



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1514

Introduced 2/7/2023, by Sen. Javier L. Cervantes

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-101	from Ch. 95 1/2, par. 6-101
625 ILCS 5/6-103	from Ch. 95 1/2, par. 6-103
625 ILCS 5/6-105.1	
625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106
625 ILCS 5/6-107.1	
625 ILCS 5/6-110.2	
625 ILCS 5/6-117	from Ch. 95 1/2, par. 6-117
625 ILCS 5/6-117.1	
625 ILCS 5/6-206	

Amends the Illinois Vehicle Code. Provides that applicants for a non-commercial driver's license or learner's permit or a renewal thereof shall not be required to prove that they are lawfully present in the United States. Provides that application forms for non-commercial drivers' licenses and learners' permits which do not meet federal standards for identification or for renewal thereof shall not include documents used to prove age or identity, an applicant's ineligibility for a social security number, or an applicant's citizenship or immigration status. Restricts the Secretary of State and any agent or employee of the Secretary from retaining documents or copies of documents presented by applicants for non-commercial drivers' licenses or learners' permits. Provides that the Secretary shall provide a separate space on the application for a driver's license, permit, or renewal thereof so that any person who is at least 18 years of age but less than 26 years of age who applies to the Secretary for such permit, license, or card or renewal thereof may opt to register with the selective service, and consent to have the Secretary forward the necessary personal information. Makes other and conforming changes.

LRB103 28930 MXP 55316 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 6-101, 6-103, 6-105.1, 6-106, 6-107.1,
6 6-110.2, 6-117, 6-117.1, and 6-206 as follows:

7 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

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

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

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

15 (b) No person shall drive a motor vehicle unless he holds a
16 valid license or permit, or a restricted driving permit issued
17 under the provisions of Section 6-205, 6-206, or 6-113 of this
18 Act. Any person to whom a license is issued under the
19 provisions of this Act must surrender to the Secretary of
20 State all valid licenses or permits, except that an applicant
21 for a non-domiciled commercial learner's permit or commercial
22 driver's license shall not be required to surrender a license
23 or permit issued by the applicant's state or country of

1 ~~domicile. No drivers license or instruction permit shall be~~
2 ~~issued to any person who holds a valid Foreign State license,~~
3 ~~identification card, or permit unless such person first~~
4 ~~surrenders to the Secretary of State any such valid Foreign~~
5 ~~State license, identification card, or permit.~~

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

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

15 (d) In addition to other penalties imposed under this
16 Section, any person in violation of this Section who is also in
17 violation of Section 7-601 of this Code relating to mandatory
18 insurance requirements shall have his or her motor vehicle
19 immediately impounded by the arresting law enforcement
20 officer. The motor vehicle may be released to any licensed
21 driver upon a showing of proof of insurance for the motor
22 vehicle that was impounded and the notarized written consent
23 for the release by the vehicle owner.

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

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

12 (Source: P.A. 97-229, eff. 7-28-11; 97-1150, eff. 1-25-13;
13 98-176 (see Section 10 of P.A. 98-722 and Section 10 of P.A.
14 99-414 for the effective date of changes made by P.A.
15 98-176).)

16 (Text of Section after amendment by P.A. 102-982)

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

18 (a) No person, except those expressly exempted by Section
19 6-102, shall drive any motor vehicle upon a highway in this
20 State unless such person has a valid license or permit, or a
21 restricted driving permit, issued under the provisions of this
22 Act.

23 (b) No person shall drive a motor vehicle unless he holds a
24 valid license or permit, or a restricted driving permit issued
25 under the provisions of Section 6-205, 6-206, or 6-113 of this

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

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

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

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

1 driver upon a showing of proof of insurance for the motor
2 vehicle that was impounded and the notarized written consent
3 for the release by the vehicle owner.

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

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

19 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

20 Sec. 6-103. What persons shall not be licensed as drivers
21 or granted permits. The Secretary of State shall not issue,
22 renew, or allow the retention of any driver's license nor
23 issue any permit under this Code:

24 1. To any person, as a driver, who is under the age of
25 16 ~~18~~ years except as provided in Section 6-107, and

1 except that an instruction permit may be issued under
2 Section 6-107.1 to a child who is not less than 15 years of
3 age if the child is enrolled in an approved driver
4 education course as defined in Section 1-103 of this Code
5 and requires an instruction permit to participate therein,
6 except that an instruction permit may be issued under the
7 provisions of Section 6-107.1 to a child who is 17 years
8 and 3 months of age without the child having enrolled in an
9 approved driver education course and except that an
10 instruction permit may be issued to a child who is at least
11 15 years and 3 months of age, is enrolled in school, meets
12 the educational requirements of the Driver Education Act,
13 and has passed examinations the Secretary of State in his
14 or her discretion may prescribe;

15 1.5. To any person at least 16 ~~18~~ years of age but less
16 than 21 years of age unless the person has, in addition to
17 any other requirements of this Code, successfully
18 completed an adult driver education course as provided in
19 Section 6-107.5 of this Code;

20 2. To any person who is under the age of 18 as an
21 operator of a motorcycle other than a motor driven cycle
22 unless the person has, in addition to meeting the
23 provisions of Section 6-107 of this Code, successfully
24 completed a motorcycle training course approved by the
25 Illinois Department of Transportation and successfully
26 completes the required Secretary of State's motorcycle

1 driver's examination;

2 3. To any person, as a driver, whose driver's license
3 or permit has been suspended, during the suspension, nor
4 to any person whose driver's license or permit has been
5 revoked, except as provided in Sections 6-205, 6-206, and
6 6-208;

7 4. To any person, as a driver, who is a user of alcohol
8 or any other drug to a degree that renders the person
9 incapable of safely driving a motor vehicle;

10 5. To any person, as a driver, who has previously been
11 adjudged to be afflicted with or suffering from any mental
12 or physical disability or disease and who has not at the
13 time of application been restored to competency by the
14 methods provided by law;

15 6. To any person, as a driver, who is required by the
16 Secretary of State to submit an alcohol and drug
17 evaluation or take an examination provided for in this
18 Code unless the person has successfully passed the
19 examination and submitted any required evaluation;

20 7. To any person who is required under the provisions
21 of the laws of this State to deposit security or proof of
22 financial responsibility and who has not deposited the
23 security or proof;

24 8. To any person when the Secretary of State has good
25 cause to believe that the person by reason of physical or
26 mental disability would not be able to safely operate a

1 motor vehicle upon the highways, unless the person shall
2 furnish to the Secretary of State a verified written
3 statement, acceptable to the Secretary of State, from a
4 competent medical specialist, a licensed physician
5 assistant, or a licensed advanced practice registered
6 nurse, to the effect that the operation of a motor vehicle
7 by the person would not be inimical to the public safety;

8 9. To any person, as a driver, who is 69 years of age
9 or older, unless the person has successfully complied with
10 the provisions of Section 6-109;

11 10. To any person convicted, within 12 months of
12 application for a license, of any of the sexual offenses
13 enumerated in paragraph 2 of subsection (b) of Section
14 6-205;

15 11. To any person who is under the age of 21 years with
16 a classification prohibited in paragraph (b) of Section
17 6-104 and to any person who is under the age of 18 years
18 with a classification prohibited in paragraph (c) of
19 Section 6-104;

20 12. To any person who has been either convicted of or
21 adjudicated under the Juvenile Court Act of 1987 based
22 upon a violation of the Cannabis Control Act, the Illinois
23 Controlled Substances Act, or the Methamphetamine Control
24 and Community Protection Act while that person was in
25 actual physical control of a motor vehicle. For purposes
26 of this Section, any person placed on probation under

1 Section 10 of the Cannabis Control Act, Section 410 of the
2 Illinois Controlled Substances Act, or Section 70 of the
3 Methamphetamine Control and Community Protection Act shall
4 not be considered convicted. Any person found guilty of
5 this offense, while in actual physical control of a motor
6 vehicle, shall have an entry made in the court record by
7 the judge that this offense did occur while the person was
8 in actual physical control of a motor vehicle and order
9 the clerk of the court to report the violation to the
10 Secretary of State as such. The Secretary of State shall
11 not issue a new license or permit for a period of one year;

12 13. To any person who is under the age of 18 years and
13 who has committed the offense of operating a motor vehicle
14 without a valid license or permit in violation of Section
15 6-101 or a similar out of state offense;

16 14. To any person who is 90 days or more delinquent in
17 court ordered child support payments or has been
18 adjudicated in arrears in an amount equal to 90 days'
19 obligation or more and who has been found in contempt of
20 court for failure to pay the support, subject to the
21 requirements and procedures of Article VII of Chapter 7 of
22 the Illinois Vehicle Code;

23 14.5. To any person certified by the Illinois
24 Department of Healthcare and Family Services as being 90
25 days or more delinquent in payment of support under an
26 order of support entered by a court or administrative body

1 of this or any other State, subject to the requirements
2 and procedures of Article VII of Chapter 7 of this Code
3 regarding those certifications;

4 15. To any person released from a term of imprisonment
5 for violating Section 9-3 of the Criminal Code of 1961 or
6 the Criminal Code of 2012, or a similar provision of a law
7 of another state relating to reckless homicide or for
8 violating subparagraph (F) of paragraph (1) of subsection
9 (d) of Section 11-501 of this Code relating to aggravated
10 driving under the influence of alcohol, other drug or
11 drugs, intoxicating compound or compounds, or any
12 combination thereof, if the violation was the proximate
13 cause of a death, within 24 months of release from a term
14 of imprisonment;

15 16. To any person who, with intent to influence any
16 act related to the issuance of any driver's license or
17 permit, by an employee of the Secretary of State's Office,
18 or the owner or employee of any commercial driver training
19 school licensed by the Secretary of State, or any other
20 individual authorized by the laws of this State to give
21 driving instructions or administer all or part of a
22 driver's license examination, promises or tenders to that
23 person any property or personal advantage which that
24 person is not authorized by law to accept. Any persons
25 promising or tendering such property or personal advantage
26 shall be disqualified from holding any class of driver's

1 license or permit for 120 consecutive days. The Secretary
2 of State shall establish by rule the procedures for
3 implementing this period of disqualification and the
4 procedures by which persons so disqualified may obtain
5 administrative review of the decision to disqualify;

6 17. To any person for whom the Secretary of State
7 cannot verify the accuracy of any information or
8 documentation submitted in application for a driver's
9 license;

10 18. To any person who has been adjudicated under the
11 Juvenile Court Act of 1987 based upon an offense that is
12 determined by the court to have been committed in
13 furtherance of the criminal activities of an organized
14 gang, as provided in Section 5-710 of that Act, and that
15 involved the operation or use of a motor vehicle or the use
16 of a driver's license or permit. The person shall be
17 denied a license or permit for the period determined by
18 the court; or

19 19. To any person who holds a REAL ID compliant
20 identification card or REAL ID compliant Person with a
21 Disability Identification Card issued under the Illinois
22 Identification Card Act. Any such person may, at his or
23 her discretion, surrender the REAL ID compliant
24 identification card or REAL ID compliant Person with a
25 Disability Identification Card in order to become eligible
26 to obtain a REAL ID compliant driver's license.

1 The Secretary of State shall retain all conviction
2 information, if the information is required to be held
3 confidential under the Juvenile Court Act of 1987.

4 (Source: P.A. 99-173, eff. 7-29-15; 99-511, eff. 1-1-17;
5 100-248, eff. 8-22-17; 100-513, eff. 1-1-18; 100-863, eff.
6 8-14-18.)

7 (625 ILCS 5/6-105.1)

8 Sec. 6-105.1. Non-commercial drivers' licenses and
9 learners' permits which do not meet federal standards for
10 identification ~~Temporary visitor's driver's license.~~

11 (a) Applicants for a non-commercial driver's license or
12 learner's permit or a renewal thereof shall not be required to
13 prove that they are lawfully present in the United States. ~~The~~
14 ~~Secretary of State may issue a temporary visitor's driver's~~
15 ~~license to a foreign national who (i) resides in this State,~~
16 ~~(ii) is ineligible to obtain a social security number, and~~
17 ~~(iii) presents to the Secretary documentation, issued by~~
18 ~~United States Citizenship and Immigration Services,~~
19 ~~authorizing the person's presence in this country.~~

20 (a-5) Application forms for non-commercial drivers'
21 licenses and learners' permits which do not meet federal
22 standards for identification or for renewal thereof shall not
23 state (i) the documents an applicant used to prove age or
24 identity, (ii) an applicant's ineligibility for a social
25 security number where applicable, or (iii) an applicant's

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

13 (a-10) Applicants for a ~~temporary visitor's~~ driver's
14 license who are under 18 years of age at the time of
15 application shall be subject to the provisions of Sections
16 6-107 and 6-108 of this Code.

17 (b) The Secretary and any agent or employee of the
18 Secretary shall not retain the documents or copies of
19 documents presented by applicants for non-commercial drivers'
20 licenses or learners' permits which do not meet federal
21 standards for identification to prove age or identity except
22 for a limited period necessary to ensure the validity and
23 authenticity of such documents. ~~A temporary visitor's driver's~~
24 ~~license issued under subsection (a) is valid for 3 years, or~~
25 ~~for the period of time the individual is authorized to remain~~
26 ~~in this country, whichever ends sooner. A temporary visitor's~~

1 ~~driver's license issued under subsection (a-5) shall be valid~~
2 ~~for a period of 3 years.~~

3 (b-5) A non-commercial driver's license or learner's
4 permit which does not meet federal standards for
5 identification shall not be used as evidence of a person's
6 citizenship or immigration status, and shall not be the basis
7 for investigating, arresting, or detaining a person. Neither
8 the Secretary nor any agent or employee of the Secretary shall
9 inquire about the citizenship or immigration status of any
10 applicant for a non-commercial driver's license or learner's
11 permit which does not meet federal standards for
12 identification. ~~A temporary visitor's driver's license issued~~
13 ~~under this Section may not be accepted for proof of the~~
14 ~~holder's identity. A temporary visitor's driver's license~~
15 ~~issued under this Section shall contain a notice on its face,~~
16 ~~in capitalized letters, stating that the temporary visitor's~~
17 ~~driver's license may not be accepted for proof of identity.~~

18 (c) The Secretary shall adopt rules for implementing this
19 Section, including that non-commercial drivers' licenses and
20 learners' permits which do not meet federal standards for
21 identification shall be issued in such form as the Secretary
22 shall determine, as long as such licenses and permits shall be
23 visually identical to non-commercial drivers' licenses and
24 learners' permits which do meet federal standards for
25 identification except that such licenses and permits may state
26 "not for federal purposes". However, the Secretary may adopt

1 rules providing for additional design or color indicators for
2 both such non-commercial drivers' licenses and learners'
3 permits if required to comply with federal law. rules:

4 ~~(1) regarding the design and content of the temporary~~
5 ~~visitor's driver's license;~~

6 ~~(2) establishing criteria for proof of identification~~
7 ~~and residency of an individual applying under subsection~~
8 ~~(a-5);~~

9 ~~(3) designating acceptable evidence that an applicant~~
10 ~~is not eligible for a social security number; and~~

11 ~~(4) regarding the issuance of temporary visitor's~~
12 ~~instruction permits.~~

13 (d) Any person to whom the Secretary of State may issue a
14 ~~temporary visitor's~~ driver's license shall be subject to any
15 and all provisions of this Code and any and all implementing
16 regulations issued by the Secretary of State to the same
17 extent as any person issued a driver's license, unless
18 otherwise provided in this Code or by administrative rule,
19 including but not limited to the examination requirements in
20 Section 6-109 as well as the mandatory insurance requirements
21 and penalties set forth in Article VI of Chapter 7 of this
22 Code.

23 (d-5) A ~~temporary visitor's~~ driver's license is invalid if
24 the holder is unable to provide proof of liability insurance
25 as required by Section 7-601 of this Code upon the request of a
26 law enforcement officer, in which case the holder commits a

1 violation of Section 6-101 of this Code.

2 (e) (Blank). ~~Temporary visitor's driver's licenses shall~~
3 ~~be issued from a central location after the Secretary of State~~
4 ~~has verified the information provided by the applicant.~~

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

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

15 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

17 (a) Every application for any permit or license authorized
18 to be issued under this Code shall be made upon a form
19 furnished by the Secretary of State. Every application shall
20 be accompanied by the proper fee and payment of such fee shall
21 entitle the applicant to not more than 3 attempts to pass the
22 examination within a period of one year after the date of
23 application.

24 (b) Every application shall state the legal name, social
25 security number, zip code, date of birth, sex, and residence

1 address of the applicant; briefly describe the applicant;
2 state whether the applicant has theretofore been licensed as a
3 driver, and, if so, when and by what state or country, and
4 whether any such license has ever been cancelled, suspended,
5 revoked or refused, and, if so, the date and reason for such
6 cancellation, suspension, revocation or refusal; shall include
7 an affirmation by the applicant that all information set forth
8 is true and correct; and shall bear the applicant's signature.
9 In addition to the residence address, the Secretary may allow
10 the applicant to provide a mailing address. In the case of an
11 applicant who is a judicial officer or peace officer, the
12 Secretary may allow the applicant to provide an office or work
13 address in lieu of a residence or mailing address. The
14 application form may also require the statement of such
15 additional relevant information as the Secretary of State
16 shall deem necessary to determine the applicant's competency
17 and eligibility. The Secretary of State may, in his
18 discretion, by rule or regulation, provide that an application
19 for a drivers license or permit may include a suitable
20 photograph of the applicant in the form prescribed by the
21 Secretary, and he may further provide that each drivers
22 license shall include a photograph of the driver. The
23 Secretary of State may utilize a photograph process or system
24 most suitable to deter alteration or improper reproduction of
25 a drivers license and to prevent substitution of another photo
26 thereon. For the purposes of this subsection (b), "peace

1 officer" means any person who by virtue of his or her office or
2 public employment is vested by law with a duty to maintain
3 public order or to make arrests for a violation of any penal
4 statute of this State, whether that duty extends to all
5 violations or is limited to specific violations.

6 (b-3) Upon the first issuance of a request for proposals
7 for a digital driver's license and identification card
8 issuance and facial recognition system issued after January 1,
9 2020 (the effective date of Public Act 101-513), and upon
10 implementation of a new or revised system procured pursuant to
11 that request for proposals, the Secretary shall permit
12 applicants to choose between "male", "female" or "non-binary"
13 when designating the applicant's sex on the driver's license
14 application form. The sex designated by the applicant shall be
15 displayed on the driver's license issued to the applicant.

16 (b-5) Every applicant for a REAL ID compliant driver's
17 license or permit shall provide proof of lawful status in the
18 United States as defined in 6 CFR 37.3, as amended. Applicants
19 who are unable to provide the Secretary with proof of lawful
20 status may apply for a driver's license or permit under
21 Section 6-105.1 of this Code.

22 (c) The application form shall include a notice to the
23 applicant of the registration obligations of sex offenders
24 under the Sex Offender Registration Act. The notice shall be
25 provided in a form and manner prescribed by the Secretary of
26 State. For purposes of this subsection (c), "sex offender" has

1 the meaning ascribed to it in Section 2 of the Sex Offender
2 Registration Act.

3 (d) The Secretary shall provide separate space on the
4 application for a driver's license, permit, or renewal thereof
5 so that any person who is at least 18 years of age but less
6 than 26 years of age who applies to the Secretary for such
7 permit, license, or card or renewal thereof may opt to
8 register with the selective service in accordance with 50
9 U.S.C. 451, if such person is subject to such Act, and consent
10 to have the Secretary forward the necessary personal
11 information in accordance with this subsection. Such consent
12 shall be separate from any other certification or signature on
13 such application. The Secretary shall include on the
14 application a brief statement about the requirement of the
15 law, a citation of the Act, and the consequences for failing to
16 meet the same. The Secretary shall forward to the selective
17 service system, in an electronic format, the necessary
18 personal information required for registration only of
19 individuals who have affirmatively opted and consented,
20 pursuant to this subsection, to authorize the Secretary to
21 forward such information to the selective service system. Any
22 ~~male United States citizen or immigrant who applies for any~~
23 ~~permit or license authorized to be issued under this Code or~~
24 ~~for a renewal of any permit or license, and who is at least 18~~
25 ~~years of age but less than 26 years of age, must be registered~~
26 ~~in compliance with the requirements of the federal Military~~

1 ~~Selective Service Act. The Secretary of State must forward in~~
2 ~~an electronic format the necessary personal information~~
3 ~~regarding the applicants identified in this subsection (d) to~~
4 ~~the Selective Service System. The applicant's signature on the~~
5 ~~application serves as an indication that the applicant either~~
6 ~~has already registered with the Selective Service System or~~
7 ~~that he is authorizing the Secretary to forward to the~~
8 ~~Selective Service System the necessary information for~~
9 ~~registration. The Secretary must notify the applicant at the~~
10 ~~time of application that his signature constitutes consent to~~
11 ~~registration with the Selective Service System, if he is not~~
12 ~~already registered.~~

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

1 Veterans' Affairs shall provide a certificate to the veteran
2 to provide to the Secretary of State. The Illinois Department
3 of Veterans' Affairs shall advise the Secretary as to what
4 other forms of proof of a person's status as a veteran are
5 acceptable.

6 For each applicant who is issued a driver's license with a
7 veteran designation, the Secretary shall provide the
8 Department of Veterans' Affairs with the applicant's name,
9 address, date of birth, gender and such other demographic
10 information as agreed to by the Secretary and the Department.
11 The Department may take steps necessary to confirm the
12 applicant is a veteran. If after due diligence, including
13 writing to the applicant at the address provided by the
14 Secretary, the Department is unable to verify the applicant's
15 veteran status, the Department shall inform the Secretary, who
16 shall notify the applicant that he or she must confirm status
17 as a veteran, or the driver's license will be cancelled.

18 For purposes of this subsection (e):

19 "Armed forces" means any of the Armed Forces of the United
20 States, including a member of any reserve component or
21 National Guard unit.

22 "Veteran" means a person who has served in the armed
23 forces and was discharged or separated under honorable
24 conditions.

25 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
26 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

1 (625 ILCS 5/6-107.1)

2 Sec. 6-107.1. Instruction permit for a minor.

3 (a) The Secretary of State, upon receiving proper
4 application and payment of the required fee, may issue an
5 instruction permit to any person under the age of 18 years who
6 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,
7 or 8 of Section 6-103, after the applicant has successfully
8 passed such examination as the Secretary of State in his
9 discretion may prescribe.

10 (1) An instruction permit issued under this Section
11 shall be valid for a period of 24 months after the date of
12 its issuance and shall be restricted, by the Secretary of
13 State, to the operation of a motor vehicle by the minor
14 only when under direct supervision of the adult instructor
15 of a driver education program during enrollment in the
16 program or when practicing under direct supervision of a
17 parent, legal guardian, family member, or a person in loco
18 parentis who is 21 years of age or more, has a license
19 classification to operate such vehicle and at least one
20 year of driving experience, and who is occupying a seat
21 beside the driver.

22 (2) A 24 month instruction permit for a motor driven
23 cycle may be issued to a person 15 ~~16 or 17~~ years of age
24 and entitles the holder to drive upon the highways during
25 daylight under direct supervision of a licensed motor

1 driven cycle operator or motorcycle operator 21 years of
2 age or older who has a license classification to operate
3 such motor driven cycle or motorcycle and at least one
4 year of driving experience.

5 (3) A 24 month instruction permit for a motorcycle
6 other than a motor driven cycle may be issued to a person
7 15 ~~16 or 17~~ years of age in accordance with the provisions
8 of paragraph 2 of Section 6-103 and entitles a holder to
9 drive upon the highways during daylight under the direct
10 supervision of a licensed motorcycle operator 21 years of
11 age or older who has at least one year of driving
12 experience.

13 (b) An instruction permit issued under this Section when
14 issued to a person under the age of 18 years shall, as a matter
15 of law, be invalid for the operation of any motor vehicle
16 during the following times:

- 17 (1) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;
18 (2) Between 11:00 p.m. Saturday and 6:00 a.m. on
19 Sunday; and
20 (3) Between 10:00 p.m. on Sunday to Thursday,
21 inclusive, and 6:00 a.m. on the following day.

22 The instruction permit of a person under the age of 18
23 shall not be invalid as described in paragraph (b) of this
24 Section if the instruction permit holder under the age of 18
25 was:

- 26 (1) accompanied by the minor's parent or guardian or

1 other person in custody or control of the minor;

2 (2) on an errand at the direction of the minor's
3 parent or guardian, without any detour or stop;

4 (3) in a motor vehicle involved in interstate travel;

5 (4) going to or returning home from an employment
6 activity, without any detour or stop;

7 (5) involved in an emergency;

8 (6) going to or returning home from, without any
9 detour or stop, an official school, religious, or other
10 recreational activity supervised by adults and sponsored
11 by a government or governmental agency, a civic
12 organization, or another similar entity that takes
13 responsibility for the licensee, without any detour or
14 stop;

15 (7) exercising First Amendment rights protected by the
16 United States Constitution, such as the free exercise of
17 religion, freedom of speech, and the right of assembly; or

18 (8) married or had been married or is an emancipated
19 minor under the Emancipation of Minors Act.

20 (b-1) No instruction permit shall be issued to any
21 applicant who is under the age of 18 years and who has been
22 certified to be a chronic or habitual truant, as defined in
23 Section 26-2a of the School Code.

24 An applicant under the age of 18 years who provides proof
25 that he or she has resumed regular school attendance or that
26 his or her application was denied in error shall be eligible to

1 receive an instruction permit if other requirements are met.
2 The Secretary shall adopt rules for implementing this
3 subsection (b-1).

4 (c) Any person under the age of 16 years who possesses an
5 instruction permit and whose driving privileges have been
6 suspended or revoked under the provisions of this Code shall
7 not be granted a Family Financial Responsibility Driving
8 Permit or a Restricted Driving Permit.

9 (Source: P.A. 95-310, eff. 1-1-08; 96-1237, eff. 1-1-11.)

10 (625 ILCS 5/6-110.2)

11 Sec. 6-110.2. Confidentiality of documents submitted with
12 an application for a driver's license. Documents required to
13 be submitted with an application for a driver's license to
14 prove the applicant's identity (name and date of birth),
15 social security number, written signature, residency, and, as
16 applicable, proof of lawful status shall be confidential and
17 shall not be disclosed as described in Section 6-105.1, except
18 to the following persons:

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

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

1 (3) law enforcement officials for a civil or criminal
2 law enforcement investigation;

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

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

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

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

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

9 (a) The Secretary of State shall file every application
10 for a license or permit accepted under this Chapter, and shall
11 maintain suitable indexes thereof. The records of the
12 Secretary of State shall indicate the action taken with
13 respect to such applications.

14 (b) The Secretary of State shall maintain appropriate
15 records of all licenses and permits refused, cancelled,
16 disqualified, revoked, or suspended and of the revocation,
17 suspension, and disqualification of driving privileges of
18 persons not licensed under this Chapter, and such records
19 shall note the reasons for such action.

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

23 (d) The Secretary of State may also maintain appropriate
24 records of any accident reports received.

25 (e) The Secretary of State shall also maintain appropriate

1 records of any disposition of supervision or records relative
2 to a driver's referral to a driver remedial or rehabilitative
3 program, as required by the Secretary of State or the courts.
4 Such records shall only be available for use by the Secretary,
5 the driver licensing administrator of any other state, law
6 enforcement agencies, the courts, and the affected driver or,
7 upon proper verification, such affected driver's attorney.

8 (f) The Secretary of State shall also maintain or contract
9 to maintain appropriate records of all photographs and
10 signatures obtained in the process of issuing any driver's
11 license, permit, or identification card. The record shall be
12 confidential and shall not be disclosed except to those
13 entities listed under Section 6-110.1 of this Code and by
14 following the procedures in Section 6-105.1.

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

19 (1) The Secretary shall offer, to each applicant for
20 issuance or renewal of a driver's license or
21 identification card who is 16 years of age or older, the
22 opportunity to have his or her name included in the First
23 Person Consent organ and tissue donor registry. The
24 Secretary must advise the applicant or licensee that he or
25 she is under no compulsion to have his or her name included
26 in the registry. An individual who agrees to having his or

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

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

16 (3) When an individual has agreed to have his or her
17 name included in the First Person Consent organ and tissue
18 donor registry, the Secretary of State shall note that
19 agreement in the First Person consent organ and tissue
20 donor registry. Representatives of federally designated
21 organ procurement agencies and tissue banks and the
22 offices of Illinois county coroners and medical examiners
23 may inquire of the Secretary of State whether a potential
24 organ donor's name is included in the First Person Consent
25 organ and tissue donor registry, and the Secretary of
26 State may provide that information to the representative.

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

8 (5) The Secretary of State may undertake additional
9 efforts, including education and awareness activities, to
10 promote organ and tissue donation.

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

16 (Source: P.A. 100-41, eff. 1-1-18.)

17 (Text of Section after amendment by P.A. 102-982)

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

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

24 (b) The Secretary of State shall maintain appropriate
25 records of all licenses and permits refused, cancelled,

1 disqualified, revoked, or suspended and of the revocation,
2 suspension, and disqualification of driving privileges of
3 persons not licensed under this Chapter, and such records
4 shall note the reasons for such action.

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

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

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

18 (f) The Secretary of State shall also maintain or contract
19 to maintain appropriate records of all photographs and
20 signatures obtained in the process of issuing any driver's
21 license, permit, or identification card. The record shall be
22 confidential and shall not be disclosed except to those
23 entities listed under Section 6-110.1 of this Code and by
24 following the procedures in Section 6-105.1.

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26 Consent organ and tissue donor registry in compliance with

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

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

26 (3) When an individual has agreed to have his or her

1 name included in the First Person Consent organ and tissue
2 donor registry, the Secretary of State shall note that
3 agreement in the First Person consent organ and tissue
4 donor registry. Representatives of federally designated
5 organ procurement agencies and tissue banks and the
6 offices of Illinois county coroners and medical examiners
7 may inquire of the Secretary of State whether a potential
8 organ donor's name is included in the First Person Consent
9 organ and tissue donor registry, and the Secretary of
10 State may provide that information to the representative.

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

18 (5) The Secretary of State may undertake additional
19 efforts, including education and awareness activities, to
20 promote organ and tissue donation.

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

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

1 (625 ILCS 5/6-117.1)

2 Sec. 6-117.1. Prohibited use of driver's license
3 information.

4 (a) When information is obtained from a driver's license
5 to identify or prove the age of the holder of the license, or
6 in the course of a commercial transaction, that information
7 may be used only for purposes of identification of the
8 individual or for completing the commercial transaction in
9 which the information was obtained, including all subsequent
10 payment, processing, collection, and other related actions.
11 Information obtained from a driver's license may not be used
12 for purposes unrelated to the transaction in which it was
13 obtained, including, but not limited to, commercial
14 solicitations. Information obtained from a driver's license to
15 identify the holder of the license, or in the course of a
16 commercial transaction, may not be sold, leased, or otherwise
17 provided to any third party.

18 (b) Any individual whose driver's license information has
19 been used in violation of this Section has a cause of action
20 against the person who violated this Section. Upon a finding
21 that a violation did occur, the individual whose information
22 was used in violation of this Section is entitled to recover
23 actual damages, but not less than liquidated damages in the
24 amount of \$250 for each violation, plus attorney's fees and
25 the costs of bringing the action.

1 (c) Use of information contained on a driver's license is
2 not a violation of this Section if (i) the individual whose
3 information has been used gave express permission for that use
4 or (ii) the information relating to the individual was
5 obtained from a source other than the individual's driver's
6 license.

7 (d) (Blank). ~~This Section does not apply to any agency of
8 the United States, the State of Illinois, or any other state or
9 political subdivision thereof.~~

10 (e) This Section does not apply to the transfer of
11 information to a third party if (i) a federal or State law,
12 rule, or regulation requires that the information be
13 transferred to a third party after being recorded in specified
14 transactions or (ii) the information is transferred to a third
15 party for purposes of the detection or possible prosecution of
16 criminal offenses or fraud. If information is transferred to a
17 third party under this subsection (e), it may be used only for
18 the purposes authorized by this subsection (e).

19 (f) This Section does not apply to the use of information
20 obtained from a driver's license which has been provided by
21 the holder of the license in the course of a potential or
22 completed employment, commercial, business or professional
23 transaction for the purpose of completing written documents
24 including, but not limited to, contracts, agreements, purchase
25 orders, retail installment contracts, buyer's orders, purchase
26 contracts, repair orders, applications, disclosure forms or

1 waiver forms.

2 (Source: P.A. 94-892, eff. 1-1-07.)

3 (625 ILCS 5/6-206)

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

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

7 (a) The Secretary of State is authorized to suspend or
8 revoke the driving privileges of any person without
9 preliminary hearing upon a showing of the person's records or
10 other sufficient evidence that the person:

11 1. Has committed an offense for which mandatory
12 revocation of a driver's license or permit is required
13 upon conviction;

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

19 3. Has been repeatedly involved as a driver in motor
20 vehicle collisions or has been repeatedly convicted of
21 offenses against laws and ordinances regulating the
22 movement of traffic, to a degree that indicates lack of
23 ability to exercise ordinary and reasonable care in the
24 safe operation of a motor vehicle or disrespect for the
25 traffic laws and the safety of other persons upon the

1 highway;

2 4. Has by the unlawful operation of a motor vehicle
3 caused or contributed to an accident resulting in injury
4 requiring immediate professional treatment in a medical
5 facility or doctor's office to any person, except that any
6 suspension or revocation imposed by the Secretary of State
7 under the provisions of this subsection shall start no
8 later than 6 months after being convicted of violating a
9 law or ordinance regulating the movement of traffic, which
10 violation is related to the accident, or shall start not
11 more than one year after the date of the accident,
12 whichever date occurs later;

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

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

19 7. Has refused or failed to submit to an examination
20 provided for by Section 6-207 or has failed to pass the
21 examination;

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

24 9. Has made a false statement or knowingly concealed a
25 material fact or has used false information or
26 identification in any application for a license,

1 identification card, or permit;

2 10. Has possessed, displayed, or attempted to
3 fraudulently use any license, identification card, or
4 permit not issued to the person;

5 11. Has operated a motor vehicle upon a highway of
6 this State when the person's driving privilege or
7 privilege to obtain a driver's license or permit was
8 revoked or suspended unless the operation was authorized
9 by a monitoring device driving permit, judicial driving
10 permit issued prior to January 1, 2009, probationary
11 license to drive, or restricted driving permit issued
12 under this Code;

13 12. Has submitted to any portion of the application
14 process for another person or has obtained the services of
15 another person to submit to any portion of the application
16 process for the purpose of obtaining a license,
17 identification card, or permit for some other person;

18 13. Has operated a motor vehicle upon a highway of
19 this State when the person's driver's license or permit
20 was invalid under the provisions of Sections 6-107.1 and
21 6-110;

22 14. Has committed a violation of Section 6-301,
23 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
24 14B of the Illinois Identification Card Act or a similar
25 offense in another state if, at the time of the offense,
26 the person held an Illinois driver's license or

1 identification card;

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

8 16. Has been convicted of violating Section 11-204 of
9 this Code relating to fleeing from a peace officer;

10 17. Has refused to submit to a test, or tests, as
11 required under Section 11-501.1 of this Code and the
12 person has not sought a hearing as provided for in Section
13 11-501.1;

14 18. (Blank);

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

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

20 21. Has been convicted of violating Section 11-402 of
21 this Code relating to leaving the scene of an accident
22 resulting in damage to a vehicle in excess of \$1,000, in
23 which case the suspension shall be for one year;

24 22. Has used a motor vehicle in violating paragraph
25 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
26 the Criminal Code of 1961 or the Criminal Code of 2012

1 relating to unlawful use of weapons, in which case the
2 suspension shall be for one year;

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

7 24. Has been convicted by a court-martial or punished
8 by non-judicial punishment by military authorities of the
9 United States at a military installation in Illinois or in
10 another state of or for a traffic-related offense that is
11 the same as or similar to an offense specified under
12 Section 6-205 or 6-206 of this Code;

13 25. Has permitted any form of identification to be
14 used by another in the application process in order to
15 obtain or attempt to obtain a license, identification
16 card, or permit;

17 26. Has altered or attempted to alter a license or has
18 possessed an altered license, identification card, or
19 permit;

20 27. (Blank);

21 28. Has been convicted for a first time of the illegal
22 possession, while operating or in actual physical control,
23 as a driver, of a motor vehicle, of any controlled
24 substance prohibited under the Illinois Controlled
25 Substances Act, any cannabis prohibited under the Cannabis
26 Control Act, or any methamphetamine prohibited under the

1 Methamphetamine Control and Community Protection Act, in
2 which case the person's driving privileges shall be
3 suspended for one year. Any defendant found guilty of this
4 offense while operating a motor vehicle shall have an
5 entry made in the court record by the presiding judge that
6 this offense did occur while the defendant was operating a
7 motor vehicle and order the clerk of the court to report
8 the violation to the Secretary of State;

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

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

1 31. Has refused to submit to a test as required by
2 Section 11-501.6 of this Code or Section 5-16c of the Boat
3 Registration and Safety Act or has submitted to a test
4 resulting in an alcohol concentration of 0.08 or more or
5 any amount of a drug, substance, or compound resulting
6 from the unlawful use or consumption of cannabis as listed
7 in the Cannabis Control Act, a controlled substance as
8 listed in the Illinois Controlled Substances Act, an
9 intoxicating compound as listed in the Use of Intoxicating
10 Compounds Act, or methamphetamine as listed in the
11 Methamphetamine Control and Community Protection Act, in
12 which case the penalty shall be as prescribed in Section
13 6-208.1;

14 32. Has been convicted of Section 24-1.2 of the
15 Criminal Code of 1961 or the Criminal Code of 2012
16 relating to the aggravated discharge of a firearm if the
17 offender was located in a motor vehicle at the time the
18 firearm was discharged, in which case the suspension shall
19 be for 3 years;

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

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

26 35. Has committed a violation of Section 11-1301.6 of

1 this Code or a similar provision of a local ordinance;

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

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

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

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

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

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

24 42. Has committed a violation of subsection (a-1) of
25 Section 11-1301.3 of this Code or a similar provision of a
26 local ordinance;

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

8 44. Is under the age of 21 years at the time of arrest
9 and has been convicted of an offense against traffic
10 regulations governing the movement of vehicles after
11 having previously had his or her driving privileges
12 suspended or revoked pursuant to subparagraph 36 of this
13 Section;

14 45. Has, in connection with or during the course of a
15 formal hearing conducted under Section 2-118 of this Code:
16 (i) committed perjury; (ii) submitted fraudulent or
17 falsified documents; (iii) submitted documents that have
18 been materially altered; or (iv) submitted, as his or her
19 own, documents that were in fact prepared or composed for
20 another person;

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

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

25 48. Has submitted a falsified or altered medical
26 examiner's certificate to the Secretary of State or

1 provided false information to obtain a medical examiner's
2 certificate;

3 49. Has been convicted of a violation of Section
4 11-1002 or 11-1002.5 that resulted in a Type A injury to
5 another, in which case the driving privileges of the
6 person shall be suspended for 12 months;

7 50. Has committed a violation of subsection (b-5) of
8 Section 12-610.2 that resulted in great bodily harm,
9 permanent disability, or disfigurement, in which case the
10 driving privileges of the person shall be suspended for 12
11 months;

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

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

18 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
19 and 27 of this subsection, license means any driver's license,
20 any traffic ticket issued when the person's driver's license
21 is deposited in lieu of bail, a suspension notice issued by the
22 Secretary of State, a duplicate or corrected driver's license
23 ~~or a probationary driver's license, or a temporary driver's~~
24 ~~license.~~

25 (b) If any conviction forming the basis of a suspension or
26 revocation authorized under this Section is appealed, the

1 Secretary of State may rescind or withhold the entry of the
2 order of suspension or revocation, as the case may be,
3 provided that a certified copy of a stay order of a court is
4 filed with the Secretary of State. If the conviction is
5 affirmed on appeal, the date of the conviction shall relate
6 back to the time the original judgment of conviction was
7 entered and the 6-month limitation prescribed shall not apply.

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

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

1 affidavit shall also state the number of offenses committed
2 while operating a vehicle in connection with the driver's
3 regular occupation. The affidavit shall be accompanied by the
4 driver's license. Upon receipt of a properly completed
5 affidavit, the Secretary of State shall issue the driver a
6 permit to operate a vehicle in connection with the driver's
7 regular occupation only. Unless the permit is issued by the
8 Secretary of State prior to the date of suspension, the
9 privilege to drive any motor vehicle shall be suspended as set
10 forth in the notice that was mailed under this Section. If an
11 affidavit is received subsequent to the effective date of this
12 suspension, a permit may be issued for the remainder of the
13 suspension period.

14 The provisions of this subparagraph shall not apply to any
15 driver required to possess a CDL for the purpose of operating a
16 commercial motor vehicle.

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

21 3. At the conclusion of a hearing under Section 2-118 of
22 this Code, the Secretary of State shall either rescind or
23 continue an order of revocation or shall substitute an order
24 of suspension; or, good cause appearing therefor, rescind,
25 continue, change, or extend the order of suspension. If the
26 Secretary of State does not rescind the order, the Secretary

1 may upon application, to relieve undue hardship (as defined by
2 the rules of the Secretary of State), issue a restricted
3 driving permit granting the privilege of driving a motor
4 vehicle between the petitioner's residence and petitioner's
5 place of employment or within the scope of the petitioner's
6 employment-related duties, or to allow the petitioner to
7 transport himself or herself, or a family member of the
8 petitioner's household to a medical facility, to receive
9 necessary medical care, to allow the petitioner to transport
10 himself or herself to and from alcohol or drug remedial or
11 rehabilitative activity recommended by a licensed service
12 provider, or to allow the petitioner to transport himself or
13 herself or a family member of the petitioner's household to
14 classes, as a student, at an accredited educational
15 institution, or to allow the petitioner to transport children,
16 elderly persons, or persons with disabilities who do not hold
17 driving privileges and are living in the petitioner's
18 household to and from daycare. The petitioner must demonstrate
19 that no alternative means of transportation is reasonably
20 available and that the petitioner will not endanger the public
21 safety or welfare.

22 (A) If a person's license or permit is revoked or
23 suspended due to 2 or more convictions of violating
24 Section 11-501 of this Code or a similar provision of a
25 local ordinance or a similar out-of-state offense, or
26 Section 9-3 of the Criminal Code of 1961 or the Criminal

1 Code of 2012, where the use of alcohol or other drugs is
2 recited as an element of the offense, or a similar
3 out-of-state offense, or a combination of these offenses,
4 arising out of separate occurrences, that person, if
5 issued a restricted driving permit, may not operate a
6 vehicle unless it has been equipped with an ignition
7 interlock device as defined in Section 1-129.1.

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

10 (i) a single conviction of violating Section
11 11-501 of this Code or a similar provision of a local
12 ordinance or a similar out-of-state offense or Section
13 9-3 of the Criminal Code of 1961 or the Criminal Code
14 of 2012, where the use of alcohol or other drugs is
15 recited as an element of the offense, or a similar
16 out-of-state offense; or

17 (ii) a statutory summary suspension or revocation
18 under Section 11-501.1; or

19 (iii) a suspension under Section 6-203.1;
20 arising out of separate occurrences; that person, if
21 issued a restricted driving permit, may not operate a
22 vehicle unless it has been equipped with an ignition
23 interlock device as defined in Section 1-129.1.

24 (B-5) If a person's license or permit is revoked or
25 suspended due to a conviction for a violation of
26 subparagraph (C) or (F) of paragraph (1) of subsection (d)

1 of Section 11-501 of this Code, or a similar provision of a
2 local ordinance or similar out-of-state offense, that
3 person, if issued a restricted driving permit, may not
4 operate a vehicle unless it has been equipped with an
5 ignition interlock device as defined in Section 1-129.1.

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

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

1 device on every motor vehicle owned or operated by that
2 person.

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

22 (F) A person subject to the provisions of paragraph 4
23 of subsection (b) of Section 6-208 of this Code may make
24 application for a restricted driving permit at a hearing
25 conducted under Section 2-118 of this Code after the
26 expiration of 5 years from the effective date of the most

1 recent revocation or after 5 years from the date of
2 release from a period of imprisonment resulting from a
3 conviction of the most recent offense, whichever is later,
4 provided the person, in addition to all other requirements
5 of the Secretary, shows by clear and convincing evidence:

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

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

20 In determining whether an applicant is eligible for a
21 restricted driving permit under this subparagraph (F), the
22 Secretary may consider any relevant evidence, including,
23 but not limited to, testimony, affidavits, records, and
24 the results of regular alcohol or drug tests. Persons
25 subject to the provisions of paragraph 4 of subsection (b)
26 of Section 6-208 of this Code and who have been convicted

1 of more than one violation of paragraph (3), paragraph
2 (4), or paragraph (5) of subsection (a) of Section 11-501
3 of this Code shall not be eligible to apply for a
4 restricted driving permit under this subparagraph (F).

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

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

23 (c-3) In the case of a suspension under paragraph 43 of
24 subsection (a), reports received by the Secretary of State
25 under this Section shall, except during the actual time the
26 suspension is in effect, be privileged information and for use

1 only by the courts, police officers, prosecuting authorities,
2 the driver licensing administrator of any other state, the
3 Secretary of State, or the parent or legal guardian of a driver
4 under the age of 18. However, beginning January 1, 2008, if the
5 person is a CDL holder, the suspension shall also be made
6 available to the driver licensing administrator of any other
7 state, the U.S. Department of Transportation, and the affected
8 driver or motor carrier or prospective motor carrier upon
9 request.

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

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

22 (d) This Section is subject to the provisions of the
23 Driver License Compact.

24 (e) The Secretary of State shall not issue a restricted
25 driving permit to a person under the age of 16 years whose
26 driving privileges have been suspended or revoked under any

1 provisions of this Code.

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

7 (Source: P.A. 101-90, eff. 7-1-20; 101-470, eff. 7-1-20;
8 101-623, eff. 7-1-20; 101-652, eff. 1-1-23; 102-299, eff.
9 8-6-21; 102-558, eff. 8-20-21; 102-749, eff. 1-1-23; 102-813,
10 eff. 5-13-22; revised 12-14-22.)

11 (Text of Section after amendment by P.A. 102-982)

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

14 (a) The Secretary of State is authorized to suspend or
15 revoke the driving privileges of any person without
16 preliminary hearing upon a showing of the person's records or
17 other sufficient evidence that the person:

18 1. Has committed an offense for which mandatory
19 revocation of a driver's license or permit is required
20 upon conviction;

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

1 3. Has been repeatedly involved as a driver in motor
2 vehicle collisions or has been repeatedly convicted of
3 offenses against laws and ordinances regulating the
4 movement of traffic, to a degree that indicates lack of
5 ability to exercise ordinary and reasonable care in the
6 safe operation of a motor vehicle or disrespect for the
7 traffic laws and the safety of other persons upon the
8 highway;

9 4. Has by the unlawful operation of a motor vehicle
10 caused or contributed to a crash resulting in injury
11 requiring immediate professional treatment in a medical
12 facility or doctor's office to any person, except that any
13 suspension or revocation imposed by the Secretary of State
14 under the provisions of this subsection shall start no
15 later than 6 months after being convicted of violating a
16 law or ordinance regulating the movement of traffic, which
17 violation is related to the crash, or shall start not more
18 than one year after the date of the crash, whichever date
19 occurs later;

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

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

26 7. Has refused or failed to submit to an examination

1 provided for by Section 6-207 or has failed to pass the
2 examination;

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

5 9. Has made a false statement or knowingly concealed a
6 material fact or has used false information or
7 identification in any application for a license,
8 identification card, or permit;

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

12 11. Has operated a motor vehicle upon a highway of
13 this State when the person's driving privilege or
14 privilege to obtain a driver's license or permit was
15 revoked or suspended unless the operation was authorized
16 by a monitoring device driving permit, judicial driving
17 permit issued prior to January 1, 2009, probationary
18 license to drive, or restricted driving permit issued
19 under this Code;

20 12. Has submitted to any portion of the application
21 process for another person or has obtained the services of
22 another person to submit to any portion of the application
23 process for the purpose of obtaining a license,
24 identification card, or permit for some other person;

25 13. Has operated a motor vehicle upon a highway of
26 this State when the person's driver's license or permit

1 was invalid under the provisions of Sections 6-107.1 and
2 6-110;

3 14. Has committed a violation of Section 6-301,
4 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
5 14B of the Illinois Identification Card Act or a similar
6 offense in another state if, at the time of the offense,
7 the person held an Illinois driver's license or
8 identification card;

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

15 16. Has been convicted of violating Section 11-204 of
16 this Code relating to fleeing from a peace officer;

17 17. Has refused to submit to a test, or tests, as
18 required under Section 11-501.1 of this Code and the
19 person has not sought a hearing as provided for in Section
20 11-501.1;

21 18. (Blank);

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

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

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

5 22. Has used a motor vehicle in violating paragraph
6 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
7 the Criminal Code of 1961 or the Criminal Code of 2012
8 relating to unlawful use of weapons, in which case the
9 suspension shall be for one year;

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

14 24. Has been convicted by a court-martial or punished
15 by non-judicial punishment by military authorities of the
16 United States at a military installation in Illinois or in
17 another state of or for a traffic-related offense that is
18 the same as or similar to an offense specified under
19 Section 6-205 or 6-206 of this Code;

20 25. Has permitted any form of identification to be
21 used by another in the application process in order to
22 obtain or attempt to obtain a license, identification
23 card, or permit;

24 26. Has altered or attempted to alter a license or has
25 possessed an altered license, identification card, or
26 permit;

1 27. (Blank);

2 28. Has been convicted for a first time of the illegal
3 possession, while operating or in actual physical control,
4 as a driver, of a motor vehicle, of any controlled
5 substance prohibited under the Illinois Controlled
6 Substances Act, any cannabis prohibited under the Cannabis
7 Control Act, or any methamphetamine prohibited under the
8 Methamphetamine Control and Community Protection Act, in
9 which case the person's driving privileges shall be
10 suspended for one year. Any defendant found guilty of this
11 offense while operating a motor vehicle shall have an
12 entry made in the court record by the presiding judge that
13 this offense did occur while the defendant was operating a
14 motor vehicle and order the clerk of the court to report
15 the violation to the Secretary of State;

16 29. Has been convicted of the following offenses that
17 were committed while the person was operating or in actual
18 physical control, as a driver, of a motor vehicle:
19 criminal sexual assault, predatory criminal sexual assault
20 of a child, aggravated criminal sexual assault, criminal
21 sexual abuse, aggravated criminal sexual abuse, juvenile
22 pimping, soliciting for a juvenile prostitute, promoting
23 juvenile prostitution as described in subdivision (a)(1),
24 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
25 of 1961 or the Criminal Code of 2012, and the manufacture,
26 sale or delivery of controlled substances or instruments

1 used for illegal drug use or abuse in which case the
2 driver's driving privileges shall be suspended for one
3 year;

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

8 31. Has refused to submit to a test as required by
9 Section 11-501.6 of this Code or Section 5-16c of the Boat
10 Registration and Safety Act or has submitted to a test
11 resulting in an alcohol concentration of 0.08 or more or
12 any amount of a drug, substance, or compound resulting
13 from the unlawful use or consumption of cannabis as listed
14 in the Cannabis Control Act, a controlled substance as
15 listed in the Illinois Controlled Substances Act, an
16 intoxicating compound as listed in the Use of Intoxicating
17 Compounds Act, or methamphetamine as listed in the
18 Methamphetamine Control and Community Protection Act, in
19 which case the penalty shall be as prescribed in Section
20 6-208.1;

21 32. Has been convicted of Section 24-1.2 of the
22 Criminal Code of 1961 or the Criminal Code of 2012
23 relating to the aggravated discharge of a firearm if the
24 offender was located in a motor vehicle at the time the
25 firearm was discharged, in which case the suspension shall
26 be for 3 years;

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

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

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

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

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

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

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

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

26 41. Has committed a second or subsequent violation of

1 Section 11-605.1 of this Code, a similar provision of a
2 local ordinance, or a similar violation in any other state
3 within 2 years of the date of the previous violation, in
4 which case the suspension shall be for 90 days;

5 42. Has committed a violation of subsection (a-1) of
6 Section 11-1301.3 of this Code or a similar provision of a
7 local ordinance;

8 43. Has received a disposition of court supervision
9 for a violation of subsection (a), (d), or (e) of Section
10 6-20 of the Liquor Control Act of 1934 or a similar
11 provision of a local ordinance and the person was an
12 occupant of a motor vehicle at the time of the violation,
13 in which case the suspension shall be for a period of 3
14 months;

15 44. Is under the age of 21 years at the time of arrest
16 and has been convicted of an offense against traffic
17 regulations governing the movement of vehicles after
18 having previously had his or her driving privileges
19 suspended or revoked pursuant to subparagraph 36 of this
20 Section;

21 45. Has, in connection with or during the course of a
22 formal hearing conducted under Section 2-118 of this Code:
23 (i) committed perjury; (ii) submitted fraudulent or
24 falsified documents; (iii) submitted documents that have
25 been materially altered; or (iv) submitted, as his or her
26 own, documents that were in fact prepared or composed for

1 another person;

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

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

6 48. Has submitted a falsified or altered medical
7 examiner's certificate to the Secretary of State or
8 provided false information to obtain a medical examiner's
9 certificate;

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

14 50. Has committed a violation of subsection (b-5) of
15 Section 12-610.2 that resulted in great bodily harm,
16 permanent disability, or disfigurement, in which case the
17 driving privileges of the person shall be suspended for 12
18 months;

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

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

25 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
26 and 27 of this subsection, license means any driver's license,

1 any traffic ticket issued when the person's driver's license
2 is deposited in lieu of bail, a suspension notice issued by the
3 Secretary of State, a duplicate or corrected driver's license
4 ~~or a probationary driver's license, or a temporary driver's~~
5 ~~license.~~

6 (b) If any conviction forming the basis of a suspension or
7 revocation authorized under this Section is appealed, the
8 Secretary of State may rescind or withhold the entry of the
9 order of suspension or revocation, as the case may be,
10 provided that a certified copy of a stay order of a court is
11 filed with the Secretary of State. If the conviction is
12 affirmed on appeal, the date of the conviction shall relate
13 back to the time the original judgment of conviction was
14 entered and the 6-month limitation prescribed shall not apply.

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

21 2. If the Secretary of State suspends the driver's license
22 of a person under subsection 2 of paragraph (a) of this
23 Section, a person's privilege to operate a vehicle as an
24 occupation shall not be suspended, provided an affidavit is
25 properly completed, the appropriate fee received, and a permit
26 issued prior to the effective date of the suspension, unless 5

1 offenses were committed, at least 2 of which occurred while
2 operating a commercial vehicle in connection with the driver's
3 regular occupation. All other driving privileges shall be
4 suspended by the Secretary of State. Any driver prior to
5 operating a vehicle for occupational purposes only must submit
6 the affidavit on forms to be provided by the Secretary of State
7 setting forth the facts of the person's occupation. The
8 affidavit shall also state the number of offenses committed
9 while operating a vehicle in connection with the driver's
10 regular occupation. The affidavit shall be accompanied by the
11 driver's license. Upon receipt of a properly completed
12 affidavit, the Secretary of State shall issue the driver a
13 permit to operate a vehicle in connection with the driver's
14 regular occupation only. Unless the permit is issued by the
15 Secretary of State prior to the date of suspension, the
16 privilege to drive any motor vehicle shall be suspended as set
17 forth in the notice that was mailed under this Section. If an
18 affidavit is received subsequent to the effective date of this
19 suspension, a permit may be issued for the remainder of the
20 suspension period.

21 The provisions of this subparagraph shall not apply to any
22 driver required to possess a CDL for the purpose of operating a
23 commercial motor vehicle.

24 Any person who falsely states any fact in the affidavit
25 required herein shall be guilty of perjury under Section 6-302
26 and upon conviction thereof shall have all driving privileges

1 revoked without further rights.

2 3. At the conclusion of a hearing under Section 2-118 of
3 this Code, the Secretary of State shall either rescind or
4 continue an order of revocation or shall substitute an order
5 of suspension; or, good cause appearing therefor, rescind,
6 continue, change, or extend the order of suspension. If the
7 Secretary of State does not rescind the order, the Secretary
8 may upon application, to relieve undue hardship (as defined by
9 the rules of the Secretary of State), issue a restricted
10 driving permit granting the privilege of driving a motor
11 vehicle between the petitioner's residence and petitioner's
12 place of employment or within the scope of the petitioner's
13 employment-related duties, or to allow the petitioner to
14 transport himself or herself, or a family member of the
15 petitioner's household to a medical facility, to receive
16 necessary medical care, to allow the petitioner to transport
17 himself or herself to and from alcohol or drug remedial or
18 rehabilitative activity recommended by a licensed service
19 provider, or to allow the petitioner to transport himself or
20 herself or a family member of the petitioner's household to
21 classes, as a student, at an accredited educational
22 institution, or to allow the petitioner to transport children,
23 elderly persons, or persons with disabilities who do not hold
24 driving privileges and are living in the petitioner's
25 household to and from daycare. The petitioner must demonstrate
26 that no alternative means of transportation is reasonably

1 available and that the petitioner will not endanger the public
2 safety or welfare.

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

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

17 (i) a single conviction of violating Section
18 11-501 of this Code or a similar provision of a local
19 ordinance or a similar out-of-state offense or Section
20 9-3 of the Criminal Code of 1961 or the Criminal Code
21 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

24 (ii) a statutory summary suspension or revocation
25 under Section 11-501.1; or

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

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

5 (B-5) If a person's license or permit is revoked or
6 suspended due to a conviction for a violation of
7 subparagraph (C) or (F) of paragraph (1) of subsection (d)
8 of Section 11-501 of this Code, or a similar provision of a
9 local ordinance or similar out-of-state offense, that
10 person, if issued a restricted driving permit, may not
11 operate a vehicle unless it has been equipped with an
12 ignition interlock device as defined in Section 1-129.1.

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

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

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

10 (E) In each case the Secretary may issue a restricted
11 driving permit for a period deemed appropriate, except
12 that all permits shall expire no later than 2 years from
13 the date of issuance. A restricted driving permit issued
14 under this Section shall be subject to cancellation,
15 revocation, and suspension by the Secretary of State in
16 like manner and for like cause as a driver's license
17 issued under this Code may be cancelled, revoked, or
18 suspended; except that a conviction upon one or more
19 offenses against laws or ordinances regulating the
20 movement of traffic shall be deemed sufficient cause for
21 the revocation, suspension, or cancellation of a
22 restricted driving permit. The Secretary of State may, as
23 a condition to the issuance of a restricted driving
24 permit, require the applicant to participate in a
25 designated driver remedial or rehabilitative program. The
26 Secretary of State is authorized to cancel a restricted

1 driving permit if the permit holder does not successfully
2 complete the program.

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

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

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

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

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

23 A restricted driving permit issued under this
24 subparagraph (F) shall be revoked, and the holder barred
25 from applying for or being issued a restricted driving
26 permit in the future, if the holder is convicted of a

1 violation of Section 11-501 of this Code, a similar
2 provision of a local ordinance, or a similar offense in
3 another state.

4 (c-3) In the case of a suspension under paragraph 43 of
5 subsection (a), reports received by the Secretary of State
6 under this Section shall, except during the actual time the
7 suspension is in effect, be privileged information and for use
8 only by the courts, police officers, prosecuting authorities,
9 the driver licensing administrator of any other state, the
10 Secretary of State, or the parent or legal guardian of a driver
11 under the age of 18. However, beginning January 1, 2008, if the
12 person is a CDL holder, the suspension shall also be made
13 available to the driver licensing administrator of any other
14 state, the U.S. Department of Transportation, and the affected
15 driver or motor carrier or prospective motor carrier upon
16 request.

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

22 (c-5) The Secretary of State may, as a condition of the
23 reissuance of a driver's license or permit to an applicant
24 whose driver's license or permit has been suspended before he
25 or she reached the age of 21 years pursuant to any of the
26 provisions of this Section, require the applicant to

1 participate in a driver remedial education course and be
2 retested under Section 6-109 of this Code.

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

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

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

14 (Source: P.A. 101-90, eff. 7-1-20; 101-470, eff. 7-1-20;
15 101-623, eff. 7-1-20; 101-652, eff. 1-1-23; 102-299, eff.
16 8-6-21; 102-558, eff. 8-20-21; 102-749, eff. 1-1-23; 102-813,
17 eff. 5-13-22; 102-982, eff. 7-1-23; revised 12-14-22.)

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