

1 AN ACT concerning transportation.

2 WHEREAS, This amendatory Act of the 95th General Assembly  
3 may be referred to as the Roadway Safety and Mandatory  
4 Insurance Coverage Act of 2007; therefore

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

7 Section 5. The State Finance Act is amended by adding  
8 Section 5.675 as follows:

9 (30 ILCS 105/5.675 new)

10 Sec. 5.675. The Secretary of State Driver's Certificate  
11 Fund.

12 Section 10. The Illinois Vehicle Code is amended by  
13 changing Sections 2-119, 6-106, 6-118, and 6-205 and by adding  
14 Section 6-107.5 as follows:

15 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

16 Sec. 2-119. Disposition of fees and taxes.

17 (a) All moneys received from Salvage Certificates shall be  
18 deposited in the Common School Fund in the State Treasury.

19 (b) Beginning January 1, 1990 and concluding December 31,  
20 1994, of the money collected for each certificate of title,

1 duplicate certificate of title and corrected certificate of  
2 title, \$0.50 shall be deposited into the Used Tire Management  
3 Fund. Beginning January 1, 1990 and concluding December 31,  
4 1994, of the money collected for each certificate of title,  
5 duplicate certificate of title and corrected certificate of  
6 title, \$1.50 shall be deposited in the Park and Conservation  
7 Fund.

8 Beginning January 1, 1995, of the money collected for each  
9 certificate of title, duplicate certificate of title and  
10 corrected certificate of title, \$2 shall be deposited in the  
11 Park and Conservation Fund. The moneys deposited in the Park  
12 and Conservation Fund pursuant to this Section shall be used  
13 for the acquisition and development of bike paths as provided  
14 for in Section 805-420 of the Department of Natural Resources  
15 (Conservation) Law (20 ILCS 805/805-420).

16 Beginning January 1, 2000, of the moneys collected for each  
17 certificate of title, duplicate certificate of title, and  
18 corrected certificate of title, \$48 shall be deposited into the  
19 Road Fund and \$4 shall be deposited into the Motor Vehicle  
20 License Plate Fund, except that if the balance in the Motor  
21 Vehicle License Plate Fund exceeds \$40,000,000 on the last day  
22 of a calendar month, then during the next calendar month the \$4  
23 shall instead be deposited into the Road Fund.

24 Beginning January 1, 2005, of the moneys collected for each  
25 delinquent vehicle registration renewal fee, \$20 shall be  
26 deposited into the General Revenue Fund.

1           Except as otherwise provided in this Code, all remaining  
2 moneys collected for certificates of title, and all moneys  
3 collected for filing of security interests, shall be placed in  
4 the General Revenue Fund in the State Treasury.

5           (c) All moneys collected for that portion of a driver's  
6 license fee designated for driver education under Section 6-118  
7 shall be placed in the Driver Education Fund in the State  
8 Treasury.

9           (d) Beginning January 1, 1999, of the monies collected as a  
10 registration fee for each motorcycle, motor driven cycle and  
11 motorized pedalcycle, 27% of each annual registration fee for  
12 such vehicle and 27% of each semiannual registration fee for  
13 such vehicle is deposited in the Cycle Rider Safety Training  
14 Fund.

15           (e) Of the monies received by the Secretary of State as  
16 registration fees or taxes or as payment of any other fee, as  
17 provided in this Act, except fees received by the Secretary  
18 under paragraph (7) of subsection (b) of Section 5-101 and  
19 Section 5-109 of this Code, 37% shall be deposited into the  
20 State Construction Fund.

21           (f) Of the total money collected for a CDL instruction  
22 permit or original or renewal issuance of a commercial driver's  
23 license (CDL) pursuant to the Uniform Commercial Driver's  
24 License Act (UCDLA): (i) \$6 of the total fee for an original or  
25 renewal CDL, and \$6 of the total CDL instruction permit fee  
26 when such permit is issued to any person holding a valid

1 Illinois driver's license, shall be paid into the  
2 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
3 Information System/American Association of Motor Vehicle  
4 Administrators network Trust Fund) and shall be used for the  
5 purposes provided in Section 6z-23 of the State Finance Act and  
6 (ii) \$20 of the total fee for an original or renewal CDL or  
7 commercial driver instruction permit shall be paid into the  
8 Motor Carrier Safety Inspection Fund, which is hereby created  
9 as a special fund in the State Treasury, to be used by the  
10 Department of State Police, subject to appropriation, to hire  
11 additional officers to conduct motor carrier safety  
12 inspections pursuant to Chapter 18b of this Code.

13 (g) All remaining moneys received by the Secretary of State  
14 as registration fees or taxes or as payment of any other fee,  
15 as provided in this Act, except fees received by the Secretary  
16 under paragraph (7) (A) of subsection (b) of Section 5-101 and  
17 Section 5-109 of this Code, shall be deposited in the Road Fund  
18 in the State Treasury. Moneys in the Road Fund shall be used  
19 for the purposes provided in Section 8.3 of the State Finance  
20 Act.

21 (h) (Blank).

22 (i) (Blank).

23 (j) (Blank).

24 (k) There is created in the State Treasury a special fund  
25 to be known as the Secretary of State Special License Plate  
26 Fund. Money deposited into the Fund shall, subject to

1 appropriation, be used by the Office of the Secretary of State  
2 (i) to help defray plate manufacturing and plate processing  
3 costs for the issuance and, when applicable, renewal of any new  
4 or existing registration plates authorized under this Code and  
5 (ii) for grants made by the Secretary of State to benefit  
6 Illinois Veterans Home libraries.

7 On or before October 1, 1995, the Secretary of State shall  
8 direct the State Comptroller and State Treasurer to transfer  
9 any unexpended balance in the Special Environmental License  
10 Plate Fund, the Special Korean War Veteran License Plate Fund,  
11 and the Retired Congressional License Plate Fund to the  
12 Secretary of State Special License Plate Fund.

13 (l) The Motor Vehicle Review Board Fund is created as a  
14 special fund in the State Treasury. Moneys deposited into the  
15 Fund under paragraph (7) of subsection (b) of Section 5-101 and  
16 Section 5-109 shall, subject to appropriation, be used by the  
17 Office of the Secretary of State to administer the Motor  
18 Vehicle Review Board, including without limitation payment of  
19 compensation and all necessary expenses incurred in  
20 administering the Motor Vehicle Review Board under the Motor  
21 Vehicle Franchise Act.

22 (m) Effective July 1, 1996, there is created in the State  
23 Treasury a special fund to be known as the Family  
24 Responsibility Fund. Moneys deposited into the Fund shall,  
25 subject to appropriation, be used by the Office of the  
26 Secretary of State for the purpose of enforcing the Family

1 Financial Responsibility Law.

2 (n) The Illinois Fire Fighters' Memorial Fund is created as  
3 a special fund in the State Treasury. Moneys deposited into the  
4 Fund shall, subject to appropriation, be used by the Office of  
5 the State Fire Marshal for construction of the Illinois Fire  
6 Fighters' Memorial to be located at the State Capitol grounds  
7 in Springfield, Illinois. Upon the completion of the Memorial,  
8 moneys in the Fund shall be used in accordance with Section  
9 3-634.

10 (o) Of the money collected for each certificate of title  
11 for all-terrain vehicles and off-highway motorcycles, \$17  
12 shall be deposited into the Off-Highway Vehicle Trails Fund.

13 (p) For audits conducted on or after July 1, 2003 pursuant  
14 to Section 2-124(d) of this Code, 50% of the money collected as  
15 audit fees shall be deposited into the General Revenue Fund.

16 (q) The Secretary of State Driver's Certificate Fund is  
17 created as a special fund in the State treasury. Moneys  
18 deposited into the fund shall, subject to appropriation, be  
19 used by the Secretary of State to pay for the increase in the  
20 costs associated with additional applicants for driver's  
21 certificates issued under subsection (b-2) of Section 6-106 and  
22 costs associated with specialized verification procedures  
23 regarding those applicants.

24 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03; 93-840,  
25 eff. 7-30-04.)

1 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

2 Sec. 6-106. Application for license or instruction permit.

3 (a) Every application for any permit or license authorized  
4 to be issued under this Act shall be made upon a form furnished  
5 by the Secretary of State. Every application shall be  
6 accompanied by the proper fee and payment of such fee shall  
7 entitle the applicant to not more than 3 attempts to pass the  
8 examination within a period of 1 year after the date of  
9 application.

10 (b) Every application shall state the legal name, social  
11 security number, zip code, date of birth, sex, and residence  
12 address of the applicant; briefly describe the applicant; state  
13 whether the applicant has theretofore been licensed as a  
14 driver, and, if so, when and by what state or country, and  
15 whether any such license has ever been cancelled, suspended,  
16 revoked or refused, and, if so, the date and reason for such  
17 cancellation, suspension, revocation or refusal; shall include  
18 an affirmation by the applicant that all information set forth  
19 is true and correct; and shall bear the applicant's signature.  
20 The application form may also require the statement of such  
21 additional relevant information as the Secretary of State shall  
22 deem necessary to determine the applicant's competency and  
23 eligibility.

24 (b-1) The Secretary of State may in his discretion  
25 substitute a federal tax number in lieu of a social security  
26 number, or he may instead assign an additional distinctive

1 number in lieu thereof, where an applicant is prohibited by  
2 bona fide religious convictions from applying or is exempt from  
3 applying for a social security number. The Secretary of State  
4 shall, however, determine which religious orders or sects have  
5 such bona fide religious convictions.

6 (b-2) (1) In compliance with the federal REAL ID Act,  
7 Division B of Public Law 109-13, the Secretary of State, on  
8 and after the effective date of this amendatory Act of the  
9 95th General Assembly, shall issue to any Illinois resident  
10 who meets the requirements of this subsection (b-2) a  
11 driver's certificate that shall:

12 (A) clearly state on its face that it may not be  
13 accepted by any federal agency for any federal  
14 identification or other official purpose ("official  
15 purpose" being defined under Section 201 of the federal  
16 REAL ID Act); and

17 (B) use a unique design or color indicator that  
18 shall visually distinguish these certificates from  
19 driver's licenses and permits issued under the  
20 Illinois Vehicle Code so as to alert federal agency and  
21 other law enforcement personnel that these  
22 certificates may not be accepted for any federal  
23 identification or other official purpose.

24 (2) Any applicant for a driver's certificate issued  
25 under this subsection (b-2) must be at least 18 years of  
26 age and must:



1           (A) provide the Secretary with a valid individual  
2           tax identification number issued by the federal  
3           Internal Revenue Service or social security number  
4           issued by the federal Social Security Administration;

5           (B) provide a valid passport and any additional  
6           documents, as the Secretary may set forth by  
7           administrative rule, such that the passport and  
8           additional documents in combination shall include the  
9           following:

10           (i) a photo identity document, except that a  
11           non-photo identity document is acceptable if it  
12           includes both the person's full legal name and date  
13           of birth;

14           (ii) documentation showing the person's date  
15           of birth;

16           (iii) documentation showing the person's name  
17           and address of principal residence; provided that  
18           the Secretary shall not accept any foreign  
19           document, other than a valid official passport,  
20           for purposes of this subparagraph; and provided  
21           further that the Secretary shall verify, in a  
22           manner and form prescribed by the Secretary in  
23           administrative rule, the issuance, validity, and  
24           completeness of each document presented by the  
25           applicant, to satisfy the requirements of this  
26           subdivision (b-2) (2) (B); and provided further that

1 the Secretary has the right to reject any document  
2 presented by the applicant that cannot be  
3 verified; and

4 (C) file with the Secretary of State proof provided  
5 to the applicant by the Illinois State Police that a  
6 set of the applicant's fingerprints has been collected  
7 (costs associated with this fingerprinting shall be  
8 paid by the applicant at the time of collection); and

9 (D) surrender all false driver's licenses or State  
10 identification cards in the applicant's possession.  
11 The Secretary shall handle the surrender of these  
12 documents at the Secretary's discretion, provided that  
13 no applicant shall be subject to civil or criminal  
14 prosecution for the acquisition, possession, use, or  
15 distribution of these documents, and provided further  
16 that the Secretary shall destroy any relinquished  
17 documents within 24 hours of receipt and shall not  
18 maintain any records of those documents, except that  
19 this requirement does not apply if the Secretary of  
20 State can identify a bona fide law enforcement purpose  
21 for retaining such documents.

22 (3) The Secretary of State shall provide to the  
23 Illinois Department of Revenue all information, including  
24 the individual tax identification number, captured on the  
25 application. If the Illinois Department of Revenue  
26 determines that an individual to whom a driver's

1 certificate was issued is not in compliance with any  
2 applicable tax laws administered by the Department of  
3 Revenue, the Department of Revenue shall request that the  
4 Secretary of State revoke the certificate.

5 (4) Any applicant for or the bearer of a driver's  
6 certificate issued under this subsection (b-2) shall be  
7 subject to any and all provisions of this Code and any and  
8 all implementing regulations issued by the Secretary of  
9 State to the same extent as any driver issued a driver's  
10 license, including but not limited to the mandatory  
11 insurance requirements and penalties set forth in Chapter  
12 7, Article VI of this Code, unless otherwise specified in  
13 this subsection (b-2). To the extent that any driver is  
14 required by law to have a valid Illinois driver's license  
15 in order to purchase insurance to comply with the mandatory  
16 insurance provisions of this Code, a driver's certificate  
17 issued under this subsection (b-2) shall satisfy that  
18 requirement. Within 30 days of receiving a certificate, the  
19 driver shall provide to the Secretary of State, in a manner  
20 and form prescribed by the Secretary, proof of liability  
21 insurance coverage for the driver and for any and all  
22 vehicles to which the driver has title of ownership; if the  
23 driver fails to provide that proof within 30 days, the  
24 Secretary is authorized to suspend the certificate until  
25 the driver provides that proof.

26 (5) A person denied a driver's certificate under this

1 subsection (b-2) may seek review under the Administrative  
2 Review Law. This amendatory Act of the 95th General  
3 Assembly does not affect the issuance of any commercial  
4 driver's license or school bus driver's permit under the  
5 Illinois Vehicle Code or any State identification card  
6 under the Illinois Identification Card Act. A driver's  
7 certificate issued under this subsection (b-2) may not be  
8 used to obtain a Firearm Owner's Identification Card and  
9 may not be used to obtain a driver's license in another  
10 state.

11 (6) The Secretary of State may provide, in his or her  
12 discretion, by rule that an application for a driver's  
13 certificate under this subsection (b-2) may include a  
14 suitable photograph of the applicant in the form prescribed  
15 by the Secretary, and the Secretary of State shall further  
16 provide that each driver's certificate shall include a  
17 photograph of the driver. The Secretary of State shall  
18 utilize a photographic process or system most suitable to  
19 deter alteration or improper reproduction of a driver's  
20 certificate issued under this subsection (b-2) and to  
21 prevent substitution of another photo on the certificate.

22 (b-3) Subsection (b-2) becomes inoperative 5 years after  
23 the effective date of this amendatory Act of the 95th General  
24 Assembly; however, any document issued under subsection (b-2)  
25 shall remain valid until the date set forth on the document by  
26 the Secretary of State.

1        (b-4) The Secretary of State may, in his discretion, by  
2 rule or regulation, provide that an application for a drivers  
3 license or permit may include a suitable photograph of the  
4 applicant in the form prescribed by the Secretary, and he may  
5 further provide that each drivers license shall include a  
6 photograph of the driver. The Secretary of State may utilize a  
7 photograph process or system most suitable to deter alteration  
8 or improper reproduction of a drivers license and to prevent  
9 substitution of another photo thereon.

10        (c) The application form shall include a notice to the  
11 applicant of the registration obligations of sex offenders  
12 under the Sex Offender Registration Act. The notice shall be  
13 provided in a form and manner prescribed by the Secretary of  
14 State. For purposes of this subsection (c), "sex offender" has  
15 the meaning ascribed to it in Section 2 of the Sex Offender  
16 Registration Act.

17        (d) Any male United States citizen or immigrant who applies  
18 for any permit or license authorized to be issued under this  
19 Act or for a renewal of any permit or license, and who is at  
20 least 18 years of age but less than 26 years of age, must be  
21 registered in compliance with the requirements of the federal  
22 Military Selective Service Act. The Secretary of State must  
23 forward in an electronic format the necessary personal  
24 information regarding the applicants identified in this  
25 subsection (d) to the Selective Service System. The applicant's  
26 signature on the application serves as an indication that the

1 applicant either has already registered with the Selective  
 2 Service System or that he is authorizing the Secretary to  
 3 forward to the Selective Service System the necessary  
 4 information for registration. The Secretary must notify the  
 5 applicant at the time of application that his signature  
 6 constitutes consent to registration with the Selective Service  
 7 System, if he is not already registered.

8 (Source: P.A. 92-117, eff. 1-1-02; 93-895, eff. 1-1-05.)

9 (625 ILCS 5/6-107.5 new)

10 Sec. 6-107.5. Ineligible applicants for Firearm Owner's  
 11 Identification Cards. The Secretary of State shall, in  
 12 conjunction with the Illinois State Police, establish  
 13 administrative procedures for determining and identifying  
 14 ineligible Firearm Owner's Identification Card applicants  
 15 through information provided to the Secretary of State, through  
 16 the driver's license and driver's certificate application  
 17 process, to ensure compliance with the Firearm Owners  
 18 Identification Card Act.

19 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

20 (Text of Section before amendment by P.A. 94-1035)

21 Sec. 6-118. Fees.

22 (a) The fee for licenses and permits under this Article is  
 23 as follows:

24 Original driver's license ..... \$10

1 Original or renewal driver's license

2 issued to 18, 19 and 20 year olds ..... 5

3 All driver's licenses for persons

4 age 69 through age 80 ..... 5

5 All driver's licenses for persons

6 age 81 through age 86 ..... 2

7 All driver's licenses for persons

8 age 87 or older ..... 0

9 Renewal driver's license (except for

10 applicants ages 18, 19 and 20 or

11 age 69 and older) ..... 10

12 Original instruction permit issued to

13 persons (except those age 69 and older)

14 who do not hold or have not previously

15 held an Illinois instruction permit or

16 driver's license ..... 20

17 Instruction permit issued to any person

18 holding an Illinois driver's license

19 who wishes a change in classifications,

20 other than at the time of renewal ..... 5

21 Any instruction permit issued to a person

22 age 69 and older ..... 5

23 Instruction permit issued to any person,

24 under age 69, not currently holding a

25 valid Illinois driver's license or

26 instruction permit but who has

1           previously been issued either document  
2           in Illinois ..... 10  
3        Restricted driving permit ..... 8  
4        Duplicate or corrected driver's license  
5           or permit ..... 5  
6        Duplicate or corrected restricted  
7           driving permit ..... 5  
8        Original or renewal M or L endorsement..... 5

9        The fee for a driver's certificate issued under subsection  
10       (b-2) of Section 6-106 is \$10 plus an additional fee of not  
11       less than \$50, to be set by the Secretary by rule, to cover the  
12       additional costs associated with issuing those driver's  
13       certificates.

14       SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

15           The fees for commercial driver licenses and permits  
16        under Article V shall be as follows:

17        Commercial driver's license:

- 18           \$6 for the CDLIS/AAMVAnet Fund
- 19           (Commercial Driver's License Information
- 20           System/American Association of Motor Vehicle
- 21           Administrators network Trust Fund);
- 22           \$20 for the Motor Carrier Safety Inspection Fund;
- 23           \$10 for the driver's license;
- 24           and \$24 for the CDL: ..... \$60

25        Renewal commercial driver's license:

- 26           \$6 for the CDLIS/AAMVAnet Trust Fund;



1           \$20 for the Motor Carrier Safety Inspection Fund;  
2           \$10 for the driver's license; and  
3           \$24 for the CDL: ..... \$60  
4       Commercial driver instruction permit  
5           issued to any person holding a valid  
6           Illinois driver's license for the  
7           purpose of changing to a  
8           CDL classification: \$6 for the  
9           CDLIS/AAMVAnet Trust Fund;  
10          \$20 for the Motor Carrier  
11          Safety Inspection Fund; and  
12          \$24 for the CDL classification ..... \$50  
13       Commercial driver instruction permit  
14          issued to any person holding a valid  
15          Illinois CDL for the purpose of  
16          making a change in a classification,  
17          endorsement or restriction ..... \$5  
18       CDL duplicate or corrected license ..... \$5

19       In order to ensure the proper implementation of the Uniform  
20       Commercial Driver License Act, Article V of this Chapter, the  
21       Secretary of State is empowered to pro-rate the \$24 fee for the  
22       commercial driver's license proportionate to the expiration  
23       date of the applicant's Illinois driver's license.

24       The fee for any duplicate license or permit shall be waived  
25       for any person age 60 or older who presents the Secretary of  
26       State's office with a police report showing that his license or

1 permit was stolen.

2 No additional fee shall be charged for a driver's license,  
3 or for a commercial driver's license, when issued to the holder  
4 of an instruction permit for the same classification or type of  
5 license who becomes eligible for such license.

6 (b) Any person whose license or privilege to operate a  
7 motor vehicle in this State has been suspended or revoked under  
8 any provision of Chapter 6, Chapter 11, or Section 7-205,  
9 7-303, or 7-702 of the Family Financial Responsibility Law of  
10 this Code, shall in addition to any other fees required by this  
11 Code, pay a reinstatement fee as follows:

- 12 Summary suspension under Section 11-501.1 ..... \$250
- 13 Other suspension ..... \$70
- 14 Revocation ..... \$500

15 However, any person whose license or privilege to operate a  
16 motor vehicle in this State has been suspended or revoked for a  
17 second or subsequent time for a violation of Section 11-501 or  
18 11-501.1 of this Code or a similar provision of a local  
19 ordinance or a similar out-of-state offense or Section 9-3 of  
20 the Criminal Code of 1961 and each suspension or revocation was  
21 for a violation of Section 11-501 or 11-501.1 of this Code or a  
22 similar provision of a local ordinance or a similar  
23 out-of-state offense or Section 9-3 of the Criminal Code of  
24 1961 shall pay, in addition to any other fees required by this  
25 Code, a reinstatement fee as follows:

- 26 Summary suspension under Section 11-501.1 ..... \$500

1           Revocation ..... \$500

2           (c) All fees collected under the provisions of this Chapter  
3           6 shall be paid into the Road Fund in the State Treasury except  
4           as follows:

5                 1. The following amounts shall be paid into the Driver  
6                 Education Fund:

7                         (A) \$16 of the \$20 fee for an original driver's  
8                         instruction permit;

9                         (B) \$5 of the \$10 fee for an original driver's  
10                         license;

11                         (C) \$5 of the \$10 fee for a 4 year renewal driver's  
12                         license; and

13                         (D) \$4 of the \$8 fee for a restricted driving  
14                         permit.

15                 2. \$30 of the \$250 fee for reinstatement of a license  
16                 summarily suspended under Section 11-501.1 shall be  
17                 deposited into the Drunk and Drugged Driving Prevention  
18                 Fund. However, for a person whose license or privilege to  
19                 operate a motor vehicle in this State has been suspended or  
20                 revoked for a second or subsequent time for a violation of  
21                 Section 11-501 or 11-501.1 of this Code or Section 9-3 of  
22                 the Criminal Code of 1961, \$190 of the \$500 fee for  
23                 reinstatement of a license summarily suspended under  
24                 Section 11-501.1, and \$190 of the \$500 fee for  
25                 reinstatement of a revoked license shall be deposited into  
26                 the Drunk and Drugged Driving Prevention Fund.

1           3. \$6 of such original or renewal fee for a commercial  
2 driver's license and \$6 of the commercial driver  
3 instruction permit fee when such permit is issued to any  
4 person holding a valid Illinois driver's license, shall be  
5 paid into the CDLIS/AAMVAnet Trust Fund.

6           4. \$30 of the \$70 fee for reinstatement of a license  
7 suspended under the Family Financial Responsibility Law  
8 shall be paid into the Family Responsibility Fund.

9           5. The \$5 fee for each original or renewal M or L  
10 endorsement shall be deposited into the Cycle Rider Safety  
11 Training Fund.

12           6. \$20 of any original or renewal fee for a commercial  
13 driver's license or commercial driver instruction permit  
14 shall be paid into the Motor Carrier Safety Inspection  
15 Fund.

16           7. The following amounts shall be paid into the General  
17 Revenue Fund:

18               (A) \$190 of the \$250 reinstatement fee for a  
19 summary suspension under Section 11-501.1;

20               (B) \$40 of the \$70 reinstatement fee for any other  
21 suspension provided in subsection (b) of this Section;  
22 and

23               (C) \$440 of the \$500 reinstatement fee for a first  
24 offense revocation and \$310 of the \$500 reinstatement  
25 fee for a second or subsequent revocation.

26           8. The entire amount more than \$10 of any fee for a

1 driver's certificate issued under subsection (b-2) of  
 2 Section 6-106 shall be deposited into the Secretary of  
 3 State Driver's Certificate Fund. The Secretary of State  
 4 shall adopt rules setting the fee for issuing a driver's  
 5 certificate, in light of the additional costs associated  
 6 with issuing those driver's certificates.

7 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04; 93-788,  
 8 eff. 1-1-05.)

9 (Text of Section after amendment by P.A. 94-1035)  
 10 Sec. 6-118. Fees.

11 (a) The fee for licenses and permits under this Article is  
 12 as follows:

13	Original driver's license .....	\$10
14	Original or renewal driver's license	
15	issued to 18, 19 and 20 year olds .....	5
16	All driver's licenses for persons	
17	age 69 through age 80 .....	5
18	All driver's licenses for persons	
19	age 81 through age 86 .....	2
20	All driver's licenses for persons	
21	age 87 or older .....	0
22	Renewal driver's license (except for	
23	applicants ages 18, 19 and 20 or	
24	age 69 and older) .....	10
25	Original instruction permit issued to	

1 persons (except those age 69 and older)

2 who do not hold or have not previously

3 held an Illinois instruction permit or

4 driver's license ..... 20

5 Instruction permit issued to any person

6 holding an Illinois driver's license

7 who wishes a change in classifications,

8 other than at the time of renewal ..... 5

9 Any instruction permit issued to a person

10 age 69 and older ..... 5

11 Instruction permit issued to any person,

12 under age 69, not currently holding a

13 valid Illinois driver's license or

14 instruction permit but who has

15 previously been issued either document

16 in Illinois ..... 10

17 Restricted driving permit ..... 8

18 Duplicate or corrected driver's license

19 or permit ..... 5

20 Duplicate or corrected restricted

21 driving permit ..... 5

22 Original or renewal M or L endorsement..... 5

23 The fee for a driver's certificate issued under subsection

24 (b-2) of Section 6-106 shall be \$10 plus an additional fee of

25 not less than \$50, to be set by the Secretary by rule, to cover

26 the additional costs associated with issuing those driver's

1 certificates.

2 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

3 The fees for commercial driver licenses and permits  
4 under Article V shall be as follows:

5 Commercial driver's license:

6 \$6 for the CDLIS/AAMVAnet Fund  
7 (Commercial Driver's License Information  
8 System/American Association of Motor Vehicle  
9 Administrators network Trust Fund);  
10 \$20 for the Motor Carrier Safety Inspection Fund;  
11 \$10 for the driver's license;  
12 and \$24 for the CDL: ..... \$60

13 Renewal commercial driver's license:

14 \$6 for the CDLIS/AAMVAnet Trust Fund;  
15 \$20 for the Motor Carrier Safety Inspection Fund;  
16 \$10 for the driver's license; and  
17 \$24 for the CDL: ..... \$60

18 Commercial driver instruction permit

19 issued to any person holding a valid  
20 Illinois driver's license for the  
21 purpose of changing to a  
22 CDL classification: \$6 for the  
23 CDLIS/AAMVAnet Trust Fund;  
24 \$20 for the Motor Carrier  
25 Safety Inspection Fund; and  
26 \$24 for the CDL classification ..... \$50

1 Commercial driver instruction permit  
 2 issued to any person holding a valid  
 3 Illinois CDL for the purpose of  
 4 making a change in a classification,  
 5 endorsement or restriction ..... \$5  
 6 CDL duplicate or corrected license ..... \$5

7 In order to ensure the proper implementation of the Uniform  
 8 Commercial Driver License Act, Article V of this Chapter, the  
 9 Secretary of State is empowered to pro-rate the \$24 fee for the  
 10 commercial driver's license proportionate to the expiration  
 11 date of the applicant's Illinois driver's license.

12 The fee for any duplicate license or permit shall be waived  
 13 for any person age 60 or older who presents the Secretary of  
 14 State's office with a police report showing that his license or  
 15 permit was stolen.

16 No additional fee shall be charged for a driver's license,  
 17 or for a commercial driver's license, when issued to the holder  
 18 of an instruction permit for the same classification or type of  
 19 license who becomes eligible for such license.

20 (b) Any person whose license or privilege to operate a  
 21 motor vehicle in this State has been suspended or revoked under  
 22 Section 3-707, any provision of Chapter 6, Chapter 11, or  
 23 Section 7-205, 7-303, or 7-702 of the Family Financial  
 24 Responsibility Law of this Code, shall in addition to any other  
 25 fees required by this Code, pay a reinstatement fee as follows:

26 Suspension under Section 3-707 ..... \$100



1	Summary suspension under Section 11-501.1 .....	\$250
2	Other suspension .....	\$70
3	Revocation .....	\$500

4       However, any person whose license or privilege to operate a  
5 motor vehicle in this State has been suspended or revoked for a  
6 second or subsequent time for a violation of Section 11-501 or  
7 11-501.1 of this Code or a similar provision of a local  
8 ordinance or a similar out-of-state offense or Section 9-3 of  
9 the Criminal Code of 1961 and each suspension or revocation was  
10 for a violation of Section 11-501 or 11-501.1 of this Code or a  
11 similar provision of a local ordinance or a similar  
12 out-of-state offense or Section 9-3 of the Criminal Code of  
13 1961 shall pay, in addition to any other fees required by this  
14 Code, a reinstatement fee as follows:

15	Summary suspension under Section 11-501.1 .....	\$500
16	Revocation .....	\$500

17       (c) All fees collected under the provisions of this Chapter  
18 6 shall be paid into the Road Fund in the State Treasury except  
19 as follows:

20             1. The following amounts shall be paid into the Driver  
21 Education Fund:

22                     (A) \$16 of the \$20 fee for an original driver's  
23 instruction permit;

24                     (B) \$5 of the \$10 fee for an original driver's  
25 license;

26                     (C) \$5 of the \$10 fee for a 4 year renewal driver's

1 license; and

2 (D) \$4 of the \$8 fee for a restricted driving  
3 permit.

4 2. \$30 of the \$250 fee for reinstatement of a license  
5 summarily suspended under Section 11-501.1 shall be  
6 deposited into the Drunk and Drugged Driving Prevention  
7 Fund. However, for a person whose license or privilege to  
8 operate a motor vehicle in this State has been suspended or  
9 revoked for a second or subsequent time for a violation of  
10 Section 11-501 or 11-501.1 of this Code or Section 9-3 of  
11 the Criminal Code of 1961, \$190 of the \$500 fee for  
12 reinstatement of a license summarily suspended under  
13 Section 11-501.1, and \$190 of the \$500 fee for  
14 reinstatement of a revoked license shall be deposited into  
15 the Drunk and Drugged Driving Prevention Fund.

16 3. \$6 of such original or renewal fee for a commercial  
17 driver's license and \$6 of the commercial driver  
18 instruction permit fee when such permit is issued to any  
19 person holding a valid Illinois driver's license, shall be  
20 paid into the CDLIS/AAMVAnet Trust Fund.

21 4. \$30 of the \$70 fee for reinstatement of a license  
22 suspended under the Family Financial Responsibility Law  
23 shall be paid into the Family Responsibility Fund.

24 5. The \$5 fee for each original or renewal M or L  
25 endorsement shall be deposited into the Cycle Rider Safety  
26 Training Fund.

1           6. \$20 of any original or renewal fee for a commercial  
2 driver's license or commercial driver instruction permit  
3 shall be paid into the Motor Carrier Safety Inspection  
4 Fund.

5           7. The following amounts shall be paid into the General  
6 Revenue Fund:

7                   (A) \$190 of the \$250 reinstatement fee for a  
8 summary suspension under Section 11-501.1;

9                   (B) \$40 of the \$70 reinstatement fee for any other  
10 suspension provided in subsection (b) of this Section;  
11 and

12                   (C) \$440 of the \$500 reinstatement fee for a first  
13 offense revocation and \$310 of the \$500 reinstatement  
14 fee for a second or subsequent revocation.

15           8. The entire amount more than \$10 of any fee for a  
16 driver's certificate issued under subsection (b-2) of  
17 Section 6-106 shall be deposited into the Secretary of  
18 State Driver's Certificate Fund. The Secretary of State  
19 shall adopt rules setting the fee for issuing a driver's  
20 certificate, in light of the additional costs associated  
21 with issuing those driver's certificates.

22 (Source: P.A. 93-32, eff. 1-1-04; 93-788, eff. 1-1-05; 94-1035,  
23 eff. 7-1-07.)

24 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

25 Sec. 6-205. Mandatory revocation of license or permit;

1 Hardship cases.

2 (a) Except as provided in this Section, the Secretary of  
3 State shall immediately revoke the license, permit, or driving  
4 privileges of any driver upon receiving a report of the  
5 driver's conviction of any of the following offenses:

6 (a-5) The Secretary of State shall immediately revoke the  
7 driver's certificate issued under subdivision (b-2)(1) of  
8 Section 6-106 of this Code, upon notification from the Illinois  
9 Department of Revenue that the holder of the driver's  
10 certificate is not in compliance with any applicable tax laws  
11 administered by the Department of Revenue.

12 1. Reckless homicide resulting from the operation of a  
13 motor vehicle;

14 2. Violation of Section 11-501 of this Code or a  
15 similar provision of a local ordinance relating to the  
16 offense of operating or being in physical control of a  
17 vehicle while under the influence of alcohol, other drug or  
18 drugs, intoxicating compound or compounds, or any  
19 combination thereof;

20 3. Any felony under the laws of any State or the  
21 federal government in the commission of which a motor  
22 vehicle was used;

23 4. Violation of Section 11-401 of this Code relating to  
24 the offense of leaving the scene of a traffic accident  
25 involving death or personal injury;

26 5. Perjury or the making of a false affidavit or

1 statement under oath to the Secretary of State under this  
2 Code or under any other law relating to the ownership or  
3 operation of motor vehicles;

4 6. Conviction upon 3 charges of violation of Section  
5 11-503 of this Code relating to the offense of reckless  
6 driving committed within a period of 12 months;

7 7. Conviction of any offense defined in Section 4-102  
8 of this Code;

9 8. Violation of Section 11-504 of this Code relating to  
10 the offense of drag racing;

11 9. Violation of Chapters 8 and 9 of this Code;

12 10. Violation of Section 12-5 of the Criminal Code of  
13 1961 arising from the use of a motor vehicle;

14 11. Violation of Section 11-204.1 of this Code relating  
15 to aggravated fleeing or attempting to elude a peace  
16 officer;

17 12. Violation of paragraph (1) of subsection (b) of  
18 Section 6-507, or a similar law of any other state,  
19 relating to the unlawful operation of a commercial motor  
20 vehicle;

21 13. Violation of paragraph (a) of Section 11-502 of  
22 this Code or a similar provision of a local ordinance if  
23 the driver has been previously convicted of a violation of  
24 that Section or a similar provision of a local ordinance  
25 and the driver was less than 21 years of age at the time of  
26 the offense.

1 (b) The Secretary of State shall also immediately revoke  
2 the license or permit of any driver in the following  
3 situations:

4 1. Of any minor upon receiving the notice provided for  
5 in Section 5-901 of the Juvenile Court Act of 1987 that the  
6 minor has been adjudicated under that Act as having  
7 committed an offense relating to motor vehicles prescribed  
8 in Section 4-103 of this Code;

9 2. Of any person when any other law of this State  
10 requires either the revocation or suspension of a license  
11 or permit.

12 (c) Whenever a person is convicted of any of the offenses  
13 enumerated in this Section, the court may recommend and the  
14 Secretary of State in his discretion, without regard to whether  
15 the recommendation is made by the court may, upon application,  
16 issue to the person a restricted driving permit granting the  
17 privilege of driving a motor vehicle between the petitioner's  
18 residence and petitioner's place of employment or within the  
19 scope of the petitioner's employment related duties, or to  
20 allow transportation for the petitioner or a household member  
21 of the petitioner's family for the receipt of necessary medical  
22 care or, if the professional evaluation indicates, provide  
23 transportation for the petitioner for alcohol remedial or  
24 rehabilitative activity, or for the petitioner to attend  
25 classes, as a student, in an accredited educational  
26 institution; if the petitioner is able to demonstrate that no

1 alternative means of transportation is reasonably available  
2 and the petitioner will not endanger the public safety or  
3 welfare; provided that the Secretary's discretion shall be  
4 limited to cases where undue hardship would result from a  
5 failure to issue the restricted driving permit.

6 If a person's license or permit has been revoked or  
7 suspended due to 2 or more convictions of violating Section  
8 11-501 of this Code or a similar provision of a local ordinance  
9 or a similar out-of-state offense, arising out of separate  
10 occurrences, that person, if issued a restricted driving  
11 permit, may not operate a vehicle unless it has been equipped  
12 with an ignition interlock device as defined in Section  
13 1-129.1.

14 If a person's license or permit has been revoked or  
15 suspended 2 or more times within a 10 year period due to a  
16 single conviction of violating Section 11-501 of this Code or a  
17 similar provision of a local ordinance or a similar  
18 out-of-state offense, and a statutory summary suspension under  
19 Section 11-501.1, or 2 or more statutory summary suspensions,  
20 or combination of 2 offenses, or of an offense and a statutory  
21 summary suspension, arising out of separate occurrences, that  
22 person, if issued a restricted driving permit, may not operate  
23 a vehicle unless it has been equipped with an ignition  
24 interlock device as defined in Section 1-129.1. The person must  
25 pay to the Secretary of State DUI Administration Fund an amount  
26 not to exceed \$20 per month. The Secretary shall establish by

1 rule the amount and the procedures, terms, and conditions  
2 relating to these fees. If the restricted driving permit was  
3 issued for employment purposes, then this provision does not  
4 apply to the operation of an occupational vehicle owned or  
5 leased by that person's employer. In each case the Secretary of  
6 State may issue a restricted driving permit for a period he  
7 deems appropriate, except that the permit shall expire within  
8 one year from the date of issuance. The Secretary may not,  
9 however, issue a restricted driving permit to any person whose  
10 current revocation is the result of a second or subsequent  
11 conviction for a violation of Section 11-501 of this Code or a  
12 similar provision of a local ordinance relating to the offense  
13 of operating or being in physical control of a motor vehicle  
14 while under the influence of alcohol, other drug or drugs,  
15 intoxicating compound or compounds, or any similar  
16 out-of-state offense, or any combination thereof, until the  
17 expiration of at least one year from the date of the  
18 revocation. A restricted driving permit issued under this  
19 Section shall be subject to cancellation, revocation, and  
20 suspension by the Secretary of State in like manner and for  
21 like cause as a driver's license issued under this Code may be  
22 cancelled, revoked, or suspended; except that a conviction upon  
23 one or more offenses against laws or ordinances regulating the  
24 movement of traffic shall be deemed sufficient cause for the  
25 revocation, suspension, or cancellation of a restricted  
26 driving permit. The Secretary of State may, as a condition to



1 the issuance of a restricted driving permit, require the  
2 applicant to participate in a designated driver remedial or  
3 rehabilitative program. The Secretary of State is authorized to  
4 cancel a restricted driving permit if the permit holder does  
5 not successfully complete the program. However, if an  
6 individual's driving privileges have been revoked in  
7 accordance with paragraph 13 of subsection (a) of this Section,  
8 no restricted driving permit shall be issued until the  
9 individual has served 6 months of the revocation period.

10 (d) Whenever a person under the age of 21 is convicted  
11 under Section 11-501 of this Code or a similar provision of a  
12 local ordinance, the Secretary of State shall revoke the  
13 driving privileges of that person. One year after the date of  
14 revocation, and upon application, the Secretary of State may,  
15 if satisfied that the person applying will not endanger the  
16 public safety or welfare, issue a restricted driving permit  
17 granting the privilege of driving a motor vehicle only between  
18 the hours of 5 a.m. and 9 p.m. or as otherwise provided by this  
19 Section for a period of one year. After this one year period,  
20 and upon reapplication for a license as provided in Section  
21 6-106, upon payment of the appropriate reinstatement fee  
22 provided under paragraph (b) of Section 6-118, the Secretary of  
23 State, in his discretion, may issue the applicant a license, or  
24 extend the restricted driving permit as many times as the  
25 Secretary of State deems appropriate, by additional periods of  
26 not more than 12 months each, until the applicant attains 21

1 years of age.

2 If a person's license or permit has been revoked or  
3 suspended due to 2 or more convictions of violating Section  
4 11-501 of this Code or a similar provision of a local ordinance  
5 or a similar out-of-state offense, arising out of separate  
6 occurrences, that person, if issued a restricted driving  
7 permit, may not operate a vehicle unless it has been equipped  
8 with an ignition interlock device as defined in Section  
9 1-129.1.

10 If a person's license or permit has been revoked or  
11 suspended 2 or more times within a 10 year period due to a  
12 single conviction of violating Section 11-501 of this Code or a  
13 similar provision of a local ordinance or a similar  
14 out-of-state offense, and a statutory summary suspension under  
15 Section 11-501.1, or 2 or more statutory summary suspensions,  
16 or combination of 2 offenses, or of an offense and a statutory  
17 summary suspension, arising out of separate occurrences, that  
18 person, if issued a restricted driving permit, may not operate  
19 a vehicle unless it has been equipped with an ignition  
20 interlock device as defined in Section 1-129.1. The person must  
21 pay to the Secretary of State DUI Administration Fund an amount  
22 not to exceed \$20 per month. The Secretary shall establish by  
23 rule the amount and the procedures, terms, and conditions  
24 relating to these fees. If the restricted driving permit was  
25 issued for employment purposes, then this provision does not  
26 apply to the operation of an occupational vehicle owned or

1 leased by that person's employer. A restricted driving permit  
2 issued under this Section shall be subject to cancellation,  
3 revocation, and suspension by the Secretary of State in like  
4 manner and for like cause as a driver's license issued under  
5 this Code may be cancelled, revoked, or suspended; except that  
6 a conviction upon one or more offenses against laws or  
7 ordinances regulating the movement of traffic shall be deemed  
8 sufficient cause for the revocation, suspension, or  
9 cancellation of a restricted driving permit. The revocation  
10 periods contained in this subparagraph shall apply to similar  
11 out-of-state convictions.

12 (e) This Section is subject to the provisions of the Driver  
13 License Compact.

14 (f) Any revocation imposed upon any person under  
15 subsections 2 and 3 of paragraph (b) that is in effect on  
16 December 31, 1988 shall be converted to a suspension for a like  
17 period of time.

18 (g) The Secretary of State shall not issue a restricted  
19 driving permit to a person under the age of 16 years whose  
20 driving privileges have been revoked under any provisions of  
21 this Code.

22 (h) The Secretary of State shall require the use of  
23 ignition interlock devices on all vehicles owned by an  
24 individual who has been convicted of a second or subsequent  
25 offense under Section 11-501 of this Code or a similar  
26 provision of a local ordinance. The Secretary shall establish

1 by rule and regulation the procedures for certification and use  
2 of the interlock system.

3 (i) The Secretary of State may not issue a restricted  
4 driving permit for a period of one year after a second or  
5 subsequent revocation of driving privileges under clause  
6 (a)(2) of this Section; however, one year after the date of a  
7 second or subsequent revocation of driving privileges under  
8 clause (a)(2) of this Section, the Secretary of State may, upon  
9 application, issue a restricted driving permit under the terms  
10 and conditions of subsection (c).

11 (j) In accordance with 49 C.F.R. 384, the Secretary of  
12 State may not issue a restricted driving permit for the  
13 operation of a commercial motor vehicle to a person holding a  
14 CDL whose driving privileges have been revoked under any  
15 provisions of this Code.

16 (Source: P.A. 93-120, eff. 1-1-04; 94-307, eff. 9-30-05.)

17 Section 95. No acceleration or delay. Where this Act makes  
18 changes in a statute that is represented in this Act by text  
19 that is not yet or no longer in effect (for example, a Section  
20 represented by multiple versions), the use of that text does  
21 not accelerate or delay the taking effect of (i) the changes  
22 made by this Act or (ii) provisions derived from any other  
23 Public Act.

24 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 99. Effective date. This Act takes effect January  
3 1, 2008.