

1 AN ACT in relation to vehicles.

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 6-205, 6-206, 11-204, and 11-204.1 as
6 follows:

7 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

8 Sec. 6-205. Mandatory revocation of license or permit;
9 Hardship cases.

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

14 1. Reckless homicide resulting from the operation
15 of a motor vehicle;

16 2. Violation of Section 11-501 of this Code or a
17 similar provision of a local ordinance relating to the
18 offense of operating or being in physical control of a
19 vehicle while under the influence of alcohol, other drug
20 or drugs, intoxicating compound or compounds, or any
21 combination thereof;

22 3. Any felony under the laws of any State or the
23 federal government in the commission of which a motor
24 vehicle was used;

25 4. Violation of Section 11-401 of this Code
26 relating to the offense of leaving the scene of a traffic
27 accident involving death or personal injury;

28 5. Perjury or the making of a false affidavit or
29 statement under oath to the Secretary of State under this
30 Code or under any other law relating to the ownership or
31 operation of motor vehicles;

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

4 7. Conviction of any offense defined in Section
5 4-102 of this Code;

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

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

9 10. Violation of Section 12-5 of the Criminal Code
10 of 1961 arising from the use of a motor vehicle;

11 11. Violation of Section 11-204.1 of this Code
12 relating to aggravated fleeing or attempting to elude a
13 peace police officer;

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

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

24 (b) The Secretary of State shall also immediately revoke
25 the license or permit of any driver in the following
26 situations:

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

32 2. Of any person when any other law of this State
33 requires either the revocation or suspension of a license
34 or permit.

1 (c) Whenever a person is convicted of any of the
2 offenses enumerated in this Section, the court may recommend
3 and the Secretary of State in his discretion, without regard
4 to whether the recommendation is made by the court may, upon
5 application, issue to the person a restricted driving permit
6 granting the privilege of driving a motor vehicle between the
7 petitioner's residence and petitioner's place of employment
8 or within the scope of the petitioner's employment related
9 duties, or to allow transportation for the petitioner or a
10 household member of the petitioner's family for the receipt
11 of necessary medical care or, if the professional evaluation
12 indicates, provide transportation for the petitioner for
13 alcohol remedial or rehabilitative activity, or for the
14 petitioner to attend classes, as a student, in an accredited
15 educational institution; if the petitioner is able to
16 demonstrate that no alternative means of transportation is
17 reasonably available and the petitioner will not endanger the
18 public safety or welfare; provided that the Secretary's
19 discretion shall be limited to cases where undue hardship
20 would result from a failure to issue the restricted driving
21 permit.

22 If a person's license or permit has been revoked or
23 suspended due to 2 or more convictions of violating Section
24 11-501 of this Code or a similar provision of a local
25 ordinance or a similar out-of-state offense, arising out of
26 separate occurrences, that person, if issued a restricted
27 driving permit, may not operate a vehicle unless it has been
28 equipped with an ignition interlock device as defined in
29 Section 1-129.1.

30 If a person's license or permit has been revoked or
31 suspended 2 or more times within a 10 year period due to a
32 single conviction of violating Section 11-501 of this Code or
33 a similar provision of a local ordinance or a similar
34 out-of-state offense, and a statutory summary suspension

1 under Section 11-501.1, or 2 or more statutory summary
2 suspensions, or combination of 2 offenses, or of an offense
3 and a statutory summary suspension, arising out of separate
4 occurrences, that person, if issued a restricted driving
5 permit, may not operate a vehicle unless it has been equipped
6 with an ignition interlock device as defined in Section
7 1-129.1. The person must pay to the Secretary of State DUI
8 Administration Fund an amount not to exceed \$20 per month.
9 The Secretary shall establish by rule the amount and the
10 procedures, terms, and conditions relating to these fees. If
11 the restricted driving permit was issued for employment
12 purposes, then this provision does not apply to the operation
13 of an occupational vehicle owned or leased by that person's
14 employer. In each case the Secretary of State may issue a
15 restricted driving permit for a period he deems appropriate,
16 except that the permit shall expire within one year from the
17 date of issuance. The Secretary may not, however, issue a
18 restricted driving permit to any person whose current
19 revocation is the result of a second or subsequent conviction
20 for a violation of Section 11-501 of this Code or a similar
21 provision of a local ordinance relating to the offense of
22 operating or being in physical control of a motor vehicle
23 while under the influence of alcohol, other drug or drugs,
24 intoxicating compound or compounds, or any similar
25 out-of-state offense, or any combination thereof, until the
26 expiration of at least one year from the date of the
27 revocation. A restricted driving permit issued under this
28 Section shall be subject to cancellation, revocation, and
29 suspension by the Secretary of State in like manner and for
30 like cause as a driver's license issued under this Code may
31 be cancelled, revoked, or suspended; except that a conviction
32 upon one or more offenses against laws or ordinances
33 regulating the movement of traffic shall be deemed sufficient
34 cause for the revocation, suspension, or cancellation of a

1 restricted driving permit. The Secretary of State may, as a
2 condition to the issuance of a restricted driving permit,
3 require the applicant to participate in a designated driver
4 remedial or rehabilitative program. The Secretary of State is
5 authorized to cancel a restricted driving permit if the
6 permit holder does not successfully complete the program.
7 However, if an individual's driving privileges have been
8 revoked in accordance with paragraph 13 of subsection (a) of
9 this Section, no restricted driving permit shall be issued
10 until the individual has served 6 months of the revocation
11 period.

12 (d) Whenever a person under the age of 21 is convicted
13 under Section 11-501 of this Code or a similar provision of a
14 local ordinance, the Secretary of State shall revoke the
15 driving privileges of that person. One year after the date
16 of revocation, and upon application, the Secretary of State
17 may, if satisfied that the person applying will not endanger
18 the public safety or welfare, issue a restricted driving
19 permit granting the privilege of driving a motor vehicle only
20 between the hours of 5 a.m. and 9 p.m. or as otherwise
21 provided by this Section for a period of one year. After
22 this one year period, and upon reapplication for a license as
23 provided in Section 6-106, upon payment of the appropriate
24 reinstatement fee provided under paragraph (b) of Section
25 6-118, the Secretary of State, in his discretion, may issue
26 the applicant a license, or extend the restricted driving
27 permit as many times as the Secretary of State deems
28 appropriate, by additional periods of not more than 12 months
29 each, until the applicant attains 21 years of age.

30 If a person's license or permit has been revoked or
31 suspended due to 2 or more convictions of violating Section
32 11-501 of this Code or a similar provision of a local
33 ordinance or a similar out-of-state offense, arising out of
34 separate occurrences, that person, if issued a restricted

1 driving permit, may not operate a vehicle unless it has been
2 equipped with an ignition interlock device as defined in
3 Section 1-129.1.

4 If a person's license or permit has been revoked or
5 suspended 2 or more times within a 10 year period due to a
6 single conviction of violating Section 11-501 of this Code or
7 a similar provision of a local ordinance or a similar
8 out-of-state offense, and a statutory summary suspension
9 under Section 11-501.1, or 2 or more statutory summary
10 suspensions, or combination of 2 offenses, or of an offense
11 and a statutory summary suspension, arising out of separate
12 occurrences, that person, if issued a restricted driving
13 permit, may not operate a vehicle unless it has been equipped
14 with an ignition interlock device as defined in Section
15 1-129.1. The person must pay to the Secretary of State DUI
16 Administration Fund an amount not to exceed \$20 per month.
17 The Secretary shall establish by rule the amount and the
18 procedures, terms, and conditions relating to these fees. If
19 the restricted driving permit was issued for employment
20 purposes, then this provision does not apply to the operation
21 of an occupational vehicle owned or leased by that person's
22 employer. A restricted driving permit issued under this
23 Section shall be subject to cancellation, revocation, and
24 suspension by the Secretary of State in like manner and for
25 like cause as a driver's license issued under this Code may
26 be cancelled, revoked, or suspended; except that a conviction
27 upon one or more offenses against laws or ordinances
28 regulating the movement of traffic shall be deemed sufficient
29 cause for the revocation, suspension, or cancellation of a
30 restricted driving permit. The revocation periods contained
31 in this subparagraph shall apply to similar out-of-state
32 convictions.

33 (e) This Section is subject to the provisions of the
34 Driver License Compact.

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

5 (g) 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 revoked under any provisions of
 8 this Code.

9 (h) The Secretary of State shall require the use of
 10 ignition interlock devices on all vehicles owned by an
 11 individual who has been convicted of a second or subsequent
 12 offense under Section 11-501 of this Code or a similar
 13 provision of a local ordinance. The Secretary shall
 14 establish by rule and regulation the procedures for
 15 certification and use of the interlock system.

16 (i) The Secretary of State may not issue a restricted
 17 driving permit for a period of one year after a second or
 18 subsequent revocation of driving privileges under clause
 19 (a)(2) of this Section; however, one year after the date of a
 20 second or subsequent revocation of driving privileges under
 21 clause (a)(2) of this Section, the Secretary of State may,
 22 upon application, issue a restricted driving permit under the
 23 terms and conditions of subsection (c).

24 (Source: P.A. 91-357, eff. 7-29-99; 92-248, eff. 8-3-01;
 25 92-418, eff. 8-17-01; 92-651, eff. 7-11-02; 92-834, eff.
 26 8-22-02.)

27 (625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)
 28 Sec. 6-206. Discretionary authority to suspend or revoke
 29 license or permit; Right to a hearing.

30 (a) The Secretary of State is authorized to suspend or
 31 revoke the driving privileges of any person without
 32 preliminary hearing upon a showing of the person's records or
 33 other sufficient evidence that the person:

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

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

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

17 4. Has by the unlawful operation of a motor vehicle
18 caused or contributed to an accident resulting in death
19 or injury requiring immediate professional treatment in a
20 medical facility or doctor's office to any person, except
21 that any suspension or revocation imposed by the
22 Secretary of State under the provisions of this
23 subsection shall start no later than 6 months after being
24 convicted of violating a law or ordinance regulating the
25 movement of traffic, which violation is related to the
26 accident, or shall start not more than one year after the
27 date of the accident, whichever date occurs later;

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

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

34 7. Has refused or failed to submit to an

1 examination provided for by Section 6-207 or has failed
2 to pass the 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
6 concealed a material fact or has used false information
7 or 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 judicial driving permit, probationary license to
17 drive, or a restricted driving permit issued under this
18 Code;

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

25 13. Has operated a motor vehicle upon a highway of
26 this State when the person's driver's license or permit
27 was invalid under the provisions of Sections 6-107.1 and
28 6-110;

29 14. Has committed a violation of Section 6-301,
30 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or
31 14B of the Illinois Identification Card Act;

32 15. Has been convicted of violating Section 21-2 of
33 the Criminal Code of 1961 relating to criminal trespass
34 to vehicles in which case, the suspension shall be for

1 one year;

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

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

9 18. Has, since issuance of a driver's license or
10 permit, been adjudged to be afflicted with or suffering
11 from any mental disability or disease;

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

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

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

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

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

30 24. Has been convicted by a court-martial or
31 punished by non-judicial punishment by military
32 authorities of the United States at a military
33 installation in Illinois of or for a traffic related
34 offense that is the same as or similar to an offense

1 specified under Section 6-205 or 6-206 of this Code;

2 25. Has permitted any form of identification to be
3 used by another in the application process in order to
4 obtain or attempt to obtain a license, identification
5 card, or permit;

6 26. Has altered or attempted to alter a license or
7 has possessed an altered license, identification card, or
8 permit;

9 27. Has violated Section 6-16 of the Liquor Control
10 Act of 1934;

11 28. Has been convicted of the illegal possession,
12 while operating or in actual physical control, as a
13 driver, of a motor vehicle, of any controlled substance
14 prohibited under the Illinois Controlled Substances Act
15 or any cannabis prohibited under the provisions of the
16 Cannabis Control Act, in which case the person's driving
17 privileges shall be suspended for one year, and any
18 driver who is convicted of a second or subsequent
19 offense, within 5 years of a previous conviction, for the
20 illegal possession, while operating or in actual physical
21 control, as a driver, of a motor vehicle, of any
22 controlled substance prohibited under the provisions of
23 the Illinois Controlled Substances Act or any cannabis
24 prohibited under the Cannabis Control Act shall be
25 suspended for 5 years. Any defendant found guilty of this
26 offense while operating a motor vehicle, shall have an
27 entry made in the court record by the presiding judge
28 that this offense did occur while the defendant was
29 operating a motor vehicle and order the clerk of the
30 court to report the violation to the Secretary of State;

31 29. Has been convicted of the following offenses
32 that were committed while the person was operating or in
33 actual physical control, as a driver, of a motor vehicle:
34 criminal sexual assault, predatory criminal sexual

1 assault of a child, aggravated criminal sexual assault,
2 criminal sexual abuse, aggravated criminal sexual abuse,
3 juvenile pimping, soliciting for a juvenile prostitute
4 and the manufacture, sale or delivery of controlled
5 substances or instruments used for illegal drug use or
6 abuse in which case the driver's driving privileges shall
7 be suspended for one year;

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

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

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

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

31 34. Has committed a violation of Section 11-1301.5
32 of this Code;

33 35. Has committed a violation of Section 11-1301.6
34 of this Code;

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

7 37. Has committed a violation of subsection (c) of
 8 Section 11-907 of this Code; ~~or~~

9 38. Has been convicted of a violation of Section
 10 6-20 of the Liquor Control Act of 1934 or a similar
 11 provision of a local ordinance; or.

12 39. ~~38.~~ Has committed a second or subsequent
 13 violation of Section 11-1201 of this Code.

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

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

31 (c) 1. Upon suspending or revoking the driver's license
 32 or permit of any person as authorized in this Section,
 33 the Secretary of State shall immediately notify the
 34 person in writing of the revocation or suspension. The

1 notice to be deposited in the United States mail, postage
2 prepaid, to the last known address of the person.

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

31 The provisions of this subparagraph shall not apply
32 to any driver required to obtain a commercial driver's
33 license under Section 6-507 during the period of a
34 disqualification of commercial driving privileges under

1 Section 6-514.

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

7 3. At the conclusion of a hearing under Section
8 2-118 of this Code, the Secretary of State shall either
9 rescind or continue an order of revocation or shall
10 substitute an order of suspension; or, good cause
11 appearing therefor, rescind, continue, change, or extend
12 the order of suspension. If the Secretary of State does
13 not rescind the order, the Secretary may upon
14 application, to relieve undue hardship, issue a
15 restricted driving permit granting the privilege of
16 driving a motor vehicle between the petitioner's
17 residence and petitioner's place of employment or within
18 the scope of his employment related duties, or to allow
19 transportation for the petitioner, or a household member
20 of the petitioner's family, to receive necessary medical
21 care and if the professional evaluation indicates,
22 provide transportation for alcohol remedial or
23 rehabilitative activity, or for the petitioner to attend
24 classes, as a student, in an accredited educational
25 institution; if the petitioner is able to demonstrate
26 that no alternative means of transportation is reasonably
27 available and the petitioner will not endanger the public
28 safety or welfare.

29 If a person's license or permit has been revoked or
30 suspended due to 2 or more convictions of violating
31 Section 11-501 of this Code or a similar provision of a
32 local ordinance or a similar out-of-state offense,
33 arising out of separate occurrences, that person, if
34 issued a restricted driving permit, may not operate a

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

3 If a person's license or permit has been revoked or
4 suspended 2 or more times within a 10 year period due to
5 a single conviction of violating Section 11-501 of this
6 Code or a similar provision of a local ordinance or a
7 similar out-of-state offense, and a statutory summary
8 suspension under Section 11-501.1, or 2 or more statutory
9 summary suspensions, or combination of 2 offenses, or of
10 an offense and a statutory summary suspension, arising
11 out of separate occurrences, that person, if issued a
12 restricted driving permit, may not operate a vehicle
13 unless it has been equipped with an ignition interlock
14 device as defined in Section 1-129.1. The person must
15 pay to the Secretary of State DUI Administration Fund an
16 amount not to exceed \$20 per month. The Secretary shall
17 establish by rule the amount and the procedures, terms,
18 and conditions relating to these fees. If the restricted
19 driving permit was issued for employment purposes, then
20 this provision does not apply to the operation of an
21 occupational vehicle owned or leased by that person's
22 employer. In each case the Secretary may issue a
23 restricted driving permit for a period deemed
24 appropriate, except that all permits shall expire within
25 one year from the date of issuance. The Secretary may
26 not, however, issue a restricted driving permit to any
27 person whose current revocation is the result of a second
28 or subsequent conviction for a violation of Section
29 11-501 of this Code or a similar provision of a local
30 ordinance relating to the offense of operating or being
31 in physical control of a motor vehicle while under the
32 influence of alcohol, other drug or drugs, intoxicating
33 compound or compounds, or any similar out-of-state
34 offense, or any combination of those offenses, until the

1 expiration of at least one year from the date of the
2 revocation. A restricted driving permit issued under
3 this Section shall be subject to cancellation,
4 revocation, and suspension by the Secretary of State in
5 like manner and for like cause as a driver's license
6 issued under this Code may be cancelled, revoked, or
7 suspended; except that a conviction upon one or more
8 offenses against laws or ordinances regulating the
9 movement of traffic shall be deemed sufficient cause for
10 the revocation, suspension, or cancellation of a
11 restricted driving permit. The Secretary of State may,
12 as a condition to the issuance of a restricted driving
13 permit, require the applicant to participate in a
14 designated driver remedial or rehabilitative program.
15 The Secretary of State is authorized to cancel a
16 restricted driving permit if the permit holder does not
17 successfully complete the program.

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

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

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

31 (Source: P.A. 92-283, eff. 1-1-02; 92-418, eff. 8-17-01;
32 92-458, eff. 8-22-01; 92-651, eff. 7-11-02; 92-804, eff.
33 1-1-03; 92-814, eff. 1-1-03; revised 8-26-02.)

1 (625 ILCS 5/11-204) (from Ch. 95 1/2, par. 11-204)
2 Sec. 11-204. Fleeing or attempting to elude a peace
3 police officer.

4 (a) Any driver or operator of a motor vehicle who,
5 having been given a visual or audible signal by a peace
6 officer directing such driver or operator to bring his
7 vehicle to a stop, wilfully fails or refuses to obey such
8 direction, increases his speed, extinguishes his lights, or
9 otherwise flees or attempts to elude the officer, is guilty
10 of a Class A misdemeanor. The signal given by the peace
11 officer may be by hand, voice, siren, red or blue light.
12 Provided, the officer giving such signal shall be in police
13 uniform, and, if driving a vehicle, such vehicle shall
14 display illuminated oscillating, rotating or flashing red or
15 blue lights which when used in conjunction with an audible
16 horn or siren would indicate the vehicle to be an official
17 police vehicle. Such requirement shall not preclude the use
18 of amber or white oscillating, rotating or flashing lights in
19 conjunction with red or blue oscillating, rotating or
20 flashing lights as required in Section 12-215 of Chapter 12.

21 (b) Upon receiving notice of such conviction the
22 Secretary of State shall suspend the drivers license of the
23 person so convicted for a period of not more than 6 months
24 for a first conviction and not more than 12 months for a
25 second conviction.

26 (c) A third or subsequent violation of this Section is a
27 Class 4 felony.

28 (Source: P.A. 90-134, eff. 7-22-97.)

29 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)
30 Sec. 11-204.1. Aggravated fleeing or attempt to elude a
31 peace police officer.

32 (a) The offense of aggravated fleeing or attempting to
33 elude a peace police officer is committed by any driver or

1 operator of a motor vehicle who flees or attempts to elude a
 2 peace police officer, after being given a visual or audible
 3 signal by a peace police officer in the manner prescribed in
 4 subsection (a) of Section 11-204 of this Code, and such
 5 flight or attempt to elude:

6 (1) is at a rate of speed at least 21 miles per
 7 hour over the legal speed limit;

8 (2) causes bodily injury to any individual; or

9 (3) causes damage in excess of \$300 to property; ~~or~~

10 (4) involves disobedience of 2 or more official
 11 traffic control devices.

12 (b) Any person convicted of a first violation of this
 13 Section shall be guilty of a Class 4 felony. Upon notice of
 14 such a conviction the Secretary of State shall forthwith
 15 revoke the driver's license of the person so convicted, as
 16 provided in Section 6-205 of this Code. Any person convicted
 17 of a second or subsequent violation of this Section shall be
 18 guilty of a Class 3 felony, and upon notice of such a
 19 conviction the Secretary of State shall forthwith revoke the
 20 driver's license of the person convicted, as provided in
 21 Section 6-205 of the Code.

22 (c) The motor vehicle used in a violation of this
 23 Section is subject to seizure and forfeiture as provided in
 24 Sections 36-1 and 36-2 of the Criminal Code of 1961.

25 (Source: P.A. 90-134, eff. 7-22-97.)