

1 AMENDMENT TO HOUSE BILL 2833

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2833 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Section 5.595 as follows:

6 (30 ILCS 105/5.595 new)

7 Sec. 5.595. The Secretary of State Immigrant License  
8 Fund.

9 Section 10. The Illinois Vehicle Code is amended by  
10 changing Sections 2-119, 6-106, and 6-118 and adding Sections  
11 6-107.4 and 6-107.5 as follows:

12 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

13 Sec. 2-119. Disposition of fees and taxes.

14 (a) All moneys received from Salvage Certificates shall  
15 be deposited in the Common School Fund in the State Treasury.

16 (b) Beginning January 1, 1990 and concluding December  
17 31, 1994, of the money collected for each certificate of  
18 title, duplicate certificate of title and corrected  
19 certificate of title, \$0.50 shall be deposited into the Used  
20 Tire Management Fund. Beginning January 1, 1990 and

1 concluding December 31, 1994, of the money collected for each  
2 certificate of title, duplicate certificate of title and  
3 corrected certificate of title, \$1.50 shall be deposited in  
4 the Park and Conservation Fund.

5 Beginning January 1, 1995, of the money collected for  
6 each certificate of title, duplicate certificate of title and  
7 corrected certificate of title, \$2 shall be deposited in the  
8 Park and Conservation Fund. The moneys deposited in the Park  
9 and Conservation Fund pursuant to this Section shall be used  
10 for the acquisition and development of bike paths as provided  
11 for in Section 805-420 of the Department of Natural Resources  
12 (Conservation) Law (20 ILCS 805/805-420).

13 Beginning January 1, 2000, of the moneys collected for  
14 each certificate of title, duplicate certificate of title,  
15 and corrected certificate of title, \$48 shall be deposited  
16 into the Road Fund and \$4 shall be deposited into the Motor  
17 Vehicle License Plate Fund, except that if the balance in the  
18 Motor Vehicle License Plate Fund exceeds \$40,000,000 on the  
19 last day of a calendar month, then during the next calendar  
20 month the \$4 shall instead be deposited into the Road Fund.

21 Except as otherwise provided in this Code, all remaining  
22 moneys collected for certificates of title, and all moneys  
23 collected for filing of security interests, shall be placed  
24 in the General Revenue Fund in the State Treasury.

25 (c) All moneys collected for that portion of a driver's  
26 license fee designated for driver education under Section  
27 6-118 shall be placed in the Driver Education Fund in the  
28 State Treasury.

29 (d) Beginning January 1, 1999, of the monies collected  
30 as a registration fee for each motorcycle, motor driven cycle  
31 and motorized pedalcycle, 27% of each annual registration fee  
32 for such vehicle and 27% of each semiannual registration fee  
33 for such vehicle is deposited in the Cycle Rider Safety  
34 Training Fund.

1 (e) Of the monies received by the Secretary of State as  
2 registration fees or taxes or as payment of any other fee, as  
3 provided in this Act, except fees received by the Secretary  
4 under paragraph (7) of subsection (b) of Section 5-101 and  
5 Section 5-109 of this Code, 37% shall be deposited into the  
6 State Construction Fund.

7 (f) Of the total money collected for a CDL instruction  
8 permit or original or renewal issuance of a commercial  
9 driver's license (CDL) pursuant to the Uniform Commercial  
10 Driver's License Act (UCDLA): (i) \$6 of the total fee for an  
11 original or renewal CDL, and \$6 of the total CDL instruction  
12 permit fee when such permit is issued to any person holding a  
13 valid Illinois driver's license, shall be paid into the  
14 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
15 Information System/American Association of Motor Vehicle  
16 Administrators network Trust Fund) and shall be used for the  
17 purposes provided in Section 6z-23 of the State Finance Act  
18 and (ii) \$20 of the total fee for an original or renewal CDL  
19 or commercial driver instruction permit shall be paid into  
20 the Motor Carrier Safety Inspection Fund, which is hereby  
21 created as a special fund in the State Treasury, to be used  
22 by the Department of State Police, subject to appropriation,  
23 to hire additional officers to conduct motor carrier safety  
24 inspections pursuant to Chapter 18b of this Code.

25 (g) All remaining moneys received by the Secretary of  
26 State as registration fees or taxes or as payment of any  
27 other fee, as provided in this Act, except fees received by  
28 the Secretary under paragraph (7)(A) of subsection (b) of  
29 Section 5-101 and Section 5-109 of this Code, shall be  
30 deposited in the Road Fund in the State Treasury. Moneys in  
31 the Road Fund shall be used for the purposes provided in  
32 Section 8.3 of the State Finance Act.

33 (h) (Blank).

34 (i) (Blank).

1 (j) (Blank).

2 (k) There is created in the State Treasury a special  
3 fund to be known as the Secretary of State Special License  
4 Plate Fund. Money deposited into the Fund shall, subject to  
5 appropriation, be used by the Office of the Secretary of  
6 State (i) to help defray plate manufacturing and plate  
7 processing costs for the issuance and, when applicable,  
8 renewal of any new or existing registration plates authorized  
9 under this Code and (ii) for grants made by the Secretary of  
10 State to benefit Illinois Veterans Home libraries.

11 On or before October 1, 1995, the Secretary of State  
12 shall direct the State Comptroller and State Treasurer to  
13 transfer any unexpended balance in the Special Environmental  
14 License Plate Fund, the Special Korean War Veteran License  
15 Plate Fund, and the Retired Congressional License Plate Fund  
16 to the Secretary of State Special License Plate Fund.

17 (l) The Motor Vehicle Review Board Fund is created as a  
18 special fund in the State Treasury. Moneys deposited into  
19 the Fund under paragraph (7) of subsection (b) of Section  
20 5-101 and Section 5-109 shall, subject to appropriation, be  
21 used by the Office of the Secretary of State to administer  
22 the Motor Vehicle Review Board, including without limitation  
23 payment of compensation and all necessary expenses incurred  
24 in administering the Motor Vehicle Review Board under the  
25 Motor Vehicle Franchise Act.

26 (m) Effective July 1, 1996, there is created in the  
27 State Treasury a special fund to be known as the Family  
28 Responsibility Fund. Moneys deposited into the Fund shall,  
29 subject to appropriation, be used by the Office of the  
30 Secretary of State for the purpose of enforcing the Family  
31 Financial Responsibility Law.

32 (n) The Illinois Fire Fighters' Memorial Fund is created  
33 as a special fund in the State Treasury. Moneys deposited  
34 into the Fund shall, subject to appropriation, be used by the

1 Office of the State Fire Marshal for construction of the  
2 Illinois Fire Fighters' Memorial to be located at the State  
3 Capitol grounds in Springfield, Illinois. Upon the  
4 completion of the Memorial, moneys in the Fund shall be used  
5 in accordance with Section 3-634.

6 (o) Of the money collected for each certificate of title  
7 for all-terrain vehicles and off-highway motorcycles, \$17  
8 shall be deposited into the Off-Highway Vehicle Trails Fund.

9 (p) For audits conducted on or after July 1, 2003  
10 pursuant to Section 2-124(d) of this Code, 50% of the money  
11 collected as audit fees shall be deposited into the General  
12 Revenue Fund.

13 (q) The Secretary of State Immigrant License Fund is  
14 created as a special fund in the State treasury. Moneys  
15 deposited into the fund shall, subject to appropriation, be  
16 used by the Secretary of State to pay for the increase in the  
17 costs associated with additional immigrant applicants for  
18 drivers licenses and costs associated with specialized  
19 verification procedures regarding those applicants.

20 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03.)

21 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)  
22 Sec. 6-106. Application for license or instruction  
23 permit.

24 (a) Every application for any permit or license  
25 authorized to be issued under this Act shall be made upon a  
26 form furnished by the Secretary of State. Every application  
27 shall be accompanied by the proper fee and payment of such  
28 fee shall entitle the applicant to not more than 3 attempts  
29 to pass the examination within a period of 1 year after the  
30 date of application.

31 (b) Every application shall state the name, social  
32 security number, zip code, date of birth, sex, and residence  
33 address of the applicant; briefly describe the applicant;

1 state whether the applicant has theretofore been licensed as  
2 a driver, and, if so, when and by what state or country, and  
3 whether any such license has ever been cancelled, suspended,  
4 revoked or refused, and, if so, the date and reason for such  
5 cancellation, suspension, revocation or refusal; shall  
6 include an affirmation by the applicant that all information  
7 set forth is true and correct; and shall bear the applicant's  
8 signature. The application form may also require the  
9 statement of such additional relevant information as the  
10 Secretary of State shall deem necessary to determine the  
11 applicant's competency and eligibility.

12 (b-1) The Secretary of State may in his discretion  
13 substitute a federal tax number in lieu of a social security  
14 number, or he may instead assign an additional distinctive  
15 number in lieu thereof, where an applicant is prohibited by  
16 bona fide religious convictions from applying or is exempt  
17 from applying for a social security number. The Secretary of  
18 State shall, however, determine which religious orders or  
19 sects have such bona fide religious convictions.

20 (b-2) The Secretary of State shall issue a drivers  
21 license to an applicant who is an immigrant and ineligible  
22 for a social security number if the applicant has (i)  
23 provided the Secretary with an individual tax identification  
24 number; (ii) filed with the Secretary, at the time of  
25 application, an affidavit stating that the applicant is an  
26 immigrant and not eligible for a social security number and  
27 that the applicant will file an application to become a  
28 permanent resident of the United States at the earliest  
29 opportunity the applicant is eligible to do so; (iii)  
30 provided a current foreign passport and a foreign birth  
31 certificate; (iv) filed with the Secretary of State proof  
32 provided to the applicant by the Illinois State Police that a  
33 set of the applicant's fingerprints have been collected  
34 (costs associated with this fingerprinting shall be paid by

1 the applicant at the time of collection); and (v) surrendered  
2 all illegally obtained forms of drivers licenses or State  
3 identification cards issued to the applicant by the  
4 Secretary. Relinquishment of State issued identification  
5 shall be handled by the Secretary at his or her discretion.  
6 The Secretary of State shall provide to the Department of  
7 Revenue all information, including the individual tax  
8 identification number, captured on the application. If the  
9 Department of Revenue determines that the licensee is not in  
10 compliance with any applicable tax laws administered by the  
11 Department of Revenue, the Department of Revenue shall  
12 request that the Secretary of State suspend or revoke the  
13 license. The Secretary may also require any combination of  
14 additional documents, as set forth by administrative rule, as  
15 sufficient proof of residency or identification. The foreign  
16 passport and foreign birth certificate and any additional  
17 documents required may be accepted only if: (i) the passport  
18 and birth certificate and any additional documents are  
19 difficult to duplicate and (ii) the passport and birth  
20 certificate and any additional documents are verifiable with  
21 the issuing agency. A person denied a driver's license under  
22 this subsection (b-2) may seek review under the  
23 Administrative Review Law. This amendatory Act of the 93rd  
24 General Assembly does not affect the issuance of any  
25 commercial driver's license or school bus driver's permit  
26 under the Illinois Vehicle Code or any State identification  
27 card under the Illinois Identification Card Act. A driver's  
28 license issued under this subsection (b-2) may not be used to  
29 obtain a Firearm Owner's Identification Card and may not be  
30 used to obtain a driver's license in another state. A driver  
31 licensed under this subsection (b-2) shall, within 30 days of  
32 receiving a license, provide to the Secretary of State proof  
33 of insurance and is subject to the mandatory insurance  
34 requirements of this Code.

1       **(b-3)** The Secretary of State may, in his discretion, by  
2 rule or regulation, provide that an application for a drivers  
3 license or permit may include a suitable photograph of the  
4 applicant in the form prescribed by the Secretary, and he may  
5 further provide that each drivers license shall include a  
6 photograph of the driver. The Secretary of State may utilize  
7 a photograph process or system most suitable to deter  
8 alteration or improper reproduction of a drivers license and  
9 to prevent substitution of another photo thereon.

10       (c) The application form shall include a notice to the  
11 applicant of the registration obligations of sex offenders  
12 under the Sex Offender Registration Act. The notice shall be  
13 provided in a form and manner prescribed by the Secretary of  
14 State. For purposes of this subsection (c), "sex offender"  
15 has the meaning ascribed to it in Section 2 of the Sex  
16 Offender Registration Act.

17       (d) Any male United States citizen or immigrant who  
18 applies for any permit or license authorized to be issued  
19 under this Act or for a renewal of any permit or license, and  
20 who is at least 18 years of age but less than 26 years of  
21 age, must be registered in compliance with the requirements  
22 of the federal Military Selective Service Act. The Secretary  
23 of State must forward in an electronic format the necessary  
24 personal information regarding the applicants identified in  
25 this subsection (d) to the Selective Service System. The  
26 applicant's signature on the application serves as an  
27 indication that the applicant either has already registered  
28 with the Selective Service System or that he is authorizing  
29 the Secretary to forward to the Selective Service System the  
30 necessary information for registration. The Secretary must  
31 notify the applicant at the time of application that his  
32 signature constitutes consent to registration with the  
33 Selective Service System, if he is not already registered.

34       (Source: P.A. 92-117, eff. 1-1-02.)



(625 ILCS 5/6-107.4 new)

Sec. 6-107.4. Visual difference; driver's licenses; social security numbers. The Secretary of State shall provide that there shall be a clear and distinct visual difference between driver's licenses issued to individuals without social security numbers and driver's licenses issued to individuals with social security numbers.

(625 ILCS 5/6-107.5 new)

Sec. 6-107.5. Ineligible applicants for Firearms Owner's Identification Cards. The Secretary of State shall, in conjunction with the Illinois State Police, establish administrative procedures for determining and identifying ineligible Firearm Owner's Identification Card applicants through information provided to the Secretary of State, through the driver's license application process, to ensure compliance with the Firearm Owners Identification Card Act.

(625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

- Original driver's license
  - issued to a person who has provided the Secretary with his or her social security number or a person who has not provided a social security number for religious reasons or because he or she is exempt from applying for a social security number.....\$10
- Original or renewal driver's license
  - issued to 18, 19 and 20 year olds.....5
- All driver's licenses for persons
  - age 69 through age 80.....5

1 All driver's licenses for persons  
2 age 81 through age 86.....2  
3 All driver's licenses for persons  
4 age 87 or older.....0  
5 Renewal driver's license (except for  
6 applicants ages 18, 19 and 20 or  
7 age 69 and older).....10  
8 Original instruction permit issued to  
9 persons (except those age 69 and older)  
10 who do not hold or have not previously  
11 held an Illinois instruction permit or  
12 driver's license.....20  
13 Instruction permit issued to any person  
14 holding an Illinois driver's license  
15 who wishes a change in classifications,  
16 other than at the time of renewal.....5  
17 Any instruction permit issued to a person  
18 age 69 and older.....5  
19 Instruction permit issued to any person,  
20 under age 69, not currently holding a  
21 valid Illinois driver's license or  
22 instruction permit but who has  
23 previously been issued either document  
24 in Illinois.....10  
25 Restricted driving permit.....8  
26 Duplicate or corrected driver's license  
27 or permit.....5  
28 Duplicate or corrected restricted  
29 driving permit.....5  
30 Original or renewal M or L endorsement.....5  
31 The fee for an original drivers license issued to a  
32 person who has not provided the Secretary with a social  
33 security number because the person is an immigrant and is not  
34 eligible to receive a social security number shall be \$10

1 and, through the date that is 3 years after the effective  
2 date of this amendatory act of the 93rd General Assembly, an  
3 additional fee of not less than \$50, to be set by the  
4 Secretary by rule, to cover the additional costs associated  
5 with issuing those drivers licenses.

6 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

7 The fees for commercial driver licenses and permits  
8 under Article V shall be as follows:

9 Commercial driver's license:

10 \$6 for the CDLIS/AAMVAnet Fund  
11 (Commercial Driver's License Information  
12 System/American Association of Motor Vehicle  
13 Administrators network Trust Fund);  
14 \$20 for the Motor Carrier Safety Inspection Fund;  
15 \$10 for the driver's license;  
16 and \$24 for the CDL:.....\$60

17 Renewal commercial driver's license:

18 \$6 for the CDLIS/AAMVAnet Trust Fund;  
19 \$20 for the Motor Carrier Safety Inspection Fund;  
20 \$10 for the driver's license; and  
21 \$24 for the CDL:.....\$60

22 Commercial driver instruction permit

23 issued to any person holding a valid  
24 Illinois driver's license for the  
25 purpose of changing to a  
26 CDL classification: \$6 for the  
27 CDLIS/AAMVAnet Trust Fund;  
28 \$20 for the Motor Carrier  
29 Safety Inspection Fund; and  
30 \$24 for the CDL classification.....\$50

31 Commercial driver instruction permit

32 issued to any person holding a valid  
33 Illinois CDL for the purpose of  
34 making a change in a classification,

1 endorsement or restriction.....\$5  
2 CDL duplicate or corrected license.....\$5

3 In order to ensure the proper implementation of the  
4 Uniform Commercial Driver License Act, Article V of this  
5 Chapter, the Secretary of State is empowered to pro-rate the  
6 \$24 fee for the commercial driver's license proportionate to  
7 the expiration date of the applicant's Illinois driver's  
8 license.

9 The fee for any duplicate license or permit shall be  
10 waived for any person age 60 or older who presents the  
11 Secretary of State's office with a police report showing that  
12 his license or permit was stolen.

13 No additional fee shall be charged for a driver's  
14 license, or for a commercial driver's license, when issued to  
15 the holder of an instruction permit for the same  
16 classification or type of license who becomes eligible for  
17 such license.

18 (b) Any person whose license or privilege to operate a  
19 motor vehicle in this State has been suspended or revoked  
20 under any provision of Chapter 6, Chapter 11, or Section  
21 7-205, 7-303, or 7-702 of the Family Financial Responsibility  
22 Law of this Code, shall in addition to any other fees  
23 required by this Code, pay a reinstatement fee as follows:

24 Summary suspension under Section 11-501.1.....\$250  
25 Other suspension.....\$70  
26 Revocation.....\$500

27 However, any person whose license or privilege to operate  
28 a motor vehicle in this State has been suspended or revoked  
29 for a second or subsequent time for a violation of Section  
30 11-501 or 11-501.1 of this Code or a similar provision of a  
31 local ordinance or a similar out-of-state offense or Section  
32 9-3 of the Criminal Code of 1961 and each suspension or  
33 revocation was for a violation of Section 11-501 or 11-501.1  
34 of this Code or a similar provision of a local ordinance or a

1 similar out-of-state offense or Section 9-3 of the Criminal  
2 Code of 1961 shall pay, in addition to any other fees  
3 required by this Code, a reinstatement fee as follows:

- 4 Summary suspension under Section 11-501.1.....\$500
- 5 Revocation.....\$500

6 (c) All fees collected under the provisions of this  
7 Chapter 6 shall be paid into the Road Fund in the State  
8 Treasury except as follows:

9 1. The following amounts shall be paid into the  
10 Driver Education Fund:

11 (A) \$16 of the \$20 fee for an original  
12 driver's instruction permit;

13 (B) \$5 of the \$20 fee for an original driver's  
14 license;

15 (C) \$5 of the \$20 fee for a 4 year renewal  
16 driver's license; and

17 (D) \$4 of the \$8 fee for a restricted driving  
18 permit.

19 2. \$30 of the \$250 fee for reinstatement of a  
20 license summarily suspended under Section 11-501.1 shall  
21 be deposited into the Drunk and Drugged Driving  
22 Prevention Fund. However, for a person whose license or  
23 privilege to operate a motor vehicle in this State has  
24 been suspended or revoked for a second or subsequent time  
25 for a violation of Section 11-501 or 11-501.1 of this  
26 Code or Section 9-3 of the Criminal Code of 1961, \$190 of  
27 the \$500 fee for reinstatement of a license summarily  
28 suspended under Section 11-501.1, and \$190 of the \$500  
29 fee for reinstatement of a revoked license shall be  
30 deposited into the Drunk and Drugged Driving Prevention  
31 Fund.

32 3. \$6 of such original or renewal fee for a  
33 commercial driver's license and \$6 of the commercial  
34 driver instruction permit fee when such permit is issued

1 to any person holding a valid Illinois driver's license,  
2 shall be paid into the CDLIS/AAMVAnet Trust Fund.

3 4. \$30 of the \$70 fee for reinstatement of a  
4 license suspended under the Family Financial  
5 Responsibility Law shall be paid into the Family  
6 Responsibility Fund.

7 5. The \$5 fee for each original or renewal M or L  
8 endorsement shall be deposited into the Cycle Rider  
9 Safety Training Fund.

10 6. \$20 of any original or renewal fee for a  
11 commercial driver's license or commercial driver  
12 instruction permit shall be paid into the Motor Carrier  
13 Safety Inspection Fund.

14 7. The following amounts shall be paid into the  
15 General Revenue Fund:

16 (A) \$190 of the \$250 reinstatement fee for a  
17 summary suspension under Section 11-501.1;

18 (B) \$40 of the \$70 reinstatement fee for any  
19 other suspension provided in subsection (b) of this  
20 Section; and

21 (C) \$440 of the \$500 reinstatement fee for a  
22 first offense revocation and \$310 of the \$500  
23 reinstatement fee for a second or subsequent  
24 revocation.

25 8. The entire amount over \$10 of any fee for an  
26 original driver's license issued to an immigrant  
27 ineligible to receive a social security number shall be  
28 deposited into the Secretary of State Immigrant License  
29 Fund.

30 The Secretary of State shall adopt rules setting the fee  
31 for issuing a driver's license to an immigrant ineligible to  
32 receive a social security number, in light of the additional  
33 costs associated with issuing those driver's licenses.

34 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04.)

1           Section 97. Severability. The provisions of this Act  
2           are severable under Section 1.31 of the Statute on Statutes.

3           Section 99. Effective date. This Act takes effect July  
4           1, 2004."