

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 Sections 6-201 and 6-207 as follows:

6 (625 ILCS 5/6-201) (from Ch. 95 1/2, par. 6-201)

7 Sec. 6-201. Authority to cancel licenses and permits.

8 (a) The Secretary of State is authorized to cancel any
9 license or permit upon determining that the holder thereof:

10 1. was not entitled to the issuance thereof hereunder;

11 or

12 2. failed to give the required or correct information
13 in his application; or

14 3. failed to pay any fees, civil penalties owed to the
15 Illinois Commerce Commission, or taxes due under this Act
16 and upon reasonable notice and demand; or

17 4. committed any fraud in the making of such
18 application; or

19 5. is ineligible therefor under the provisions of
20 Section 6-103 of this Act, as amended; or

21 6. has refused or neglected to submit an alcohol, drug,
22 and intoxicating compound evaluation or to submit to
23 examination or re-examination as required under this Act;

24 or

25 7. has been convicted of violating the Cannabis Control
26 Act, the Illinois Controlled Substances Act, or the Use of
27 Intoxicating Compounds Act while that individual was in
28 actual physical control of a motor vehicle. For purposes of
29 this Section, any person placed on probation under Section
30 10 of the Cannabis Control Act or Section 410 of the
31 Illinois Controlled Substances Act shall not be considered
32 convicted. Any person found guilty of this offense, while

1 in actual physical control of a motor vehicle, shall have
2 an entry made in the court record by the judge that this
3 offense did occur while the person was in actual physical
4 control of a motor vehicle and order the clerk of the court
5 to report the violation to the Secretary of State as such.
6 After the cancellation, the Secretary of State shall not
7 issue a new license or permit for a period of one year
8 after the date of cancellation. However, upon application,
9 the Secretary of State may, if satisfied that the person
10 applying will not endanger the public safety, or welfare,
11 issue a restricted driving permit granting the privilege of
12 driving a motor vehicle between the person's residence and
13 person's place of employment or within the scope of the
14 person's employment related duties, or to allow
15 transportation for the person or a household member of the
16 person's family for the receipt of necessary medical care
17 or, if the professional evaluation indicates, provide
18 transportation for the petitioner for alcohol remedial or
19 rehabilitative activity, or for the person to attend
20 classes, as a student, in an accredited educational
21 institution; if the person is able to demonstrate that no
22 alternative means of transportation is reasonably
23 available; provided that the Secretary's discretion shall
24 be limited to cases where undue hardship would result from
25 a failure to issue such restricted driving permit. In each
26 case the Secretary of State may issue such restricted
27 driving permit for such period as he deems appropriate,
28 except that such permit shall expire within one year from
29 the date of issuance. A restricted driving permit issued
30 hereunder shall be subject to cancellation, revocation and
31 suspension by the Secretary of State in like manner and for
32 like cause as a driver's license issued hereunder may be
33 cancelled, revoked or suspended; except that a conviction
34 upon one or more offenses against laws or ordinances
35 regulating the movement of traffic shall be deemed
36 sufficient cause for the revocation, suspension or

1 cancellation of a restricted driving permit. The Secretary
2 of State may, as a condition to the issuance of a
3 restricted driving permit, require the applicant to
4 participate in a driver remedial or rehabilitative
5 program; or

6 8. failed to submit a report as required by Section
7 6-116.5 of this Code; ~~or-~~

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

11 (b) Upon such cancellation the licensee or permittee must
12 surrender the license or permit so cancelled to the Secretary
13 of State.

14 (c) Except as provided in Sections 6-206.1 and 7-702.1, the
15 Secretary of State shall have exclusive authority to grant,
16 issue, deny, cancel, suspend and revoke driving privileges,
17 drivers' licenses and restricted driving permits.

18 (Source: P.A. 89-92, eff. 7-1-96; 89-584, eff. 7-31-96; 90-779,
19 eff. 1-1-99.)

20 (625 ILCS 5/6-207) (from Ch. 95 1/2, par. 6-207)

21 Sec. 6-207. Secretary of State may require reexamination or
22 reissuance of a license.

23 (a) The Secretary of State, having good cause to believe
24 that a licensed driver or person holding a permit or applying
25 for a license or license renewal is incompetent or otherwise
26 not qualified to hold a license or permit, may upon written
27 notice of at least 5 days to the person require the person to
28 submit to an examination as prescribed by the Secretary.

29 Refusal or neglect of the person to submit an alcohol,
30 drug, or intoxicating compound evaluation or submit to or
31 failure to successfully complete the examination is grounds for
32 suspension of the person's license or permit under Section
33 6-206 of this Act or cancellation of his license or permit
34 under Section 6-201 of this Act.

35 (b) The Secretary of State, having issued a driver's

1 license or permit in error, may upon written notice of at least
2 5 days to the person, require the person to appear at a Driver
3 Services facility to have the license or permit error corrected
4 and a new license or permit issued.

5 Refusal or neglect of the person to appear is grounds for
6 cancellation of the person's license or permit under Section
7 6-201 of this Act.

8 (c) The Secretary of State, having received notice that a
9 licensed driver or person holding a permit or applying for a
10 license or license renewal has been involved as a driver in an
11 accident that caused personal injury or death to a pedestrian
12 and has been determined to have been at fault in that accident,
13 as evidenced by the issuance of a Uniform Traffic Citation,
14 must upon written notice of at least 5 days to the person
15 require the person to submit to an examination as prescribed by
16 the Secretary.

17 Refusal or neglect of the person to submit to or failure to
18 successfully complete the examination is grounds for
19 suspension of the person's license or permit under Section
20 6-206 of this Act or cancellation of his license or permit
21 under Section 6-201 of this Act.

22 (Source: P.A. 90-779, eff. 1-1-99.)