



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1082

Introduced 02/08/05, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-208.1

from Ch. 95 1/2, par. 6-208.1

Amends the Illinois Vehicle Code. Increases from 6 months to one year the term of a statutory summary suspension of driving privileges for failure or refusal to complete a test or tests to determine alcohol, drug, or intoxicating compound concentration.

LRB094 05185 DRH 35227 b

1 AN ACT concerning transportation.

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 6-208.1 as follows:

6 (625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

7 Sec. 6-208.1. Period of statutory summary alcohol, other
8 drug, or intoxicating compound related suspension.

9 (a) Unless the statutory summary suspension has been
10 rescinded, any person whose privilege to drive a motor vehicle
11 on the public highways has been summarily suspended, pursuant
12 to Section 11-501.1, shall not be eligible for restoration of
13 the privilege until the expiration of:

14 1. One year ~~Six months~~ from the effective date of the
15 statutory summary suspension for a refusal or failure to
16 complete a test or tests to determine the alcohol, drug, or
17 intoxicating compound concentration, pursuant to Section
18 11-501.1; or

19 2. Three months from the effective date of the
20 statutory summary suspension imposed following the
21 person's submission to a chemical test which disclosed an
22 alcohol concentration of 0.08 or more, or any amount of a
23 drug, substance, or intoxicating compound in such person's
24 breath, blood, or urine resulting from the unlawful use or
25 consumption of cannabis listed in the Cannabis Control Act,
26 a controlled substance listed in the Illinois Controlled
27 Substances Act, or an intoxicating compound listed in the
28 Use of Intoxicating Compounds Act, pursuant to Section
29 11-501.1; or

30 3. Three years from the effective date of the statutory
31 summary suspension for any person other than a first
32 offender who refuses or fails to complete a test or tests

1 to determine the alcohol, drug, or intoxicating compound
2 concentration pursuant to Section 11-501.1; or

3 4. One year from the effective date of the summary
4 suspension imposed for any person other than a first
5 offender following submission to a chemical test which
6 disclosed an alcohol concentration of 0.08 or more pursuant
7 to Section 11-501.1 or any amount of a drug, substance or
8 compound in such person's blood or urine resulting from the
9 unlawful use or consumption of cannabis listed in the
10 Cannabis Control Act, a controlled substance listed in the
11 Illinois Controlled Substances Act, or an intoxicating
12 compound listed in the Use of Intoxicating Compounds Act.

13 (b) Following a statutory summary suspension of the
14 privilege to drive a motor vehicle under Section 11-501.1, full
15 driving privileges shall be restored unless the person is
16 otherwise disqualified by this Code. If the court has reason to
17 believe that the person's driving privilege should not be
18 restored, the court shall notify the Secretary of State prior
19 to the expiration of the statutory summary suspension so
20 appropriate action may be taken pursuant to this Code.

21 (c) Full driving privileges may not be restored until all
22 applicable reinstatement fees, as provided by this Code, have
23 been paid to the Secretary of State and the appropriate entry
24 made to the driver's record.

25 (d) Where a driving privilege has been summarily suspended
26 under Section 11-501.1 and the person is subsequently convicted
27 of violating Section 11-501, or a similar provision of a local
28 ordinance, for the same incident, any period served on
29 statutory summary suspension shall be credited toward the
30 minimum period of revocation of driving privileges imposed
31 pursuant to Section 6-205.

32 (e) Following a statutory summary suspension of driving
33 privileges pursuant to Section 11-501.1, for a first offender,
34 the circuit court may, after at least 30 days from the
35 effective date of the statutory summary suspension, issue a
36 judicial driving permit as provided in Section 6-206.1.

1 (f) Subsequent to an arrest of a first offender, for any
2 offense as defined in Section 11-501 or a similar provision of
3 a local ordinance, following a statutory summary suspension of
4 driving privileges pursuant to Section 11-501.1, for a first
5 offender, the circuit court may issue a court order directing
6 the Secretary of State to issue a judicial driving permit as
7 provided in Section 6-206.1. However, this JDP shall not be
8 effective prior to the 31st day of the statutory summary
9 suspension.

10 (g) Following a statutory summary suspension of driving
11 privileges pursuant to Section 11-501.1 where the person was
12 not a first offender, as defined in Section 11-500, the
13 Secretary of State may not issue a restricted driving permit.

14 (h) (Blank).

15 (Source: P.A. 91-357, eff. 7-29-99; 92-248, eff. 8-3-01.)