretary of State determines that the volume of
13 expedited identification card requests received on a given day
14 exceeds the ability of the Secretary to process those requests
15 in an expedited manner, the Secretary may decline to provide
16 expedited services, and the additional fee for the expedited
17 service shall be refunded to the applicant.

18 (a-20) The Secretary of State shall issue a standard
19 Illinois Identification Card to a person committed to the
20 Department of Corrections or Department of Juvenile Justice
21 upon receipt of the person's birth certificate, social
22 security card, photograph, proof of residency upon discharge,
23 and an identification card application transferred via a
24 secure method as agreed upon by the Secretary and the
25 Department of Corrections or Department of Juvenile Justice.
26 Illinois residency shall be established by submission of a

1 Secretary of State prescribed Identification Card verification
2 form completed by the respective Department.

3 (a-25) The Secretary of State shall issue a limited-term
4 Illinois Identification Card valid for 90 days to a committed
5 person upon release on parole, mandatory supervised release,
6 aftercare release, final discharge, or pardon from the
7 Department of Corrections or Department of Juvenile Justice,
8 if the released person is unable to present a certified copy of
9 his or her birth certificate and social security card or other
10 documents authorized by the Secretary, but does present a
11 Secretary of State prescribed Identification Card verification
12 form completed by the Department of Corrections or Department
13 of Juvenile Justice, verifying the released person's date of
14 birth, social security number, and his or her Illinois
15 residence address. The verification form must have been
16 completed no more than 30 days prior to the date of application
17 for the Illinois Identification Card.

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

25 (a-30) The Secretary of State shall issue a standard
26 Illinois Identification Card to a person upon conditional

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

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

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

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

1 designation indicating that the card is an Illinois Person
2 with a Disability Identification Card, and shall include a
3 comprehensible designation of the type and classification of
4 the applicant's disability as set out in Section 4A of this
5 Act. However, the Secretary of State may provide by rule for
6 the issuance of Illinois Person with a Disability
7 Identification Cards without photographs if the applicant has
8 a bona fide religious objection to being photographed or to
9 the display of his or her photograph. If the applicant so
10 requests, the card shall include a description of the
11 applicant's disability and any information about the
12 applicant's disability or medical history which the Secretary
13 determines would be helpful to the applicant in securing
14 emergency medical care. If a mark is used in lieu of a
15 signature, such mark shall be affixed to the card in the
16 presence of two witnesses who attest to the authenticity of
17 the mark. The Illinois Person with a Disability Identification
18 Card may be used for identification purposes in any lawful
19 situation by the person to whom it was issued.

20 The Illinois Person with a Disability Identification Card
21 may be used as adequate documentation of disability in lieu of
22 a physician's determination of disability, a determination of
23 disability from a physician assistant, a determination of
24 disability from an advanced practice registered nurse, or any
25 other documentation of disability whenever any State law
26 requires that a person with a disability provide such

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

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

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

23 (c) The Secretary of State shall provide that each
24 original or renewal Illinois Identification Card or Illinois
25 Person with a Disability Identification Card issued to a
26 person under the age of 21 shall be of a distinct nature from

1 those Illinois Identification Cards or Illinois Person with a
2 Disability Identification Cards issued to individuals 21 years
3 of age or older. The color designated for Illinois
4 Identification Cards or Illinois Person with a Disability
5 Identification Cards for persons under the age of 21 shall be
6 at the discretion of the Secretary of State.

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

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

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

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

19 (e) The Secretary of State, in his or her discretion, may
20 designate on each Illinois Identification Card or Illinois
21 Person with a Disability Identification Card a space where the
22 card holder may place a sticker or decal, issued by the
23 Secretary of State, of uniform size as the Secretary may
24 specify, that shall indicate in appropriate language that the
25 card holder has renewed his or her Illinois Identification
26 Card or Illinois Person with a Disability Identification Card.

1 (f) (1) The Secretary of State may issue a mobile
2 identification card to an individual who is otherwise eligible
3 to hold a physical credential in addition to, and not instead
4 of, an identification card if the Secretary of State has
5 issued an identification card to the person. The data elements
6 that are used to build an electronic credential must match the
7 individual's current Department record.

8 (2) The Secretary may enter into agreements or contract
9 with an agency of the State, another state, the United States,
10 or a third party to facilitate the issuance, use, and
11 verification of a mobile identification card issued by the
12 Secretary or another state.

13 (3) Any mobile identification card issued by the Secretary
14 shall be in accordance with the most recent AAMVA standards.

15 (4) The Secretary shall design the mobile identification
16 card in a manner that allows the credential holder to maintain
17 physical possession of the device on which the mobile
18 identification card is accessed during verification.

19 (g) The verification process shall be implemented to
20 require:

21 (1) the relying parties to authenticate electronic
22 credentials in accordance with applicable AAMVA standards
23 prior to acceptance of the electronic credential;

24 (2) the Secretary to ensure that electronic credential
25 data is subject to all jurisdictional data security and
26 privacy protection laws and regulations; and

1 (3) the relying parties to request only electronic
2 credential data elements that are necessary to complete
3 the transaction for which data is being requested.

4 (h) Privacy and tracking of data shall be restricted by
5 implementing the following requirements:

6 (1) the relying parties shall retain only electronic
7 credential data elements for which the relying party
8 explicitly obtained consent from the electronic credential
9 holder and shall inform the electronic credential holder
10 of the use and retention period of the electronic data
11 elements; and

12 (2) the Secretary shall use an electronic credential
13 system that is designed to maximize the privacy of the
14 credential holder in accordance with State and federal law
15 and shall not track or compile information without the
16 credential holder's consent; and

17 (3) the Department shall only compile and disclose
18 information regarding the use of the credential as
19 required by State or federal law.

20 (i) (1) The electronic credential holder shall be required
21 to have their physical credential on their person for all
22 purposes for which an identification card is required. No
23 person, public entity, private entity, or agency shall
24 establish a policy that requires an electronic credential
25 instead of a physical credential.

26 (2) Electronic credential systems shall be designed so

1 that there is no requirement for the electronic credential
2 holder to display or relinquish possession of the credential
3 holder's mobile device to relying parties for the acceptance
4 of an electronic credential.

5 (3) When required by law and upon request by law
6 enforcement, a credential holder must provide the credential
7 holder's physical credential.

8 (4) Any law or regulation that requires an individual to
9 surrender the individual's physical credential to law
10 enforcement does not apply to the device on which an
11 electronic credential has been provisioned.

12 (j) A person may be required to produce when so requested a
13 physical identification card to a law enforcement officer, a
14 representative of a State or federal department or agency, or
15 a private entity and is subject to all applicable laws and
16 consequences for failure to produce such an identification
17 card.

18 (k) The Secretary of State shall adopt such rules as are
19 necessary to implement a mobile identification card.

20 (l) The display of a mobile identification card shall not
21 serve as consent or authorization for a law enforcement
22 officer, or any other person, to search, view, or access any
23 other data or application on the mobile device. If a person
24 presents the person's mobile device to a law enforcement
25 officer for purposes of displaying a mobile identification
26 card, the law enforcement officer shall promptly return the

1 mobile device to the person once the officer has had an
2 opportunity to verify the identity of the person. Except for
3 willful and wanton misconduct, any law enforcement officer,
4 court, or officer of the court presented with the device shall
5 be immune from any liability resulting from damage to the
6 mobile device.

7 (m) The fee to install the application to display a mobile
8 identification card as defined in this subsection shall not
9 exceed \$6.

10 (n) As used in this Section:

11 "AAMVA" means the American Association of Motor Vehicle
12 Administrators.

13 "Credential" means a driver's license, learner's permit,
14 or identification card.

15 "Credential holder" means the individual to whom a mobile
16 identification card is issued.

17 "Data element" means a distinct component of a customer's
18 information that is found on the Department's customer record.

19 "Department" means the Secretary of State Department of
20 Driver Services.

21 "Electronic credential" means an electronic extension of
22 the departmental issued physical credential that conveys
23 identity and complies with AAMVA's mobile driver license
24 Implementation guidelines and the ISO/IEC 18013-5 standard.

25 "Electronic credential system" means a digital process
26 that includes a method for provisioning electronic

1 credentials, requesting and transmitting electronic credential
2 data elements, and performing tasks to maintain the system.

3 "Full profile" means all the information provided on an
4 identification card.

5 "ISO" means the International Organization for
6 Standardization, which creates uniform processes and
7 procedures.

8 "Limited profile" means a portion of the information
9 provided on an identification card.

10 "Mobile identification card" means a data file that is
11 available on any mobile device that has connectivity to the
12 Internet through an application that allows the mobile device
13 to download the data file from the Secretary of State, that
14 contains all the data elements visible on the face and back of
15 an identification card, and that displays the current status
16 of the identification card. "Mobile identification card" does
17 not include a copy, photograph, or image of an Illinois
18 Identification Card that is not downloaded through the
19 application on a mobile device.

20 "Physical credential" means a Department issued document
21 that conveys identity in accordance with the Illinois
22 Identification Card Act.

23 "Provision" means the initial loading of an electronic
24 credential onto a device.

25 "Relying party" means the entity to which the credential
26 holder presents the electronic credential.

1 "Verification process" means a method of authenticating
2 the electronic credential through the use of secured
3 encryption communication.

4 (Source: P.A. 102-299, eff. 8-6-21; 103-345, eff. 1-1-24.)

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

6 Sec. 4. Identification card.

7 (a) In accordance with the requirements of this Section,
8 the ~~The~~ Secretary of State shall issue a standard Illinois
9 Identification Card, as well as a mobile Illinois
10 Identification Card, to any natural person who is a resident
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16 card, license, or permit. The card shall be prepared and
17 supplied by the Secretary of State and shall include a
18 photograph and signature or mark of the applicant. However,
19 the Secretary of State may provide by rule for the issuance of
20 Illinois Identification Cards without photographs if the
21 applicant has a bona fide religious objection to being
22 photographed or to the display of his or her photograph. The
23 Illinois Identification Card may be used for identification
24 purposes in any lawful situation only by the person to whom it
25 was issued. As used in this Act, "photograph" means any color

1 photograph or digitally produced and captured image of an
2 applicant for an identification card. As used in this Act,
3 "signature" means the name of a person as written by that
4 person and captured in a manner acceptable to the Secretary of
5 State.

6 (a-5) If an applicant for an identification card has a
7 current driver's license or instruction permit issued by the
8 Secretary of State, the Secretary may require the applicant to
9 utilize the same residence address and name on the
10 identification card, driver's license, and instruction permit
11 records maintained by the Secretary. The Secretary may
12 promulgate rules to implement this provision.

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

25 (a-15) The Secretary of State may provide for an expedited
26 process for the issuance of an Illinois Identification Card.

1 The Secretary shall charge an additional fee for the expedited
2 issuance of an Illinois Identification Card, to be set by
3 rule, not to exceed \$75. All fees collected by the Secretary
4 for expedited Illinois Identification Card service shall be
5 deposited into the Secretary of State Special Services Fund.
6 The Secretary may adopt rules regarding the eligibility,
7 process, and fee for an expedited Illinois Identification
8 Card. If the Secretary of State determines that the volume of
9 expedited identification card requests received on a given day
10 exceeds the ability of the Secretary to process those requests
11 in an expedited manner, the Secretary may decline to provide
12 expedited services, and the additional fee for the expedited
13 service shall be refunded to the applicant.

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15 Illinois Identification Card to a person committed to the
16 Department of Corrections or Department of Juvenile Justice
17 upon receipt of the person's birth certificate, social
18 security card, if the person has a social security number,
19 photograph, proof of residency upon discharge, and an
20 identification card application transferred via a secure
21 method as agreed upon by the Secretary and the Department of
22 Corrections or Department of Juvenile Justice, ~~if the person~~
23 ~~has a social security number,~~. Illinois residency shall be
24 established by submission of a Secretary of State prescribed
25 Identification Card verification form completed by the
26 respective Department.

1 (a-25) The Secretary of State shall issue a limited-term
2 Illinois Identification Card valid for 90 days to a committed
3 person upon release on parole, mandatory supervised release,
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5 Department of Corrections or Department of Juvenile Justice,
6 if the released person is unable to present a certified copy of
7 his or her birth certificate and social security card, if the
8 person has a social security number, or other documents
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10 State prescribed Identification Card verification form
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12 Juvenile Justice, verifying the released person's date of
13 birth, social security number, if the person has a social
14 security number, and his or her Illinois residence address.
15 The verification form must have been completed no more than 30
16 days prior to the date of application for the Illinois
17 Identification Card.

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

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

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

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21 unable to present a certified copy of his or her birth
22 certificate and social security card, if the person has a
23 social security number, or other documents authorized by the
24 Secretary, but does present a Secretary of State prescribed
25 verification form completed by the Department of Human
26 Services, verifying the person's date of birth and social

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

16 (b) The Secretary of State shall issue a special Illinois
17 Identification Card, which shall be known as an Illinois
18 Person with a Disability Identification Card, to any natural
19 person who is a resident of the State of Illinois, who is a
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7 the applicant's disability as set out in Section 4A of this
8 Act. However, the Secretary of State may provide by rule for
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22 situation by the person to whom it was issued.

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25 a physician's determination of disability, a determination of
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1 disability from an advanced practice registered nurse, or any
2 other documentation of disability whenever any State law
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22 issue Illinois Identification Cards and Illinois Person with a
23 Disability Identification Cards with the word "veteran"
24 appearing on the face of the cards. This authorization is
25 predicated on the unique status of veterans. The Secretary may
26 not issue any other identification card which identifies an

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

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

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

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

1 specify, that shall indicate in appropriate language that the
2 card holder has renewed his or her Illinois Identification
3 Card or Illinois Person with a Disability Identification Card.

4 (f)(1) The Secretary of State may issue a mobile
5 identification card to an individual who is otherwise eligible
6 to hold a physical credential in addition to, and not instead
7 of, an identification card if the Secretary of State has
8 issued an identification card to the person. The data elements
9 that are used to build an electronic credential must match the
10 individual's current Department record.

11 (2) The Secretary may enter into agreements or
12 contract with an agency of the State, another state, the
13 United States, or a third party to facilitate the
14 issuance, use, and verification of a mobile identification
15 card issued by the Secretary or another state.

16 (3) Any mobile identification card issued by the
17 Secretary shall be in accordance with the most recent
18 AAMVA standards.

19 (4) The Secretary shall design the mobile
20 identification card in a manner that allows the credential
21 holder to maintain physical possession of the device on
22 which the mobile identification card is accessed during
23 verification.

24 (g) The verification process shall be implemented to
25 require:

26 (1) the relying parties to authenticate electronic

1 credentials in accordance with applicable AAMVA standards
2 prior to acceptance of the electronic credential;

3 (2) the Secretary to ensure that electronic credential
4 data is subject to all jurisdictional data security and
5 privacy protection laws and regulations; and

6 (3) the relying parties to request only electronic
7 credential data elements that are necessary to complete
8 the transaction for which data is being requested.

9 (h) Privacy and tracking of data shall be restricted by
10 implementing the following requirements:

11 (1) the relying parties shall retain only electronic
12 credential data elements for which the relying party
13 explicitly obtained consent from the electronic credential
14 holder and shall inform the electronic credential holder
15 of the use and retention period of the electronic data
16 elements;

17 (2) the Secretary shall use an electronic credential
18 system that is designed to maximize the privacy of the
19 credential holder in accordance with State and federal law
20 and shall not track or compile information without the
21 credential holder's consent; and

22 (3) the Department shall only compile and disclose
23 information regarding the use of the credential as
24 required by State or federal law.

25 (i)(1) The electronic credential holder shall be required
26 to have their physical credential on their person for all

1 purposes for which an identification card is required. No
2 person, public entity, private entity, or agency shall
3 establish a policy that requires an electronic credential
4 instead of a physical credential.

5 (2) Electronic credential systems shall be designed so
6 that there is no requirement for the electronic credential
7 holder to display or relinquish possession of the credential
8 holder's mobile device to relying parties for the acceptance
9 of an electronic credential.

10 (3) When required by law and upon request by law
11 enforcement, a credential holder must provide the credential
12 holder's physical credential.

13 (4) Any law or regulation that requires an individual to
14 surrender their physical credential to law enforcement does
15 not apply to the device on which an electronic credential has
16 been provisioned.

17 (j) A person may be required to produce when so requested a
18 physical identification card to a law enforcement officer, a
19 representative of a State or federal department or agency, or
20 a private entity and is subject to all applicable laws and
21 consequences for failure to produce such an identification
22 card.

23 (k) The Secretary of State shall adopt such rules as are
24 necessary to implement a mobile identification card.

25 (l) The display of a mobile identification card shall not
26 serve as consent or authorization for a law enforcement

1 officer, or any other person, to search, view, or access any
2 other data or application on the mobile device. If a person
3 presents the person's mobile device to a law enforcement
4 officer for purposes of displaying a mobile identification
5 card, the law enforcement officer shall promptly return the
6 mobile device to the person once the officer has had an
7 opportunity to verify the identity of the person. Except for
8 willful and wanton misconduct, any law enforcement officer,
9 court, or officer of the court presented with the device shall
10 be immune from any liability resulting from damage to the
11 mobile device.

12 (m) The fee to install the application to display a mobile
13 identification card as defined in this subsection shall not
14 exceed \$6.

15 (n) As used in this Section:

16 "AAMVA" means the American Association of Motor Vehicle
17 Administrators.

18 "Credential" means a driver's license, learner's permit,
19 or identification card.

20 "Credential holder" means the individual to whom a mobile
21 driver's license or a mobile identification card is issued.

22 "Data element" means a distinct component of a customer's
23 information that is found on the Department's customer record.

24 "Department" means the Secretary of State Department of
25 Driver Services.

26 "Electronic credential" means an electronic extension of

1 the departmental issued physical credential that conveys
2 identity and complies with AAMVA's mobile driver license
3 Implementation guidelines and the ISO/IEC 18013-5 standard.

4 "Electronic credential system" means a digital process
5 that includes a method for provisioning electronic
6 credentials, requesting and transmitting electronic credential
7 data elements, and performing tasks to maintain the system.

8 "Full profile" means all the information provided on an
9 identification card.

10 "ISO" means the International Organization for
11 Standardization, which creates uniform processes and
12 procedures.

13 "Limited profile" means a portion of the information
14 provided on an Identification Card.

15 "Mobile identification card" means a data file that is
16 available on any mobile device that has connectivity to the
17 Internet through an application that allows the mobile device
18 to download the data file from the Secretary of State, that
19 contains all the data elements visible on the face and back of
20 an identification card, and that displays the current status
21 of the identification card. "Mobile identification card" does
22 not include a copy, photograph, or image of an Illinois
23 Identification Card that is not downloaded through the
24 application on a mobile device.

25 "Physical credential" means a Department issued document
26 that conveys identity in accordance with the Illinois

1 Identification Card Act.

2 "Provision" means the initial loading of an electronic
3 credential onto a device.

4 "Relying party" means the entity to which the credential
5 holder presents the electronic credential.

6 "Verification process" means a method of authenticating
7 the electronic credential through the use of secured
8 encryption communication.

9 (Source: P.A. 102-299, eff. 8-6-21; 103-210, eff. 7-1-24;
10 103-345, eff. 1-1-24; revised 12-12-23.)

11 Section 10. The Illinois Vehicle Code is amended by
12 changing Section 6-101 as follows:

13 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

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

15 (a) No person, except those expressly exempted by Section
16 6-102, shall drive any motor vehicle upon a highway in this
17 State unless such person has a valid license or permit, an
18 Illinois mobile driver's license, or a restricted driving
19 permit, issued under the provisions of this Act.

20 (b) No person shall drive a motor vehicle unless the
21 person ~~he~~ holds a valid license or permit, an Illinois mobile
22 driver's license, or a restricted driving permit issued under
23 ~~the provisions of Section 6-205, 6-206, or 6-113 of this Act.~~

24 Any person to whom a license is issued under the provisions of

1 this Act must surrender to the Secretary of State all valid
2 licenses or permits, except that an applicant for a
3 non-domiciled commercial learner's permit or commercial
4 driver's license shall not be required to surrender a license
5 or permit issued by the applicant's state or country of
6 domicile. No driver's ~~drivers~~ license or instruction permit
7 shall be issued to any person who holds a valid Foreign State
8 license, identification card, or permit unless such person
9 first surrenders to the Secretary of State any such valid
10 Foreign State license, identification card, or permit.

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

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

20 (d) In addition to other penalties imposed under this
21 Section, any person in violation of this Section who is also in
22 violation of Section 7-601 of this Code relating to mandatory
23 insurance requirements shall have his or her motor vehicle
24 immediately impounded by the arresting law enforcement
25 officer. The motor vehicle may be released to any licensed
26 driver upon a showing of proof of insurance for the motor

1 vehicle that was impounded and the notarized written consent
2 for the release by the vehicle owner.

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

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

21 (2) The Secretary may enter into agreements with an agency
22 of the State, another state, or the United States to
23 facilitate the issuance, use, and verification of a mobile
24 driver's license issued by the Secretary or another state.

25 (3) Any mobile driver's license issued by the Secretary
26 shall be in accordance with American Association of Motor

1 Vehicle Administrator's Mobile Driver's License (mDL)
2 Implementation Guidelines, Version 1.1.

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

7 (g) As used in this Section:

8 "Mobile driver's license" means an electronic extension of
9 the Secretary of State issued physical driver's license that
10 conveys identity and driving privilege information and is in
11 compliance with the American Association of Motor Vehicle
12 Administrator's Mobile Driver's License Implementation
13 Guidelines and the ISO/IEC 18013-5 standard. "Mobile driver's
14 license" does not include a digital copy, photograph, or image
15 of a driver's license that is not downloaded through the
16 Secretary of State's application on a mobile device.

17 (h) A person may be required to produce when so requested a
18 physical driver's license to a law enforcement officer, a
19 representative of a State or federal department or agency, or
20 a private entity and is subject to all applicable laws and
21 consequences for failure to produce such a license.

22 (i) The Secretary of State shall adopt such rules as are
23 necessary to implement a mobile driver's license.

24 (j) The display of a mobile driver's license shall not
25 serve as consent or authorization for a law enforcement
26 officer, or any other person, to search, view, or access any

1 other data or application on the mobile device. If a person
2 presents his or her mobile device to a law enforcement officer
3 for purposes of displaying a mobile driver's license, the law
4 enforcement officer shall promptly return the mobile device to
5 the person once the officer has had an opportunity to verify
6 the identity and license status of the person. Except for
7 willful and wanton misconduct, any law enforcement officer,
8 court, or officer of the court presented with the device shall
9 be immune from any liability resulting from damage to the
10 mobile device.

11 (k) The fee to install the application to display a mobile
12 driver's license as defined in this subsection shall not
13 exceed \$6.

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

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