

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 6-107.1 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

1 least one year of driving experience, and who is occupying
2 a seat beside the driver.

3 (2) A 24 month instruction permit for a motor driven
4 cycle may be issued to a person 16 or 17 years of age and
5 entitles the holder to drive upon the highways during
6 daylight under direct supervision of a licensed motor
7 driven cycle operator or motorcycle operator 21 years of
8 age or older who has a license classification to operate
9 such motor driven cycle or motorcycle and at least one year
10 of driving experience.

11 (3) A 24 month instruction permit for a motorcycle
12 other than a motor driven cycle may be issued to a person
13 16 or 17 years of age in accordance with the provisions of
14 paragraph 2 of Section 6-103 and entitles a holder to drive
15 upon the highways during daylight under the direct
16 supervision of a licensed motorcycle operator 21 years of
17 age or older who has at least one year of driving
18 experience.

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

24 (b-1) No instruction permit shall be issued to any
25 applicant who is under the age of 18 years and who has been
26 certified to be a chronic or habitual truant, as defined in

1 Section 26-2a of the School Code.

2 An applicant under the age of 18 years who provides proof
3 that he or she has resumed regular school attendance or that
4 his or her application was denied in error shall be eligible to
5 receive an instruction permit if other requirements are met.
6 The Secretary shall adopt rules for implementing this
7 subsection (b-1).

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

13 (d) The Secretary of State may require a random drug test
14 and may not issue an instruction permit to a person under the
15 age of 18 if the person tested positive for the presence of any
16 controlled substances or cannabis.

17 A person who has tested positive for controlled substances
18 or cannabis may be issued an instruction permit if he or she is
19 tested at a later date and tests negative for any controlled
20 substances or cannabis.

21 The Secretary shall adopt rules for implementing this
22 subsection (d). The Secretary shall prescribe a fee, to be
23 added to the fees charged for a license issued to a new driver,
24 to cover the cost of this testing.

25 (Source: P.A. 94-916, eff. 7-1-07.)