



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4456**

Introduced 02/03/04, by Roger L. Eddy

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/6-107.1

Amends the Illinois Vehicle Code. Provides that an applicant for an instruction permit who is under the age of 18 must undergo testing for controlled substances and cannabis and must be found to be free of controlled substances and cannabis before he or she may receive an instruction permit. Provides that the Secretary of State shall adopt rules for implementing the new provision and shall prescribe an additional fee, to be added to the fees charged for the issuance of a first-time driver's license, to cover the cost of the testing.

LRB093 19914 DRH 45657 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning 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 changing  
5 Section 6-107.1 as follows:

6 (625 ILCS 5/6-107.1)

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

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

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

26 (2) A 24 month instruction permit for a motor driven  
27 cycle may be issued to a person 16 or 17 years of age and  
28 entitles the holder to drive upon the highways during  
29 daylight under direct supervision of a licensed motor  
30 driven cycle operator or motorcycle operator 21 years of  
31 age or older who has a license classification to operate  
32 such motor driven cycle or motorcycle and at least one year

1 of driving experience.

2 (3) A 24 month instruction permit for a motorcycle  
3 other than a motor driven cycle may be issued to a person  
4 16 or 17 years of age in accordance with the provisions of  
5 paragraph 2 of Section 6-103 and entitles a holder to drive  
6 upon the highways during daylight under the direct  
7 supervision of a licensed motorcycle operator 21 years of  
8 age or older who has at least one year of driving  
9 experience.

10 (b) An instruction permit issued under this Section when  
11 issued to a person under the age of 17 years shall, as a matter  
12 of law, be invalid for the operation of any motor vehicle  
13 during the same time the child is prohibited from being on any  
14 street or highway under the provisions of the Child Curfew Act.

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

20 (d) The Secretary of State may not issue an instruction  
21 permit to a person under the age of 18 if:

22 (1) the person has not submitted to testing for  
23 controlled substances or cannabis; or

24 (2) the person has submitted to the testing and tested  
25 positive for the presence of any controlled substances or  
26 cannabis.

27 A person who has tested positive for controlled substances  
28 or cannabis may be issued an instruction permit if he or she is  
29 tested at a later date and tests negative for any controlled  
30 substances or cannabis.

31 The Secretary shall adopt rules for implementing this  
32 subsection (d). The Secretary shall prescribe a fee, to be  
33 added to the fees charged for a license issued to a new driver,  
34 to cover the cost of this testing.

35 (Source: P.A. 90-369, eff. 1-1-98.)