

1 AN ACT concerning the Office of the Secretary of State.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 2. The Illinois Vehicle Code is amended by changing  
5 Section 6-103 as follows:

6 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

7 Sec. 6-103. What persons shall not be licensed as drivers  
8 or granted permits. The Secretary of State shall not issue,  
9 renew, or allow the retention of any driver's license nor issue  
10 any permit under this Code:

11 1. To any person, as a driver, who is under the age of  
12 18 years except as provided in Section 6-107, and except  
13 that an instruction permit may be issued under paragraphs  
14 (a) and (b) of Section 6-105 to a child who is not less  
15 than 15 years of age if the child is enrolled in an  
16 approved driver education course as defined in Section  
17 1-103 of this Code and requires an instruction permit to  
18 participate therein, except that an instruction permit may  
19 be issued under the provisions of Section 6-107.1 to a  
20 child who is 17 years and 9 months of age without the child  
21 having enrolled in an approved driver education course and  
22 except that an instruction permit may be issued to a child  
23 who is at least 15 years and 6 months of age, is enrolled  
24 in school, meets the educational requirements of the Driver  
25 Education Act, and has passed examinations the Secretary of  
26 State in his or her discretion may prescribe;

27 2. To any person who is under the age of 18 as an  
28 operator of a motorcycle other than a motor driven cycle  
29 unless the person has, in addition to meeting the  
30 provisions of Section 6-107 of this Code, successfully  
31 completed a motorcycle training course approved by the  
32 Illinois Department of Transportation and successfully

1 completes the required Secretary of State's motorcycle  
2 driver's examination;

3 3. To any person, as a driver, whose driver's license  
4 or permit has been suspended, during the suspension, nor to  
5 any person whose driver's license or permit has been  
6 revoked, except as provided in Sections 6-205, 6-206, and  
7 6-208;

8 4. To any person, as a driver, who is a user of alcohol  
9 or any other drug to a degree that renders the person  
10 incapable of safely driving a motor vehicle;

11 5. To any person, as a driver, who has previously been  
12 adjudged to be afflicted with or suffering from any mental  
13 or physical disability or disease and who has not at the  
14 time of application been restored to competency by the  
15 methods provided by law;

16 6. To any person, as a driver, who is required by the  
17 Secretary of State to submit an alcohol and drug evaluation  
18 or take an examination provided for in this Code unless the  
19 person has successfully passed the examination and  
20 submitted any required evaluation;

21 7. To any person who is required under the provisions  
22 of the laws of this State to deposit security or proof of  
23 financial responsibility and who has not deposited the  
24 security or proof;

25 8. To any person when the Secretary of State has good  
26 cause to believe that the person by reason of physical or  
27 mental disability would not be able to safely operate a  
28 motor vehicle upon the highways, unless the person shall  
29 furnish to the Secretary of State a verified written  
30 statement, acceptable to the Secretary of State, from a  
31 competent medical specialist to the effect that the  
32 operation of a motor vehicle by the person would not be  
33 inimical to the public safety;

34 9. To any person, as a driver, who is 69 years of age  
35 or older, unless the person has successfully complied with  
36 the provisions of Section 6-109;

1           10. To any person convicted, within 12 months of  
2 application for a license, of any of the sexual offenses  
3 enumerated in paragraph 2 of subsection (b) of Section  
4 6-205;

5           11. To any person who is under the age of 21 years with  
6 a classification prohibited in paragraph (b) of Section  
7 6-104 and to any person who is under the age of 18 years  
8 with a classification prohibited in paragraph (c) of  
9 Section 6-104;

10           12. To any person who has been either convicted of or  
11 adjudicated under the Juvenile Court Act of 1987 based upon  
12 a violation of the Cannabis Control Act or the Illinois  
13 Controlled Substances Act while that person was in actual  
14 physical control of a motor vehicle. For purposes of this  
15 Section, any person placed on probation under Section 10 of  
16 the Cannabis Control Act or Section 410 of the Illinois  
17 Controlled Substances Act shall not be considered  
18 convicted. Any person found guilty of this offense, while  
19 in actual physical control of a motor vehicle, shall have  
20 an entry made in the court record by the judge that this  
21 offense did occur while the person was in actual physical  
22 control of a motor vehicle and order the clerk of the court  
23 to report the violation to the Secretary of State as such.  
24 The Secretary of State shall not issue a new license or  
25 permit for a period of one year;

26           13. To any person who is under the age of 18 years and  
27 who has committed the offense of operating a motor vehicle  
28 without a valid license or permit in violation of Section  
29 6-101;

30           14. To any person who is 90 days or more delinquent in  
31 court ordered child support payments or has been  
32 adjudicated in arrears in an amount equal to 90 days'  
33 obligation or more and who has been found in contempt of  
34 court for failure to pay the support, subject to the  
35 requirements and procedures of Article VII of Chapter 7 of  
36 the Illinois Vehicle Code; ~~or~~

1           15. To any person released from a term of imprisonment  
2           for violating Section 9-3 of the Criminal Code of 1961  
3           relating to reckless homicide within 24 months of release  
4           from a term of imprisonment; or

5           16. To any person who, with intent to influence any act  
6           related to the issuance of any driver's license or permit,  
7           by an employee of the Secretary of State's Office, or the  
8           owner or employee of any commercial driver training school  
9           licensed by the Secretary of State, or any other individual  
10           authorized by the laws of this State to give driving  
11           instructions or administer all or part of a driver's  
12           license examination, promises or tenders to that person any  
13           property or personal advantage which that person is not  
14           authorized by law to accept. Any persons promising or  
15           tendering such property or personal advantage shall be  
16           disqualified from holding any class of driver's license or  
17           permit for 120 consecutive days. The Secretary of State  
18           shall establish by rule the procedures for implementing  
19           this period of disqualification and the procedures by which  
20           persons so disqualified may obtain administrative review  
21           of the decision to disqualify.

22           The Secretary of State shall retain all conviction  
23           information, if the information is required to be held  
24           confidential under the Juvenile Court Act of 1987.

25           (Source: P.A. 92-343, eff. 1-1-02; 93-174, eff. 1-1-04.)

26           Section 5. The Criminal Code of 1961 is amended by adding  
27           Section 33-6 as follows:

28           (720 ILCS 5/33-6 new)

29           Sec. 33-6. Bribery to obtain driving privileges.

30           (a) A person commits the offense of bribery to obtain  
31           driving privileges when:

32           (1) with intent to influence any act related to the  
33           issuance of any driver's license or permit by an employee  
34           of the Illinois Secretary of State's Office, or the owner

1 or employee of any commercial driver training school  
2 licensed by the Illinois Secretary of State, or any other  
3 individual authorized by the laws of this State to give  
4 driving instructions or administer all or part of a  
5 driver's license examination, he or she promises or tenders  
6 to that person any property or personal advantage which  
7 that person is not authorized by law to accept; or

8 (2) with intent to cause any person to influence any  
9 act related to the issuance of any driver's license or  
10 permit by an employee of the Illinois Secretary of State's  
11 Office, or the owner or employee of any commercial driver  
12 training school licensed by the Illinois Secretary of  
13 State, or any other individual authorized by the laws of  
14 this State to give driving instructions or administer all  
15 or part of a driver's license examination, he or she  
16 promises or tenders to that person any property or personal  
17 advantage which that person is not authorized by law to  
18 accept; or

19 (3) as an employee of the Illinois Secretary of State's  
20 Office, or the owner or employee of any commercial driver  
21 training school licensed by the Illinois Secretary of  
22 State, or any other individual authorized by the laws of  
23 this State to give driving instructions or administer all  
24 or part of a driver's license examination, solicits,  
25 receives, retains, or agrees to accept any property or  
26 personal advantage that he or she is not authorized by law  
27 to accept knowing that such property or personal advantage  
28 was promised or tendered with intent to influence the  
29 performance of any act related to the issuance of any  
30 driver's license or permit; or

31 (4) as an employee of the Illinois Secretary of State's  
32 Office, or the owner or employee of any commercial driver  
33 training school licensed by the Illinois Secretary of  
34 State, or any other individual authorized by the laws of  
35 this State to give driving instructions or administer all  
36 or part of a driver's license examination, solicits,

1       receives, retains, or agrees to accept any property or  
2       personal advantage pursuant to an understanding that he or  
3       she shall improperly influence or attempt to influence the  
4       performance of any act related to the issuance of any  
5       driver's license or permit.

6       (b) Sentence. Bribery to obtain driving privileges is a  
7       Class 2 felony.