

1 AMENDMENT TO HOUSE BILL 92

2 AMENDMENT NO. _____. Amend House Bill 92 by replacing
3 everything after the enacting clause with the following:

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

1 federal government in the commission of which a motor
2 vehicle was used;

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

6 5. Perjury or the making of a false affidavit or
7 statement under oath to the Secretary of State under this
8 Code or under any other law relating to the ownership or
9 operation of motor vehicles;

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

13 7. Conviction of any offense defined in Section
14 4-102 of this Code;

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

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

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

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

23 12. Violation of paragraph (1) of subsection (b) of
24 Section 6-507, or a similar law of any other state,
25 relating to the unlawful operation of a commercial motor
26 vehicle;

27 13. Violation of paragraph (a) of Section 11-502 of
28 this Code or a similar provision of a local ordinance if
29 the driver has been previously convicted of a violation
30 of that Section or a similar provision of a local
31 ordinance and the driver was less than 21 years of age at
32 the time of the offense.

33 (b) The Secretary of State shall also immediately revoke
34 the license or permit of any driver in the following

1 situations:

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

7 2. Of any person when any other law of this State
8 requires either the revocation or suspension of a license
9 or permit.

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

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

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

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

1 expiration of at least one year from the date of the
2 revocation. A restricted driving permit issued under this
3 Section shall be subject to cancellation, revocation, and
4 suspension by the Secretary of State in like manner and for
5 like cause as a driver's license issued under this Code may
6 be cancelled, revoked, or suspended; except that a conviction
7 upon one or more offenses against laws or ordinances
8 regulating the movement of traffic shall be deemed sufficient
9 cause for the revocation, suspension, or cancellation of a
10 restricted driving permit. The Secretary of State may, as a
11 condition to the issuance of a restricted driving permit,
12 require the applicant to participate in a designated driver
13 remedial or rehabilitative program. The Secretary of State is
14 authorized to cancel a restricted driving permit if the
15 permit holder does not successfully complete the program.
16 However, if an individual's driving privileges have been
17 revoked in accordance with paragraph 13 of subsection (a) of
18 this Section, no restricted driving permit shall be issued
19 until the individual has served 6 months of the revocation
20 period.

21 (d) Whenever a person under the age of 21 is convicted
22 under Section 11-501 of this Code or a similar provision of a
23 local ordinance, the Secretary of State shall revoke the
24 driving privileges of that person. One year after the date
25 of revocation, and upon application, the Secretary of State
26 may, if satisfied that the person applying will not endanger
27 the public safety or welfare, issue a restricted driving
28 permit granting the privilege of driving a motor vehicle only
29 between the hours of 5 a.m. and 9 p.m. or as otherwise
30 provided by this Section for a period of one year. After
31 this one year period, and upon reapplication for a license as
32 provided in Section 6-106, upon payment of the appropriate
33 reinstatement fee provided under paragraph (b) of Section
34 6-118, the Secretary of State, in his discretion, may issue

1 the applicant a license, or extend the restricted driving
2 permit as many times as the Secretary of State deems
3 appropriate, by additional periods of not more than 12 months
4 each, until the applicant attains 21 years of age.

5 If a person's license or permit has been revoked or
6 suspended due to 2 or more convictions of violating Section
7 11-501 of this Code or a similar provision of a local
8 ordinance or a similar out-of-state offense, arising out of
9 separate occurrences, that person, if issued a restricted
10 driving permit, may not operate a vehicle unless it has been
11 equipped with an ignition interlock device as defined in
12 Section 1-129.1.

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

1 be cancelled, revoked, or suspended; except that a conviction
2 upon one or more offenses against laws or ordinances
3 regulating the movement of traffic shall be deemed sufficient
4 cause for the revocation, suspension, or cancellation of a
5 restricted driving permit. The revocation periods contained
6 in this subparagraph shall apply to similar out-of-state
7 convictions.

8 (e) This Section is subject to the provisions of the
9 Driver License Compact.

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

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

18 (h) The Secretary of State shall require the use of
19 ignition interlock devices on all vehicles owned by an
20 individual who has been convicted of a second or subsequent
21 offense under Section 11-501 of this Code or a similar
22 provision of a local ordinance. The Secretary shall
23 establish by rule and regulation the procedures for
24 certification and use of the interlock system.

25 (i) The Secretary of State may not issue a restricted
26 driving permit for a period of one year after a second or
27 subsequent revocation of driving privileges under clause
28 (a)(2) of this Section; however, one year after the date of a
29 second or subsequent revocation of driving privileges under
30 clause (a)(2) of this Section, the Secretary of State may,
31 upon application, issue a restricted driving permit under the
32 terms and conditions of subsection (c).

33 (Source: P.A. 91-357, eff. 7-29-99; 92-248, eff. 8-3-01;
34 92-418, eff. 8-17-01; 92-651, eff. 7-11-02; 92-834, eff.

1 8-22-02.)

2 (625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)

3 Sec. 6-206. Discretionary authority to suspend or revoke
4 license or permit; Right to a hearing.

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

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

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

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

25 4. Has by the unlawful operation of a motor vehicle
26 caused or contributed to an accident resulting in death
27 or injury requiring immediate professional treatment in a
28 medical facility or doctor's office to any person, except
29 that any suspension or revocation imposed by the
30 Secretary of State under the provisions of this
31 subsection shall start no later than 6 months after being
32 convicted of violating a law or ordinance regulating the
33 movement of traffic, which violation is related to the

1 accident, or shall start not more than one year after the
2 date of the accident, whichever date occurs later;

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

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

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

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

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

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

21 11. Has operated a motor vehicle upon a highway of
22 this State when the person's driving privilege or
23 privilege to obtain a driver's license or permit was
24 revoked or suspended unless the operation was authorized
25 by a judicial driving permit, probationary license to
26 drive, or a restricted driving permit issued under this
27 Code;

28 12. Has submitted to any portion of the application
29 process for another person or has obtained the services
30 of another person to submit to any portion of the
31 application process for the purpose of obtaining a
32 license, identification card, or permit for some other
33 person;

34 13. Has operated a motor vehicle upon a highway of

1 this State when the person's driver's license or permit
2 was invalid under the provisions of Sections 6-107.1 and
3 6-110;

4 14. Has committed a violation of Section 6-301,
5 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or
6 14B of the Illinois Identification Card Act;

7 15. Has been convicted of violating Section 21-2 of
8 the Criminal Code of 1961 relating to criminal trespass
9 to vehicles in which case, the suspension shall be for
10 one year;

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

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

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

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

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

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

30 22. Has used a motor vehicle in violating paragraph
31 (3), (4), (7), or (9) of subsection (a) of Section 24-1
32 of the Criminal Code of 1961 relating to unlawful use of
33 weapons, in which case the suspension shall be for one
34 year;

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

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

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

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

18 27. Has violated Section 6-16 of the Liquor Control
19 Act of 1934;

20 28. Has been convicted of the illegal possession,
21 while operating or in actual physical control, as a
22 driver, of a motor vehicle, of any controlled substance
23 prohibited under the Illinois Controlled Substances Act
24 or any cannabis prohibited under the provisions of the
25 Cannabis Control Act, in which case the person's driving
26 privileges shall be suspended for one year, and any
27 driver who is convicted of a second or subsequent
28 offense, within 5 years of a previous conviction, for the
29 illegal possession, while operating or in actual physical
30 control, as a driver, of a motor vehicle, of any
31 controlled substance prohibited under the provisions of
32 the Illinois Controlled Substances Act or any cannabis
33 prohibited under the Cannabis Control Act shall be
34 suspended for 5 years. Any defendant found guilty of this

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

6 29. Has been convicted of the following offenses
7 that were committed while the person was operating or in
8 actual physical control, as a driver, of a motor vehicle:
9 criminal sexual assault, predatory criminal sexual
10 assault of a child, aggravated criminal sexual assault,
11 criminal sexual abuse, aggravated criminal sexual abuse,
12 juvenile pimping, soliciting for a juvenile prostitute
13 and the manufacture, sale or delivery of controlled
14 substances or instruments used for illegal drug use or
15 abuse in which case the driver's driving privileges shall
16 be suspended for one year;

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

21 31. Has refused to submit to a test as required by
22 Section 11-501.6 or has submitted to a test resulting in
23 an alcohol concentration of 0.08 or more or any amount of
24 a drug, substance, or compound resulting from the
25 unlawful use or consumption of cannabis as listed in the
26 Cannabis Control Act, a controlled substance as listed in
27 the Illinois Controlled Substances Act, or an
28 intoxicating compound as listed in the Use of
29 Intoxicating Compounds Act, in which case the penalty
30 shall be as prescribed in Section 6-208.1;

31 32. Has been convicted of Section 24-1.2 of the
32 Criminal Code of 1961 relating to the aggravated
33 discharge of a firearm if the offender was located in a
34 motor vehicle at the time the firearm was discharged, in

1 which case the suspension shall be for 3 years;

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

6 34. Has committed a violation of Section 11-1301.5
7 of this Code;

8 35. Has committed a violation of Section 11-1301.6
9 of this Code;

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

16 37. Has committed a violation of subsection (c) of
17 Section 11-907 of this Code; or

18 38. Has been convicted of a violation of Section
19 6-20 of the Liquor Control Act of 1934 or a similar
20 provision of a local ordinance; or;

21 39. ~~38.~~ Has committed a second or subsequent
22 violation of Section 11-1201 of this Code.

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

30 (b) If any conviction forming the basis of a suspension
31 or revocation authorized under this Section is appealed, the
32 Secretary of State may rescind or withhold the entry of the
33 order of suspension or revocation, as the case may be,
34 provided that a certified copy of a stay order of a court is

1 filed with the Secretary of State. If the conviction is
2 affirmed on appeal, the date of the conviction shall relate
3 back to the time the original judgment of conviction was
4 entered and the 6 month limitation prescribed shall not
5 apply.

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

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

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

6 The provisions of this subparagraph shall not apply
7 to any driver required to obtain a commercial driver's
8 license under Section 6-507 during the period of a
9 disqualification of commercial driving privileges under
10 Section 6-514.

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

16 3. At the conclusion of a hearing under Section
17 2-118 of this Code, the Secretary of State shall either
18 rescind or continue an order of revocation or shall
19 substitute an order of suspension; or, good cause
20 appearing therefor, rescind, continue, change, or extend
21 the order of suspension. If the Secretary of State does
22 not rescind the order, the Secretary may upon
23 application, to relieve undue hardship, issue a
24 restricted driving permit granting the privilege of
25 driving a motor vehicle between the petitioner's
26 residence and petitioner's place of employment or within
27 the scope of his employment related duties, or to allow
28 transportation for the petitioner, or a household member
29 of the petitioner's family, to receive necessary medical
30 care and if the professional evaluation indicates,
31 provide transportation for alcohol remedial or
32 rehabilitative activity, or for the petitioner to attend
33 classes, as a student, in an accredited educational
34 institution; if the petitioner is able to demonstrate

1 that no alternative means of transportation is reasonably
2 available and the petitioner will not endanger the public
3 safety or welfare.

4 If a person's license or permit has been revoked or
5 suspended due to 2 or more convictions of violating
6 Section 11-501 of this Code or a similar provision of a
7 local ordinance or a similar out-of-state offense,
8 arising out of separate occurrences, that person, if
9 issued a restricted driving permit, may not operate a
10 vehicle unless it has been equipped with an ignition
11 interlock device as defined in Section 1-129.1.

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

1 not, however, issue a restricted driving permit to any
2 person whose current revocation is the result of a second
3 or subsequent conviction for a violation of Section
4 11-501 of this Code or a similar provision of a local
5 ordinance relating to the offense of operating or being
6 in physical control of a motor vehicle while under the
7 influence of alcohol, other drug or drugs, intoxicating
8 compound or compounds, or any similar out-of-state
9 offense, or any combination of those offenses, until the
10 expiration of at least one year from the date of the
11 revocation. A restricted driving permit issued under
12 this Section shall be subject to cancellation,
13 revocation, and suspension by the Secretary of State in
14 like manner and for like cause as a driver's license
15 issued under this Code may be cancelled, revoked, or
16 suspended; except that a conviction upon one or more
17 offenses against laws or ordinances regulating the
18 movement of traffic shall be deemed sufficient cause for
19 the revocation, suspension, or cancellation of a
20 restricted driving permit. The Secretary of State may,
21 as a condition to the issuance of a restricted driving
22 permit, require the applicant to participate in a
23 designated driver remedial or rehabilitative program.
24 The Secretary of State is authorized to cancel a
25 restricted driving permit if the permit holder does not
26 successfully complete the program.

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

34 (d) This Section is subject to the provisions of the

1 Drivers License Compact.

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

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

9 (625 ILCS 5/11-204) (from Ch. 95 1/2, par. 11-204)

10 Sec. 11-204. Fleeing or attempting to elude a peace
11 police officer.

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

29 (b) Upon receiving notice of such conviction the
30 Secretary of State shall suspend the drivers license of the
31 person so convicted for a period of not more than 6 months
32 for a first conviction and not more than 12 months for a
33 second conviction.

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

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

4 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)

5 Sec. 11-204.1. Aggravated fleeing or attempt to elude a
6 peace police officer.

7 (a) The offense of aggravated fleeing or attempting to
8 elude a peace police officer is committed by any driver or
9 operator of a motor vehicle who flees or attempts to elude a
10 peace police officer, after being given a visual or audible
11 signal by a peace police officer in the manner prescribed in
12 subsection (a) of Section 11-204 of this Code, and such
13 flight or attempt to elude:

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

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

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

18 (4) involves disobedience of 2 or more traffic
19 signals.

20 (b) Any person convicted of a first violation of this
21 Section shall be guilty of a Class 4 felony. Upon notice of
22 such a conviction the Secretary of State shall forthwith
23 revoke the driver's license of the person so convicted, as
24 provided in Section 6-205 of this Code. Any person convicted
25 of a second or subsequent violation of this Section shall be
26 guilty of a Class 3 felony, and upon notice of such a
27 conviction the Secretary of State shall forthwith revoke the
28 driver's license of the person convicted, as provided in
29 Section 6-205 of the Code.

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

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