



Rep. Robert S. Molaro

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1 AMENDMENT TO SENATE BILL 2294

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2294, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Identification Card Act is amended  
6 by changing Section 4 as follows:

7 (15 ILCS 335/4) (from Ch. 124, par. 24)

8 Sec. 4. Identification Card.

9 (a) The Secretary of State shall issue a standard Illinois  
10 Identification Card to any natural person who is a resident of  
11 the State of Illinois who applies for such card, or renewal  
12 thereof, or who applies for a standard Illinois Identification  
13 Card upon release as a committed person on parole, mandatory  
14 supervised release, final discharge, or pardon from the  
15 Department of Corrections by submitting an identification card  
16 issued by the Department of Corrections under Section 3-14-1 of

1 the Unified Code of Corrections, together with the prescribed  
2 fees. No identification card shall be issued to any person who  
3 holds a valid foreign state identification card, license, or  
4 permit unless the person first surrenders to the Secretary of  
5 State the valid foreign state identification card, license, or  
6 permit. The card shall be prepared and supplied by the  
7 Secretary of State and shall include a photograph and signature  
8 or mark of the applicant. ~~The applicant, upon receipt of a card~~  
9 ~~and prior to its use for any purpose, shall affix his signature~~  
10 ~~thereon in the space provided therefor.~~ The Illinois  
11 Identification Card may be used for identification purposes in  
12 any lawful situation only by the person to whom it was issued.  
13 As used in this Act, "photograph" means any color photograph or  
14 digitally produced and captured image of an applicant for an  
15 identification card. As used in this Act, "signature" means the  
16 name of a person as written by that person and captured in a  
17 manner acceptable to the Secretary of State.

18 (b) The Secretary of State shall issue a special Illinois  
19 Identification Card, which shall be known as an Illinois  
20 Disabled Person Identification Card, to any natural person who  
21 is a resident of the State of Illinois, who is a disabled  
22 person as defined in Section 4A of this Act, who applies for  
23 such card, or renewal thereof. No Disabled Person  
24 Identification Card shall be issued to any person who holds a  
25 valid foreign state identification card, license, or permit  
26 unless the person first surrenders to the Secretary of State

1 the valid foreign state identification card, license, or  
2 permit. The Secretary of State shall charge no fee to issue  
3 such card. The card shall be prepared and supplied by the  
4 Secretary of State, and shall include a photograph and  
5 signature or mark of the applicant, a designation indicating  
6 that the card is an Illinois Disabled Person Identification  
7 Card, and shall include a comprehensible designation of the  
8 type and classification of the applicant's disability as set  
9 out in Section 4A of this Act. If the applicant so requests,  
10 the card shall include a description of the applicant's  
11 disability and any information about the applicant's  
12 disability or medical history which the Secretary determines  
13 would be helpful to the applicant in securing emergency medical  
14 care. ~~The applicant, upon receipt of such a card and prior to~~  
15 ~~its use for any purpose, shall have affixed thereon in the~~  
16 ~~space provided therefor his signature or mark. If a mark is~~  
17 ~~used in lieu of a signature, such mark shall be affixed to the~~  
18 ~~card in the presence of two witnesses who attest to the~~  
19 ~~authenticity of the mark.~~ The Illinois Disabled Person  
20 Identification Card may be used for identification purposes in  
21 any lawful situation by the person to whom it was issued.

22 The Illinois Disabled Person Identification Card may be  
23 used as adequate documentation of disability in lieu of a  
24 physician's determination of disability, a determination of  
25 disability from a physician assistant who has been delegated  
26 the authority to make this determination by his or her

1 supervising physician, a determination of disability from an  
2 advanced practice nurse who has a written collaborative  
3 agreement with a collaborating physician that authorizes the  
4 advanced practice nurse to make this determination, or any  
5 other documentation of disability whenever any State law  
6 requires that a disabled person provide such documentation of  
7 disability, however an Illinois Disabled Person Identification  
8 Card shall not qualify the cardholder to participate in any  
9 program or to receive any benefit which is not available to all  
10 persons with like disabilities. Notwithstanding any other  
11 provisions of law, an Illinois Disabled Person Identification  
12 Card, or evidence that the Secretary of State has issued an  
13 Illinois Disabled Person Identification Card, shall not be used  
14 by any person other than the person named on such card to prove  
15 that the person named on such card is a disabled person or for  
16 any other purpose unless the card is used for the benefit of  
17 the person named on such card, and the person named on such  
18 card consents to such use at the time the card is so used.

19 When medical information is contained on an Illinois  
20 Disabled Person Identification Card, the Office of the  
21 Secretary of State shall not be liable for any actions taken  
22 based upon that medical information.

23 (c) Beginning January 1, 1986, the Secretary of State shall  
24 provide that each original or renewal Illinois Identification  
25 Card or Illinois Disabled Person Identification Card issued to  
26 a person under the age of 21, shall be of a distinct nature

1 from those Illinois Identification Cards or Illinois Disabled  
2 Person Identification Cards issued to individuals 21 years of  
3 age or older. The color designated for Illinois Identification  
4 Cards or Illinois Disabled Person Identification Cards for  
5 persons under the age of 21 shall be at the discretion of the  
6 Secretary of State.

7 (c-1) Beginning January 1, 2003, each original or renewal  
8 Illinois Identification Card or Illinois Disabled Person  
9 Identification Card issued to a person under the age of 21  
10 shall display the date upon which the person becomes 18 years  
11 of age and the date upon which the person becomes 21 years of  
12 age.

13 (d) The Secretary of State may issue a Senior Citizen  
14 discount card, to any natural person who is a resident of the  
15 State of Illinois who is 60 years of age or older and who  
16 applies for such a card or renewal thereof. The Secretary of  
17 State shall charge no fee to issue such card. The card shall be  
18 issued in every county and applications shall be made available  
19 at, but not limited to, nutrition sites, senior citizen centers  
20 and Area Agencies on Aging. The applicant, upon receipt of such  
21 card and prior to its use for any purpose, shall have affixed  
22 thereon in the space provided therefor his signature or mark.

23 (Source: P.A. 92-240, eff. 1-1-02; 92-689, eff. 1-1-03; 93-182,  
24 eff. 7-11-03; 93-895, eff. 1-1-05.)

25 Section 10. The Illinois Vehicle Code is amended by

1 changing Sections 1-111.1a, 1-197.5, 6-103, 6-107, 6-110,  
2 6-110.1, 6-205, 6-206, 6-303, and 6-514 as follows:

3 (625 ILCS 5/1-111.1a) (from Ch. 95 1/2, par. 1-171.01)

4 Sec. 1-111.1a. Charitable vehicle.

5 (a) Any vehicle that is exclusively owned and operated by a  
6 religious or charitable not-for-profit organization and is  
7 used primarily in conducting the official activities of such  
8 organization.

9 (b) This definition does not include:

10 (1) a bus operated by a public utility, municipal  
11 corporation or common carrier authorized to conduct local  
12 or interurban transportation of passengers when such bus is  
13 on a regularly scheduled route for the transportation of  
14 other fare paying passengers or furnishing charter service  
15 for the transportation of groups on special trips or in  
16 connection with special events and not over a regular or  
17 customary religious organization bus route;

18 (2) a school bus as defined in Section 1-182 of this  
19 Code; or

20 (3) a First Division vehicle, other than one designed  
21 for transporting not less than 7 nor more than 10  
22 passengers, as defined in Section 1-217 of this Code;  
23 except that for purposes of determining the number of  
24 persons a vehicle is designed to carry, in any vehicle  
25 equipped with one or more wheelchair tiedowns, each

1           wheelchair tiedown shall be counted as 4 persons; this is  
2           for registration purposes only for the First Division  
3           classification, and is not to be used for determining the  
4           need for a driver to possess a commercial driver's license.

5           (Source: P.A. 90-89, eff. 1-1-98; 91-64, eff. 1-1-00.)

6           (625 ILCS 5/1-197.5) (from Ch. 95 1/2, par. 1-203.1)

7           Sec. 1-197.5. Statutory summary alcohol or other drug  
8           related suspension of driver's privileges. The withdrawal by  
9           the Secretary of State ~~circuit court~~ of a person's license or  
10          privilege to operate a motor vehicle on the public highways for  
11          the periods provided in Section 6-208.1. Reinstatement after  
12          the suspension period shall occur after all appropriate fees  
13          have been paid, ~~unless the court notifies the Secretary of~~  
14          ~~State that the person should be disqualified.~~ The bases for  
15          this withdrawal of driving privileges shall be the individual's  
16          refusal to submit to or failure to complete a chemical test or  
17          tests following an arrest for the offense of driving under the  
18          influence of alcohol, other drugs, or intoxicating compounds,  
19          or any combination thereof, or submission to such a test or  
20          tests indicating an alcohol concentration of 0.08 or more as  
21          provided in Section 11-501.1 of this Code.

22          (Source: P.A. 92-834, eff. 8-22-02.)

23          (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

24          Sec. 6-103. What persons shall not be licensed as drivers

1 or granted permits. The Secretary of State shall not issue,  
2 renew, or allow the retention of any driver's license nor issue  
3 any permit under this Code:

4 1. To any person, as a driver, who is under the age of  
5 18 years except as provided in Section 6-107, and except  
6 that an instruction permit may be issued under Section  
7 6-107.1 to a child who is not less than 15 years of age if  
8 the child is enrolled in an approved driver education  
9 course as defined in Section 1-103 of this Code and  
10 requires an instruction permit to participate therein,  
11 except that an instruction permit may be issued under the  
12 provisions of Section 6-107.1 to a child who is 17 years  
13 and 3 months of age without the child having enrolled in an  
14 approved driver education course and except that an  
15 instruction permit may be issued to a child who is at least  
16 15 years and 3 ~~6~~ months of age, is enrolled in school,  
17 meets the educational requirements of the Driver Education  
18 Act, and has passed examinations the Secretary of State in  
19 his or her discretion may prescribe;

20 2. To any person who is under the age of 18 as an  
21 operator of a motorcycle other than a motor driven cycle  
22 unless the person has, in addition to meeting the  
23 provisions of Section 6-107 of this Code, successfully  
24 completed a motorcycle training course approved by the  
25 Illinois Department of Transportation and successfully  
26 completes the required Secretary of State's motorcycle



1 driver's examination;

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

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

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

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

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

24 8. To any person when the Secretary of State has good  
25 cause to believe that the person by reason of physical or  
26 mental disability would not be able to safely operate a

1 motor vehicle upon the highways, unless the person shall  
2 furnish to the Secretary of State a verified written  
3 statement, acceptable to the Secretary of State, from a  
4 competent medical specialist to the effect that the  
5 operation of a motor vehicle by the person would not be  
6 inimical to the public safety;

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

10 10. To any person convicted, within 12 months of  
11 application for a license, of any of the sexual offenses  
12 enumerated in paragraph 2 of subsection (b) of Section  
13 6-205;

14 11. To any person who is under the age of 21 years with  
15 a classification prohibited in paragraph (b) of Section  
16 6-104 and to any person who is under the age of 18 years  
17 with a classification prohibited in paragraph (c) of  
18 Section 6-104;

19 12. To any person who has been either convicted of or  
20 adjudicated under the Juvenile Court Act of 1987 based upon  
21 a violation of the Cannabis Control Act, the Illinois  
22 Controlled Substances Act, or the Methamphetamine Control  
23 and Community Protection Act while that person was in  
24 actual physical control of a motor vehicle. For purposes of  
25 this Section, any person placed on probation under Section  
26 10 of the Cannabis Control Act, Section 410 of the Illinois

1           Controlled Substances Act, or Section 70 of the  
2           Methamphetamine Control and Community Protection Act shall  
3           not be considered convicted. Any person found guilty of  
4           this offense, while in actual physical control of a motor  
5           vehicle, shall have an entry made in the court record by  
6           the judge that this offense did occur while the person was  
7           in actual physical control of a motor vehicle and order the  
8           clerk of the court to report the violation to the Secretary  
9           of State as such. The Secretary of State shall not issue a  
10          new license or permit for a period of one year;

11           13. To any person who is under the age of 18 years and  
12          who has committed the offense of operating a motor vehicle  
13          without a valid license or permit in violation of Section  
14          6-101 or a similar out of state offense;

15           14. To any person who is 90 days or more delinquent in  
16          court ordered child support payments or has been  
17          adjudicated in arrears in an amount equal to 90 days'  
18          obligation or more and who has been found in contempt of  
19          court for failure to pay the support, subject to the  
20          requirements and procedures of Article VII of Chapter 7 of  
21          the Illinois Vehicle Code;

22           14.5. To any person certified by the Illinois  
23          Department of Healthcare and Family Services as being 90  
24          days or more delinquent in payment of support under an  
25          order of support entered by a court or administrative body  
26          of this or any other State, subject to the requirements and

1 procedures of Article VII of Chapter 7 of this Code  
2 regarding those certifications;

3 15. To any person released from a term of imprisonment  
4 for violating Section 9-3 of the Criminal Code of 1961 or a  
5 similar provision of a law of another state relating to  
6 reckless homicide or for violating subparagraph (F) of  
7 paragraph (1) of subsection (d) of Section 11-501 of this  
8 Code relating to aggravated driving under the influence of  
9 alcohol, other drug or drugs, intoxicating compound or  
10 compounds, or any combination thereof, if the violation was  
11 the proximate cause of a death, within 24 months of release  
12 from a term of imprisonment;

13 16. To any person who, with intent to influence any act  
14 related to the issuance of any driver's license or permit,  
15 by an employee of the Secretary of State's Office, or the  
16 owner or employee of any commercial driver training school  
17 licensed by the Secretary of State, or any other individual  
18 authorized by the laws of this State to give driving  
19 instructions or administer all or part of a driver's  
20 license examination, promises or tenders to that person any  
21 property or personal advantage which that person is not  
22 authorized by law to accept. Any persons promising or  
23 tendering such property or personal advantage shall be  
24 disqualified from holding any class of driver's license or  
25 permit for 120 consecutive days. The Secretary of State  
26 shall establish by rule the procedures for implementing

1           this period of disqualification and the procedures by which  
2           persons so disqualified may obtain administrative review  
3           of the decision to disqualify;

4           17. To any person for whom the Secretary of State  
5           cannot verify the accuracy of any information or  
6           documentation submitted in application for a driver's  
7           license; or

8           18. To any person who has been adjudicated under the  
9           Juvenile Court Act of 1987 based upon an offense that is  
10          determined by the court to have been committed in  
11          furtherance of the criminal activities of an organized  
12          gang, as provided in Section 5-710 of that Act, and that  
13          involved the operation or use of a motor vehicle or the use  
14          of a driver's license or permit. The person shall be denied  
15          a license or permit for the period determined by the court.

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

19          (Source: P.A. 94-556, eff. 9-11-05; 95-310, eff. 1-1-08;  
20          95-337, eff. 6-1-08; 95-685, eff. 6-23-07; revised 11-16-07.)

21           (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

22           Sec. 6-107. Graduated license.

23           (a) The purpose of the Graduated Licensing Program is to  
24           develop safe and mature driving habits in young, inexperienced  
25           drivers and reduce or prevent motor vehicle accidents,

1 fatalities, and injuries by:

2 (1) providing for an increase in the time of practice  
3 period before granting permission to obtain a driver's  
4 license;

5 (2) strengthening driver licensing and testing  
6 standards for persons under the age of 21 years;

7 (3) sanctioning driving privileges of drivers under  
8 age 21 who have committed serious traffic violations or  
9 other specified offenses; and

10 (4) setting stricter standards to promote the public's  
11 health and safety.

12 (b) The application of any person under the age of 18  
13 years, and not legally emancipated by marriage, for a drivers  
14 license or permit to operate a motor vehicle issued under the  
15 laws of this State, shall be accompanied by the written consent  
16 of either parent of the applicant; otherwise by the guardian  
17 having custody of the applicant, or in the event there is no  
18 parent or guardian, then by another responsible adult. The  
19 written consent must accompany any application for a driver's  
20 license under this subsection (b), regardless of whether or not  
21 the required written consent also accompanied the person's  
22 previous application for an instruction permit.

23 No graduated driver's license shall be issued to any  
24 applicant under 18 years of age, unless the applicant is at  
25 least 16 years of age and has:

26 (1) Held a valid instruction permit for a minimum of 9

1 months.

2 (2) Passed an approved driver education course and  
3 submits proof of having passed the course as may be  
4 required.

5 (3) Certification by the parent, legal guardian, or  
6 responsible adult that the applicant has had a minimum of  
7 50 hours of behind-the-wheel practice time, at least 10  
8 hours of which have been at night, and is sufficiently  
9 prepared and able to safely operate a motor vehicle.

10 (b-1) No graduated driver's license shall be issued to any  
11 applicant who is under 18 years of age and not legally  
12 emancipated by marriage, unless the applicant has graduated  
13 from a secondary school of this State or any other state, is  
14 enrolled in a course leading to a general educational  
15 development (GED) certificate, has obtained a GED certificate,  
16 is enrolled in an elementary or secondary school or college or  
17 university of this State or any other state and is not a  
18 chronic or habitual truant as provided in Section 26-2a of the  
19 School Code, or is receiving home instruction and submits proof  
20 of meeting any of those requirements at the time of  
21 application.

22 An applicant under 18 years of age who provides proof  
23 acceptable to the Secretary that the applicant has resumed  
24 regular school attendance or home instruction or that his or  
25 her application was denied in error shall be eligible to  
26 receive a graduated license if other requirements are met. The

1 Secretary shall adopt rules for implementing this subsection  
2 (b-1).

3 (c) No graduated driver's license or permit shall be issued  
4 to any applicant under 18 years of age who has committed the  
5 offense of operating a motor vehicle without a valid license or  
6 permit in violation of Section 6-101 of this Code or a similar  
7 out of state offense and no graduated driver's license or  
8 permit shall be issued to any applicant under 18 years of age  
9 who has committed an offense that would otherwise result in a  
10 mandatory revocation of a license or permit as provided in  
11 Section 6-205 of this Code or who has been either convicted of  
12 or adjudicated a delinquent based upon a violation of the  
13 Cannabis Control Act, the Illinois Controlled Substances Act,  
14 the Use of Intoxicating Compounds Act, or the Methamphetamine  
15 Control and Community Protection Act while that individual was  
16 in actual physical control of a motor vehicle. For purposes of  
17 this Section, any person placed on probation under Section 10  
18 of the Cannabis Control Act, Section 410 of the Illinois  
19 Controlled Substances Act, or Section 70 of the Methamphetamine  
20 Control and Community Protection Act shall not be considered  
21 convicted. Any person found guilty of this offense, while in  
22 actual physical control of a motor vehicle, shall have an entry  
23 made in the court record by the judge that this offense did  
24 occur while the person was in actual physical control of a  
25 motor vehicle and order the clerk of the court to report the  
26 violation to the Secretary of State as such.



1 (d) No graduated driver's license shall be issued for 9  
2 months to any applicant under the age of 18 years who has  
3 committed and subsequently been convicted of an offense against  
4 traffic regulations governing the movement of vehicles or any  
5 violation of this Section or Section 12-603.1 of this Code.

6 (e) No graduated driver's license holder under the age of  
7 18 years shall operate any motor vehicle, except a motor driven  
8 cycle or motorcycle, with more than one passenger in the front  
9 seat of the motor vehicle and no more passengers in the back  
10 seats than the number of available seat safety belts as set  
11 forth in Section 12-603 of this Code. If a graduated driver's  
12 license holder over the age of 18 committed an offense against  
13 traffic regulations governing the movement of vehicles or any  
14 violation of this Section or Section 12-603.1 of this Code in  
15 the 6 months prior to the graduated driver's license holder's  
16 18th birthday, and was subsequently convicted of the violation,  
17 the provisions of this paragraph shall continue to apply until  
18 such time as a period of 6 consecutive months has elapsed  
19 without an additional violation and subsequent conviction of an  
20 offense against traffic regulations governing the movement of  
21 vehicles or any violation of this Section or Section 12-603.1  
22 of this Code.

23 (f) No graduated driver's license holder under the age of  
24 18 shall operate a motor vehicle unless each driver and  
25 passenger under the age of 19 is wearing a properly adjusted  
26 and fastened seat safety belt and each child under the age of 8

1 is protected as required under the Child Passenger Protection  
2 Act. If a graduated driver's license holder over the age of 18  
3 committed an offense against traffic regulations governing the  
4 movement of vehicles or any violation of this Section or  
5 Section 12-603.1 of this Code in the 6 months prior to the  
6 graduated driver's license holder's 18th birthday, and was  
7 subsequently convicted of the violation, the provisions of this  
8 paragraph shall continue to apply until such time as a period  
9 of 6 consecutive months has elapsed without an additional  
10 violation and subsequent conviction of an offense against  
11 traffic regulations governing the movement of vehicles or any  
12 violation of this Section or Section 12-603.1 of this Code.

13 (g) If a graduated driver's license holder is under the age  
14 of 18 when he or she receives the license, for the first 12  
15 months he or she holds the license or until he or she reaches  
16 the age of 18, whichever occurs sooner, the graduated license  
17 holder may not operate a motor vehicle with more than one  
18 passenger in the vehicle who is under the age of 20, unless any  
19 additional passenger or passengers are siblings,  
20 step-siblings, children, or stepchildren of the driver. If a  
21 graduated driver's license holder committed an offense against  
22 traffic regulations governing the movement of vehicles or any  
23 violation of this Section or Section 12-603.1 of this Code  
24 during the first 12 months the license is held and subsequently  
25 is convicted of the violation, the provisions of this paragraph  
26 shall remain in effect until such time as a period of 6

1 consecutive months has elapsed without an additional violation  
2 and subsequent conviction of an offense against traffic  
3 regulations governing the movement of vehicles or any violation  
4 of this Section or Section 12-603.1 of this Code.

5 (h) It shall be an offense for a person that is age 15, but  
6 under age 20, to be a passenger in a vehicle operated by a  
7 driver holding a graduated driver's license during the first 12  
8 months the driver holds the license or until the driver reaches  
9 the age of 18, whichever occurs sooner, if another passenger  
10 under the age of 20 is present, excluding a sibling,  
11 step-sibling, child, or step-child of the driver.

12 (Source: P.A. 94-239, eff. 1-1-06; 94-241, eff. 1-1-06; 94-556,  
13 eff. 9-11-05; 94-897, eff. 6-22-06; 94-916, eff. 7-1-07;  
14 95-310, eff. 1-1-08; 95-331, eff. 8-21-07.)

15 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

16 Sec. 6-110. Licenses issued to drivers.

17 (a) The Secretary of State shall issue to every qualifying  
18 applicant a driver's license as applied for, which license  
19 shall bear a distinguishing number assigned to the licensee  
20 and, the legal name, signature, zip code, date of birth,  
21 residence address, and a brief description of the licensee, ~~and~~  
22 ~~a space where the licensee may write his usual signature.~~

23 Licenses issued shall also indicate the classification and  
24 the restrictions under Section 6-104 of this Code.

25 In lieu of the social security number, the Secretary may in

1 his discretion substitute a federal tax number or other  
2 distinctive number.

3 A driver's license issued may, in the discretion of the  
4 Secretary, include a suitable photograph of a type prescribed  
5 by the Secretary.

6 (a-1) If the licensee is less than 18 years of age, unless  
7 one of the exceptions in subsection (a-2) apply, the license  
8 shall, as a matter of law, be invalid for the operation of any  
9 motor vehicle during the following times:

10 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

11 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on  
12 Sunday; and

13 (C) Between 10:00 p.m. on Sunday to Thursday,  
14 inclusive, and 6:00 a.m. on the following day.

15 (a-2) The driver's license of a person under the age of 18  
16 shall not be invalid as described in subsection (a-1) of this  
17 Section if the licensee under the age of 18 was:

18 (1) accompanied by the licensee's parent or guardian or  
19 other person in custody or control of the minor;

20 (2) on an errand at the direction of the minor's parent  
21 or guardian, without any detour or stop;

22 (3) in a motor vehicle involved in interstate travel;

23 (4) going to or returning home from an employment  
24 activity, without any detour or stop;

25 (5) involved in an emergency;

26 (6) going to or returning home from, without any detour

1 or stop, an official school, religious, or other  
2 recreational activity supervised by adults and sponsored  
3 by a government or governmental agency, a civic  
4 organization, or another similar entity that takes  
5 responsibility for the licensee, without any detour or  
6 stop;

7 (7) exercising First Amendment rights protected by the  
8 United States Constitution, such as the free exercise of  
9 religion, freedom of speech, and the right of assembly; or

10 (8) married or had been married or is an emancipated  
11 minor under the Emancipation of Minors Act.

12 (a-3) If a graduated driver's license holder over the age  
13 of 18 committed an offense against traffic regulations  
14 governing the movement of vehicles or any violation of Section  
15 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
16 the graduated driver's license holder's 18th birthday, and was  
17 subsequently convicted of the offense, the provisions of  
18 subsection (a-1) shall continue to apply until such time as a  
19 period of 6 consecutive months has elapsed without an  
20 additional violation and subsequent conviction of an offense  
21 against traffic regulations governing the movement of vehicles  
22 or Section 6-107 or Section 12-603.1 of this Code.

23 (b) Until the Secretary of State establishes a First Person  
24 Consent organ and tissue donor registry under Section 6-117 of  
25 this Code, the Secretary of State shall provide a format on the  
26 reverse of each driver's license issued which the licensee may

1 use to execute a document of gift conforming to the provisions  
2 of the Illinois Anatomical Gift Act. The format shall allow the  
3 licensee to indicate the gift intended, whether specific  
4 organs, any organ, or the entire body, and shall accommodate  
5 the signatures of the donor and 2 witnesses. The Secretary  
6 shall also inform each applicant or licensee of this format,  
7 describe the procedure for its execution, and may offer the  
8 necessary witnesses; provided that in so doing, the Secretary  
9 shall advise the applicant or licensee that he or she is under  
10 no compulsion to execute a document of gift. A brochure  
11 explaining this method of executing an anatomical gift document  
12 shall be given to each applicant or licensee. The brochure  
13 shall advise the applicant or licensee that he or she is under  
14 no compulsion to execute a document of gift, and that he or she  
15 may wish to consult with family, friends or clergy before doing  
16 so. The Secretary of State may undertake additional efforts,  
17 including education and awareness activities, to promote organ  
18 and tissue donation.

19 (c) The Secretary of State shall designate on each driver's  
20 license issued a space where the licensee may place a sticker  
21 or decal of the uniform size as the Secretary may specify,  
22 which sticker or decal may indicate in appropriate language  
23 that the owner of the license carries an Emergency Medical  
24 Information Card.

25 The sticker may be provided by any person, hospital,  
26 school, medical group, or association interested in assisting

1 in implementing the Emergency Medical Information Card, but  
2 shall meet the specifications as the Secretary may by rule or  
3 regulation require.

4 (d) The Secretary of State shall designate on each driver's  
5 license issued a space where the licensee may indicate his  
6 blood type and RH factor.

7 (e) The Secretary of State shall provide that each original  
8 or renewal driver's license issued to a licensee under 21 years  
9 of age shall be of a distinct nature from those driver's  
10 licenses issued to individuals 21 years of age and older. The  
11 color designated for driver's licenses for licensees under 21  
12 years of age shall be at the discretion of the Secretary of  
13 State.

14 (e-1) The Secretary shall provide that each driver's  
15 license issued to a person under the age of 21 displays the  
16 date upon which the person becomes 18 years of age and the date  
17 upon which the person becomes 21 years of age.

18 (f) The Secretary of State shall inform all Illinois  
19 licensed commercial motor vehicle operators of the  
20 requirements of the Uniform Commercial Driver License Act,  
21 Article V of this Chapter, and shall make provisions to insure  
22 that all drivers, seeking to obtain a commercial driver's  
23 license, be afforded an opportunity prior to April 1, 1992, to  
24 obtain the license. The Secretary is authorized to extend  
25 driver's license expiration dates, and assign specific times,  
26 dates and locations where these commercial driver's tests shall

1 be conducted. Any applicant, regardless of the current  
2 expiration date of the applicant's driver's license, may be  
3 subject to any assignment by the Secretary. Failure to comply  
4 with the Secretary's assignment may result in the applicant's  
5 forfeiture of an opportunity to receive a commercial driver's  
6 license prior to April 1, 1992.

7 (g) The Secretary of State shall designate on a driver's  
8 license issued, a space where the licensee may indicate that he  
9 or she has drafted a living will in accordance with the  
10 Illinois Living Will Act or a durable power of attorney for  
11 health care in accordance with the Illinois Power of Attorney  
12 Act.

13 (g-1) The Secretary of State, in his or her discretion, may  
14 designate on each driver's license issued a space where the  
15 licensee may place a sticker or decal, issued by the Secretary  
16 of State, of uniform size as the Secretary may specify, that  
17 shall indicate in appropriate language that the owner of the  
18 license has renewed his or her driver's license.

19 (h) A person who acts in good faith in accordance with the  
20 terms of this Section is not liable for damages in any civil  
21 action or subject to prosecution in any criminal proceeding for  
22 his or her act.

23 (Source: P.A. 94-75, eff. 1-1-06; 94-930, eff. 6-26-06; 95-310,  
24 eff. 1-1-08.)



1           Sec. 6-110.1. Confidentiality of captured photographs or  
2 images. The Secretary of State shall maintain a file on or  
3 contract to file all photographs and signatures obtained in the  
4 process of issuing a driver's license, permit, or  
5 identification card. The photographs and signatures shall be  
6 confidential and shall not be disclosed except to the following  
7 persons:

8           (1) the individual upon written request;

9           (2) officers and employees of the Secretary of State  
10 who have a need to have access to the stored images for  
11 purposes of issuing and controlling driver's licenses,  
12 permits, or identification cards;

13           (3) law enforcement officials, including out of state  
14 law enforcement officials, for a lawful civil or criminal  
15 law enforcement investigation; ~~or~~

16           (4) the driver's licensing administrator of any other  
17 state or jurisdiction; and

18           (5) ~~(4)~~ other entities that the Secretary may exempt by  
19 rule.

20 (Source: P.A. 92-16, eff. 6-28-01.)

21 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

22 (Text of Section before amendment by P.A. 95-337 and  
23 95-627)

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

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

5           1. Reckless homicide resulting from the operation of a  
6 motor vehicle;

7           2. Violation of Section 11-501 of this Code or a  
8 similar provision of a local ordinance relating to the  
9 offense of operating or being in physical control of a  
10 vehicle while under the influence of alcohol, other drug or  
11 drugs, intoxicating compound or compounds, or any  
12 combination thereof;

13           3. Any felony under the laws of any State or the  
14 federal government in the commission of which a motor  
15 vehicle was used;

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

19           5. Perjury or the making of a false affidavit or  
20 statement under oath to the Secretary of State under this  
21 Code or under any other law relating to the ownership or  
22 operation of motor vehicles;

23           6. Conviction upon 3 charges of violation of Section  
24 11-503 of this Code relating to the offense of reckless  
25 driving committed within a period of 12 months;

26           7. Conviction of any offense defined in Section 4-102

1 of this Code;

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

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

5 10. Violation of Section 12-5 of the Criminal Code of  
6 1961 arising from the use of a motor vehicle;

7 11. Violation of Section 11-204.1 of this Code relating  
8 to aggravated fleeing or attempting to elude a peace  
9 officer;

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

14 13. Violation of paragraph (a) of Section 11-502 of  
15 this Code or a similar provision of a local ordinance if  
16 the driver has been previously convicted of a violation of  
17 that Section or a similar provision of a local ordinance  
18 and the driver was less than 21 years of age at the time of  
19 the offense;

20 14. Violation of subsection (a) of Section 11-506 of  
21 this Code or a similar provision of a local ordinance  
22 relating to the offense of street racing; -

23 15. A second or subsequent conviction of driving with a  
24 license that has been revoked for the offense of reckless  
25 homicide.

26 (b) The Secretary of State shall also immediately revoke

1 the license or permit of any driver in the following  
2 situations:

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

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

11 (c) Except as provided in subsection (c-5), whenever a  
12 person is convicted of any of the offenses enumerated in this  
13 Section, the court may recommend and the Secretary of State in  
14 his discretion, without regard to whether the recommendation is  
15 made by the court may, upon application, issue to the person a  
16 restricted driving permit granting the privilege of driving a  
17 motor vehicle between the petitioner's residence and  
18 petitioner's place of employment or within the scope of the  
19 petitioner's employment related duties, or to allow  
20 transportation for the petitioner or a household member of the  
21 petitioner's family for the receipt of necessary medical care  
22 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, or if  
22 a person has been convicted of one violation of Section 6-303  
23 of this Code committed while his or her driver's license,  
24 permit, or privilege was revoked because of a violation of  
25 Section 9-3 of the Criminal Code of 1961, relating to the  
26 offense of reckless homicide, or a similar provision of a law

1 of another state, that person, if issued a restricted driving  
2 permit, may not operate a vehicle unless it has been equipped  
3 with an ignition interlock device as defined in Section  
4 1-129.1. The person must pay to the Secretary of State DUI  
5 Administration Fund an amount not to exceed \$20 per month. The  
6 Secretary shall establish by rule the amount and the  
7 procedures, terms, and conditions relating to these fees. If  
8 the restricted driving permit was issued for employment  
9 purposes, then this provision does not apply to the operation  
10 of an occupational vehicle owned or leased by that person's  
11 employer. In each case the Secretary of State may issue a  
12 restricted driving permit for a period he deems appropriate,  
13 except that the permit shall expire within one year from the  
14 date of issuance. The Secretary may not, however, issue a  
15 restricted driving permit to any person whose current  
16 revocation is the result of a second or subsequent conviction  
17 for a violation of Section 11-501 of this Code or a similar  
18 provision of a local ordinance relating to the offense of  
19 operating or being in physical control of a motor vehicle while  
20 under the influence of alcohol, other drug or drugs,  
21 intoxicating compound or compounds, or any similar  
22 out-of-state offense, or any combination thereof, until the  
23 expiration of at least one year from the date of the  
24 revocation. A restricted driving permit issued under this  
25 Section shall be subject to cancellation, revocation, and  
26 suspension by the Secretary of State in like manner and for

1 like cause as a driver's license issued under this Code may be  
2 cancelled, revoked, or suspended; except that a conviction upon  
3 one or more offenses against laws or ordinances regulating the  
4 movement of traffic shall be deemed sufficient cause for the  
5 revocation, suspension, or cancellation of a restricted  
6 driving permit. The Secretary of State may, as a condition to  
7 the issuance of a restricted driving permit, require the  
8 applicant to participate in a designated driver remedial or  
9 rehabilitative program. The Secretary of State is authorized to  
10 cancel a restricted driving permit if the permit holder does  
11 not successfully complete the program. However, if an  
12 individual's driving privileges have been revoked in  
13 accordance with paragraph 13 of subsection (a) of this Section,  
14 no restricted driving permit shall be issued until the  
15 individual has served 6 months of the revocation period.

16 (c-5) The Secretary may not issue a restricted driving  
17 permit to any person who has been convicted of a second or  
18 subsequent violation of Section 6-303 of this Code committed  
19 while his or her driver's license, permit, or privilege was  
20 revoked because of a violation of Section 9-3 of the Criminal  
21 Code of 1961, relating to the offense of reckless homicide, or  
22 a similar provision of a law of another state.

23 (d) Whenever a person under the age of 21 is convicted  
24 under Section 11-501 of this Code or a similar provision of a  
25 local ordinance or a similar out-of-state offense, the  
26 Secretary of State shall revoke the driving privileges of that

1 person. One year after the date of revocation, and upon  
2 application, the Secretary of State may, if satisfied that the  
3 person applying will not endanger the public safety or welfare,  
4 issue a restricted driving permit granting the privilege of  
5 driving a motor vehicle only between the hours of 5 a.m. and 9  
6 p.m. or as otherwise provided by this Section for a period of  
7 one year. After this one year period, and upon reapplication  
8 for a license as provided in Section 6-106, upon payment of the  
9 appropriate reinstatement fee provided under paragraph (b) of  
10 Section 6-118, the Secretary of State, in his discretion, may  
11 issue the applicant a license, or extend the restricted driving  
12 permit as many times as the Secretary of State deems  
13 appropriate, by additional periods of not more than 12 months  
14 each, until the applicant attains 21 years of age.

15 If a person's license or permit has been revoked or  
16 suspended due to 2 or more convictions of violating Section  
17 11-501 of this Code or a similar provision of a local ordinance  
18 or a similar out-of-state offense, arising out of separate  
19 occurrences, that person, if issued a restricted driving  
20 permit, may not operate a vehicle unless it has been equipped  
21 with an ignition interlock device as defined in Section  
22 1-129.1.

23 If a person's license or permit has been revoked or  
24 suspended 2 or more times within a 10 year period due to a  
25 single conviction of violating Section 11-501 of this Code or a  
26 similar provision of a local ordinance or a similar



1 out-of-state offense, and a statutory summary suspension under  
2 Section 11-501.1, or 2 or more statutory summary suspensions,  
3 or combination of 2 offenses, or of an offense and a statutory  
4 summary suspension, arising out of separate occurrences, that  
5 person, if issued a restricted driving permit, may not operate  
6 a vehicle unless it has been equipped with an ignition  
7 interlock device as defined in Section 1-129.1. The person must  
8 pay to the Secretary of State DUI Administration Fund an amount  
9 not to exceed \$20 per month. The Secretary shall establish by  
10 rule the amount and the procedures, terms, and conditions  
11 relating to these fees. If the restricted driving permit was  
12 issued for employment purposes, then this provision does not  
13 apply to the operation of an occupational vehicle owned or  
14 leased by that person's employer. A restricted driving permit  
15 issued under this Section shall be subject to cancellation,  
16 revocation, and suspension by the Secretary of State in like  
17 manner and for like cause as a driver's license issued under  
18 this Code may be cancelled, revoked, or suspended; except that  
19 a conviction upon one or more offenses against laws or  
20 ordinances regulating the movement of traffic shall be deemed  
21 sufficient cause for the revocation, suspension, or  
22 cancellation of a restricted driving permit.

23 (d-5) The revocation of the license, permit, or driving  
24 privileges of a person convicted of a third or subsequent  
25 violation of Section 6-303 of this Code committed while his or  
26 her driver's license, permit, or privilege was revoked because

1 of a violation of Section 9-3 of the Criminal Code of 1961,  
2 relating to the offense of reckless homicide, or a similar  
3 provision of a law of another state, is permanent. The  
4 Secretary may not, at any time, issue a license or permit to  
5 that person.

6 (e) This Section is subject to the provisions of the Driver  
7 License Compact.

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

12 (g) The Secretary of State shall not issue a restricted  
13 driving permit to a person under the age of 16 years whose  
14 driving privileges have been revoked under any provisions of  
15 this Code.

16 (h) The Secretary of State shall require the use of  
17 ignition interlock devices on all vehicles owned by an  
18 individual who has been convicted of a second or subsequent  
19 offense under Section 11-501 of this Code or a similar  
20 provision of a local ordinance. The Secretary shall establish  
21 by rule and regulation the procedures for certification and use  
22 of the interlock system.

23 (i) (Blank).

24 (j) In accordance with 49 C.F.R. 384, the Secretary of  
25 State may not issue a restricted driving permit for the  
26 operation of a commercial motor vehicle to a person holding a

1 CDL whose driving privileges have been revoked, suspended,  
2 cancelled, or disqualified under any provisions of this Code.

3 (Source: P.A. 94-307, eff. 9-30-05; 95-310, eff. 1-1-08;  
4 95-377, eff. 1-1-08; 95-382, eff. 8-23-07; revised 11-16-07.)

5 (Text of Section after amendment by P.A. 95-337 and 95-627)  
6 Sec. 6-205. Mandatory revocation of license or permit;  
7 Hardship cases.

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

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;

1           5. Perjury or the making of a false affidavit or  
2 statement under oath to the Secretary of State under this  
3 Code or under any other law relating to the ownership or  
4 operation of motor vehicles;

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

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

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

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

13          10. Violation of Section 12-5 of the Criminal Code of  
14 1961 arising from the use of a motor vehicle;

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

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

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

1 the offense;

2 14. Violation of subsection (a) of Section 11-506 of  
3 this Code or a similar provision of a local ordinance  
4 relating to the offense of street racing.

5 15. A second or subsequent conviction of driving with a  
6 license that has been revoked for the offense of reckless  
7 homicide.

8 (b) The Secretary of State shall also immediately revoke  
9 the license or permit of any driver in the following  
10 situations:

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

16 2. Of any person when any other law of this State  
17 requires either the revocation or suspension of a license  
18 or permit;

19 3. Of any person adjudicated under the Juvenile Court  
20 Act of 1987 based on an offense determined to have been  
21 committed in furtherance of the criminal activities of an  
22 organized gang as provided in Section 5-710 of that Act,  
23 and that involved the operation or use of a motor vehicle  
24 or the use of a driver's license or permit. The revocation  
25 shall remain in effect for the period determined by the  
26 court. Upon the direction of the court, the Secretary shall

1           issue the person a judicial driving permit, also known as a  
2           JDP. The JDP shall be subject to the same terms as a JDP  
3           issued under Section 6-206.1, except that the court may  
4           direct that a JDP issued under this subdivision (b) (3) be  
5           effective immediately.

6           (c) (1) Except as provided in subsection (c-5), whenever a  
7           person is convicted of any of the offenses enumerated in this  
8           Section, the court may recommend and the Secretary of State in  
9           his discretion, without regard to whether the recommendation is  
10          made by the court may, upon application, issue to the person a  
11          restricted driving permit granting the privilege of driving a  
12          motor vehicle between the petitioner's residence and  
13          petitioner's place of employment or within the scope of the  
14          petitioner's employment related duties, or to allow  
15          transportation for the petitioner or a household member of the  
16          petitioner's family for the receipt of necessary medical care  
17          or~~r~~ provide transportation for the petitioner to and from  
18          alcohol or drug remedial or rehabilitative activity  
19          recommended by a licensed service provider, or for the  
20          petitioner to attend classes, as a student, in an accredited  
21          educational institution; if the petitioner is able to  
22          demonstrate that no alternative means of transportation is  
23          reasonably available and that the petitioner will not endanger  
24          the public safety or welfare; provided that the Secretary's  
25          discretion shall be limited to cases where undue hardship, as  
26          defined by the rules of the Secretary of State, would result

1 from a failure to issue the restricted driving permit. Those  
2 multiple offenders identified in subdivision (b)4 of Section  
3 6-208 of this Code, however, shall not be eligible for the  
4 issuance of a restricted driving permit.

5 (2) If a person's license or permit is revoked or  
6 suspended due to 2 or more convictions of violating Section  
7 11-501 of this Code or a similar provision of a local  
8 ordinance or a similar out-of-state offense, or Section 9-3  
9 of the Criminal Code of 1961, where the use of alcohol or  
10 other drugs is recited as an element of the offense, or a  
11 similar out-of-state offense, or a combination of these  
12 offenses, arising out of separate occurrences, that  
13 person, if issued a restricted driving permit, may not  
14 operate a vehicle unless it has been equipped with an  
15 ignition interlock device as defined in Section 1-129.1.

16 (3) If:

17 (A) a person's license or permit is revoked or  
18 suspended 2 or more times within a 10 year period due  
19 to any combination of:

20 (i) ~~(A)~~ a single conviction of violating  
21 Section 11-501 of this Code or a similar provision  
22 of a local ordinance or a similar out-of-state  
23 offense, or Section 9-3 of the Criminal Code of  
24 1961, where the use of alcohol or other drugs is  
25 recited as an element of the offense, or a similar  
26 out-of-state offense; or

1                    (ii) ~~(B)~~ a statutory summary suspension under  
2                    Section 11-501.1; or

3                    (iii) ~~(C)~~ a suspension pursuant to Section  
4                    6-203.1;~~7~~

5                    arising out of separate occurrences;~~7~~ or

6                    (B) ~~if~~ a person has been convicted of one violation  
7                    of Section 6-303 of this Code committed while his or  
8                    her driver's license, permit, or privilege was revoked  
9                    because of a violation of Section 9-3 of the Criminal  
10                    Code of 1961, relating to the offense of reckless  
11                    homicide, or a similar provision of a law of another  
12                    state;~~7~~

13                    that person, if issued a restricted driving permit, may not  
14                    operate a vehicle unless it has been equipped with an  
15                    ignition interlock device as defined in Section 1-129.1.

16                    (4) The person must pay to the Secretary of State DUI  
17                    Administration Fund an amount not to exceed \$20 per month.  
18                    The Secretary shall establish by rule the amount and the  
19                    procedures, terms, and conditions relating to these fees.

20                    (5) If the restricted driving permit is issued for  
21                    employment purposes, then the prohibition against  
22                    operating a motor vehicle that is not equipped with an  
23                    ignition interlock device does not apply to the operation  
24                    of an occupational vehicle owned or leased by that person's  
25                    employer when used solely for employment purposes.

26                    (6) In each case the Secretary of State may issue a



1 restricted driving permit for a period he deems  
2 appropriate, except that the permit shall expire within one  
3 year from the date of issuance. The Secretary may not,  
4 however, issue a restricted driving permit to any person  
5 whose current revocation is the result of a second or  
6 subsequent conviction for a violation of Section 11-501 of  
7 this Code or a similar provision of a local ordinance or  
8 any similar out-of-state offense, or Section 9-3 of the  
9 Criminal Code of 1961, where the use of alcohol or other  
10 drugs is recited as an element of the offense, or any  
11 similar out-of-state offense, or any combination of these  
12 offenses, until the expiration of at least one year from  
13 the date of the revocation. A restricted driving permit  
14 issued under this Section shall be subject to cancellation,  
15 revocation, and suspension by the Secretary of State in  
16 like manner and for like cause as a driver's license issued  
17 under this Code may be cancelled, revoked, or suspended;  
18 except that a conviction upon one or more offenses against  
19 laws or ordinances regulating the movement of traffic shall  
20 be deemed sufficient cause for the revocation, suspension,  
21 or cancellation of a restricted driving permit. The  
22 Secretary of State may, as a condition to the issuance of a  
23 restricted driving permit, require the petitioner to  
24 participate in a designated driver remedial or  
25 rehabilitative program. The Secretary of State is  
26 authorized to cancel a restricted driving permit if the

1 permit holder does not successfully complete the program.  
2 However, if an individual's driving privileges have been  
3 revoked in accordance with paragraph 13 of subsection (a)  
4 of this Section, no restricted driving permit shall be  
5 issued until the individual has served 6 months of the  
6 revocation period.

7 (c-5) The Secretary may not issue a restricted driving  
8 permit to any person who has been convicted of a second or  
9 subsequent violation of Section 6-303 of this Code committed  
10 while his or her driver's license, permit, or privilege was  
11 revoked because of a violation of Section 9-3 of the Criminal  
12 Code of 1961, relating to the offense of reckless homicide, or  
13 a similar provision of a law of another state.

14 (d) (1) Whenever a person under the age of 21 is convicted  
15 under Section 11-501 of this Code or a similar provision of a  
16 local ordinance<sup>7</sup> or a similar out-of-state offense, the  
17 Secretary of State shall revoke the driving privileges of that  
18 person. One year after the date of revocation, and upon  
19 application, the Secretary of State may, if satisfied that the  
20 person applying will not endanger the public safety or welfare,  
21 issue a restricted driving permit granting the privilege of  
22 driving a motor vehicle only between the hours of 5 a.m. and 9  
23 p.m. or as otherwise provided by this Section for a period of  
24 one year. After this one year period, and upon reapplication  
25 for a license as provided in Section 6-106, upon payment of the  
26 appropriate reinstatement fee provided under paragraph (b) of

1 Section 6-118, the Secretary of State, in his discretion, may  
2 reinstate the petitioner's driver's license and driving  
3 privileges, or extend the restricted driving permit as many  
4 times as the Secretary of State deems appropriate, by  
5 additional periods of not more than 12 months each.

6 (2) If a person's license or permit is 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  
9 ordinance or a similar out-of-state offense, or Section 9-3  
10 of the Criminal Code of 1961, where the use of alcohol or  
11 other drugs is recited as an element of the offense, or a  
12 similar out-of-state offense, or a combination of these  
13 offenses, arising out of separate occurrences, that  
14 person, if issued a restricted driving permit, may not  
15 operate a vehicle unless it has been equipped with an  
16 ignition interlock device as defined in Section 1-129.1.

17 (3) If a person's license or permit is revoked or  
18 suspended 2 or more times within a 10 year period due to  
19 any combination of:

20 (A) a single conviction of violating Section  
21 11-501 of this Code or a similar provision of a local  
22 ordinance or a similar out-of-state offense, or  
23 Section 9-3 of the Criminal Code of 1961, where the use  
24 of alcohol or other drugs is recited as an element of  
25 the offense, or a similar out-of-state offense; or

26 (B) a statutory summary suspension under Section

1           11-501.1; or

2                   (C) a suspension pursuant to Section 6-203.1~~;~~  
3 arising out of separate occurrences, that person, if issued  
4 a restricted driving permit, may not operate a vehicle  
5 unless it has been equipped with an ignition interlock  
6 device as defined in Section 1-129.1.

7           (4) The person must pay to the Secretary of State DUI  
8 Administration Fund an amount not to exceed \$20 per month.  
9 The Secretary shall establish by rule the amount and the  
10 procedures, terms, and conditions relating to these fees.

11           (5) If the restricted driving permit is issued for  
12 employment purposes, then the prohibition against driving  
13 a vehicle that is not equipped with an ignition interlock  
14 device does not apply to the operation of an occupational  
15 vehicle owned or leased by that person's employer when used  
16 solely for employment purposes.

17           (6) A restricted driving permit issued under this  
18 Section shall be subject to cancellation, revocation, and  
19 suspension by the Secretary of State in like manner and for  
20 like cause as a driver's license issued under this Code may  
21 be cancelled, revoked, or suspended; except that a  
22 conviction upon one or more offenses against laws or  
23 ordinances regulating the movement of traffic shall be  
24 deemed sufficient cause for the revocation, suspension, or  
25 cancellation of a restricted driving permit.

26           (d-5) The revocation of the license, permit, or driving

1 privileges of a person convicted of a third or subsequent  
2 violation of Section 6-303 of this Code committed while his or  
3 her driver's license, permit, or privilege was revoked because  
4 of a violation of Section 9-3 of the Criminal Code of 1961,  
5 relating to the offense of reckless homicide, or a similar  
6 provision of a law of another state, is permanent. The  
7 Secretary may not, at any time, issue a license or permit to  
8 that person.

9 (e) This Section is subject to the provisions of the Driver  
10 License Compact.

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

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

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

26 (i) (Blank).

1 (j) In accordance with 49 C.F.R. 384, the Secretary of  
2 State may not issue a restricted driving permit for the  
3 operation of a commercial motor vehicle to a person holding a  
4 CDL whose driving privileges have been revoked, suspended,  
5 cancelled, or disqualified under any provisions of this Code.

6 (Source: P.A. 94-307, eff. 9-30-05; 95-310, eff. 1-1-08;  
7 95-337, eff. 6-1-08; 95-377, eff. 1-1-08; 95-382, eff. 8-23-07;  
8 95-627, eff. 6-1-08; revised 2-7-08.)

9 (625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)

10 (Text of Section before amendment by P.A. 95-400 and  
11 95-627)

12 Sec. 6-206. Discretionary authority to suspend or revoke  
13 license or permit; Right to a hearing.

14 (a) The Secretary of State is authorized to suspend or  
15 revoke the driving privileges of any person without preliminary  
16 hearing upon a showing of the person's records or other  
17 sufficient evidence that the person:

18 1. Has committed an offense for which mandatory  
19 revocation of a driver's license or permit is required upon  
20 conviction;

21 2. Has been convicted of not less than 3 offenses  
22 against traffic regulations governing the movement of  
23 vehicles committed within any 12 month period. No  
24 revocation or suspension shall be entered more than 6  
25 months after the date of last conviction;

1           3. Has been repeatedly involved as a driver in motor  
2 vehicle collisions or has been repeatedly convicted of  
3 offenses against laws and ordinances regulating the  
4 movement of traffic, to a degree that indicates lack of  
5 ability to exercise ordinary and reasonable care in the  
6 safe operation of a motor vehicle or disrespect for the  
7 traffic laws and the safety of other persons upon the  
8 highway;

9           4. Has by the unlawful operation of a motor vehicle  
10 caused or contributed to an accident resulting in death or  
11 injury requiring immediate professional treatment in a  
12 medical facility or doctor's office to any person, except  
13 that any suspension or revocation imposed by the Secretary  
14 of State under the provisions of this subsection shall  
15 start no later than 6 months after being convicted of  
16 violating a law or ordinance regulating the movement of  
17 traffic, which violation is related to the accident, or  
18 shall start not more than one year after the date of the  
19 accident, whichever date occurs later;

20           5. Has permitted an unlawful or fraudulent use of a  
21 driver's license, identification card, or permit;

22           6. Has been lawfully convicted of an offense or  
23 offenses in another state, including the authorization  
24 contained in Section 6-203.1, which if committed within  
25 this State would be grounds for suspension or revocation;

26           7. Has refused or failed to submit to an examination

1 provided for by Section 6-207 or has failed to pass the  
2 examination;

3 8. Is ineligible for a driver's license or permit under  
4 the provisions of Section 6-103;

5 9. Has made a false statement or knowingly concealed a  
6 material fact or has used false information or  
7 identification in any application for a license,  
8 identification card, or permit;

9 10. Has possessed, displayed, or attempted to  
10 fraudulently use any license, identification card, or  
11 permit not issued to the person;

12 11. Has operated a motor vehicle upon a highway of this  
13 State when the person's driving privilege or privilege to  
14 obtain a driver's license or permit was revoked or  
15 suspended unless the operation was authorized by a judicial  
16 driving permit, probationary license to drive, or a  
17 restricted driving permit issued under this Code;

18 12. Has submitted to any portion of the application  
19 process for another person or has obtained the services of  
20 another person to submit to any portion of the application  
21 process for the purpose of obtaining a license,  
22 identification card, or permit for some other person;

23 13. Has operated a motor vehicle upon a highway of this  
24 State when the person's driver's license or permit was  
25 invalid under the provisions of Sections 6-107.1 and 6-110;

26 14. Has committed a violation of Section 6-301,



1 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
2 of the Illinois Identification Card Act;

3 15. Has been convicted of violating Section 21-2 of the  
4 Criminal Code of 1961 relating to criminal trespass to  
5 vehicles in which case, the suspension shall be for one  
6 year;

7 16. Has been convicted of violating Section 11-204 of  
8 this Code relating to fleeing from a peace officer;

9 17. Has refused to submit to a test, or tests, as  
10 required under Section 11-501.1 of this Code and the person  
11 has not sought a hearing as provided for in Section  
12 11-501.1;

13 18. Has, since issuance of a driver's license or  
14 permit, been adjudged to be afflicted with or suffering  
15 from any mental disability or disease;

16 19. Has committed a violation of paragraph (a) or (b)  
17 of Section 6-101 relating to driving without a driver's  
18 license;

19 20. Has been convicted of violating Section 6-104  
20 relating to classification of driver's license;

21 21. Has been convicted of violating Section 11-402 of  
22 this Code relating to leaving the scene of an accident  
23 resulting in damage to a vehicle in excess of \$1,000, in  
24 which case the suspension shall be for one year;

25 22. Has used a motor vehicle in violating paragraph  
26 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of

1 the Criminal Code of 1961 relating to unlawful use of  
2 weapons, in which case the suspension shall be for one  
3 year;

4 23. Has, as a driver, been convicted of committing a  
5 violation of paragraph (a) of Section 11-502 of this Code  
6 for a second or subsequent time within one year of a  
7 similar violation;

8 24. Has been convicted by a court-martial or punished  
9 by non-judicial punishment by military authorities of the  
10 United States at a military installation in Illinois of or  
11 for a traffic related offense that is the same as or  
12 similar to an offense specified under Section 6-205 or  
13 6-206 of this Code;

14 25. Has permitted any form of identification to be used  
15 by another in the application process in order to obtain or  
16 attempt to obtain a license, identification card, or  
17 permit;

18 26. Has altered or attempted to alter a license or has  
19 possessed an altered license, identification card, or  
20 permit;

21 27. Has violated Section 6-16 of the Liquor Control Act  
22 of 1934;

23 28. Has been convicted of the illegal possession, while  
24 operating or in actual physical control, as a driver, of a  
25 motor vehicle, of any controlled substance prohibited  
26 under the Illinois Controlled Substances Act, any cannabis

1 prohibited under the Cannabis Control Act, or any  
2 methamphetamine prohibited under the Methamphetamine  
3 Control and Community Protection Act, in which case the  
4 person's driving privileges shall be suspended for one  
5 year, and any driver who is convicted of a second or  
6 subsequent offense, within 5 years of a previous  
7 conviction, for the illegal possession, while operating or  
8 in actual physical control, as a driver, of a motor  
9 vehicle, of any controlled substance prohibited under the  
10 Illinois Controlled Substances Act, any cannabis  
11 prohibited under the Cannabis Control Act, or any  
12 methamphetamine prohibited under the Methamphetamine  
13 Control and Community Protection Act shall be suspended for  
14 5 years. Any defendant found guilty of this offense while  
15 operating a motor vehicle, shall have an entry made in the  
16 court record by the presiding judge that this offense did  
17 occur while the defendant was operating a motor vehicle and  
18 order the clerk of the court to report the violation to the  
19 Secretary of State;

20 29. Has been convicted of the following offenses that  
21 were committed while the person was operating or in actual  
22 physical control, as a driver, of a motor vehicle: criminal  
23 sexual assault, predatory criminal sexual assault of a  
24 child, aggravated criminal sexual assault, criminal sexual  
25 abuse, aggravated criminal sexual abuse, juvenile pimping,  
26 soliciting for a juvenile prostitute and the manufacture,

1 sale or delivery of controlled substances or instruments  
2 used for illegal drug use or abuse in which case the  
3 driver's driving privileges shall be suspended for one  
4 year;

5 30. Has been convicted a second or subsequent time for  
6 any combination of the offenses named in paragraph 29 of  
7 this subsection, in which case the person's driving  
8 privileges shall be suspended for 5 years;

9 31. Has refused to submit to a test as required by  
10 Section 11-501.6 or has submitted to a test resulting in an  
11 alcohol concentration of 0.08 or more or any amount of a  
12 drug, substance, or compound resulting from the unlawful  
13 use or consumption of cannabis as listed in the Cannabis  
14 Control Act, a controlled substance as listed in the  
15 Illinois Controlled Substances Act, an intoxicating  
16 compound as listed in the Use of Intoxicating Compounds  
17 Act, or methamphetamine as listed in the Methamphetamine  
18 Control and Community Protection Act, in which case the  
19 penalty shall be as prescribed in Section 6-208.1;

20 32. Has been convicted of Section 24-1.2 of the  
21 Criminal Code of 1961 relating to the aggravated discharge  
22 of a firearm if the offender was located in a motor vehicle  
23 at the time the firearm was discharged, in which case the  
24 suspension shall be for 3 years;

25 33. Has as a driver, who was less than 21 years of age  
26 on the date of the offense, been convicted a first time of

1 a violation of paragraph (a) of Section 11-502 of this Code  
2 or a similar provision of a local ordinance;

3 34. Has committed a violation of Section 11-1301.5 of  
4 this Code;

5 35. Has committed a violation of Section 11-1301.6 of  
6 this Code;

7 36. Is under the age of 21 years at the time of arrest  
8 and has been convicted of not less than 2 offenses against  
9 traffic regulations governing the movement of vehicles  
10 committed within any 24 month period. No revocation or  
11 suspension shall be entered more than 6 months after the  
12 date of last conviction;

13 37. Has committed a violation of subsection (c) of  
14 Section 11-907 of this Code;

15 38. Has been convicted of a violation of Section 6-20  
16 of the Liquor Control Act of 1934 or a similar provision of  
17 a local ordinance;

18 39. Has committed a second or subsequent violation of  
19 Section 11-1201 of this Code;

20 40. Has committed a violation of subsection (a-1) of  
21 Section 11-908 of this Code;

22 41. Has committed a second or subsequent violation of  
23 Section 11-605.1 of this Code within 2 years of the date of  
24 the previous violation, in which case the suspension shall  
25 be for 90 days;

26 42. Has committed a violation of subsection (a-1) of

1 Section 11-1301.3 of this Code; ~~or~~

2 43. Has received a disposition of court supervision for  
3 a violation of subsection (a), (d), or (e) of Section 6-20  
4 of the Liquor Control Act of 1934 or a similar provision of  
5 a local ordinance, in which case the suspension shall be  
6 for a period of 3 months; or.

7 44. ~~43.~~ Is under the age of 21 years at the time of  
8 arrest and has been convicted of an offense against traffic  
9 regulations governing the movement of vehicles after  
10 having previously had his or her driving privileges ~~been~~  
11 suspended or revoked pursuant to subparagraph 36 of this  
12 Section.

13 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,  
14 and 27 of this subsection, license means any driver's license,  
15 any traffic ticket issued when the person's driver's license is  
16 deposited in lieu of bail, a suspension notice issued by the  
17 Secretary of State, a duplicate or corrected driver's license,  
18 a probationary driver's license or a temporary driver's  
19 license.

20 (b) If any conviction forming the basis of a suspension or  
21 revocation authorized under this Section is appealed, the  
22 Secretary of State may rescind or withhold the entry of the  
23 order of suspension or revocation, as the case may be, provided  
24 that a certified copy of a stay order of a court is filed with  
25 the Secretary of State. If the conviction is affirmed on  
26 appeal, the date of the conviction shall relate back to the

1 time the original judgment of conviction was entered and the 6  
2 month limitation prescribed shall not apply.

3 (c) 1. Upon suspending or revoking the driver's license or  
4 permit of any person as authorized in this Section, the  
5 Secretary of State shall immediately notify the person in  
6 writing of the revocation or suspension. The notice to be  
7 deposited in the United States mail, postage prepaid, to  
8 the last known address of the person.

9 2. If the Secretary of State suspends the driver's  
10 license of a person under subsection 2 of paragraph (a) of  
11 this Section, a person's privilege to operate a vehicle as  
12 an occupation shall not be suspended, provided an affidavit  
13 is properly completed, the appropriate fee received, and a  
14 permit issued prior to the effective date of the  
15 suspension, unless 5 offenses were committed, at least 2 of  
16 which occurred while operating a commercial vehicle in  
17 connection with the driver's regular occupation. All other  
18 driving privileges shall be suspended by the Secretary of  
19 State. Any driver prior to operating a vehicle for  
20 occupational purposes only must submit the affidavit on  
21 forms to be provided by the Secretary of State setting  
22 forth the facts of the person's occupation. The affidavit  
23 shall also state the number of offenses committed while  
24 operating a vehicle in connection with the driver's regular  
25 occupation. The affidavit shall be accompanied by the  
26 driver's license. Upon receipt of a properly completed

1 affidavit, the Secretary of State shall issue the driver a  
2 permit to operate a vehicle in connection with the driver's  
3 regular occupation only. Unless the permit is issued by the  
4 Secretary of State prior to the date of suspension, the  
5 privilege to drive any motor vehicle shall be suspended as  
6 set forth in the notice that was mailed under this Section.  
7 If an affidavit is received subsequent to the effective  
8 date of this suspension, a permit may be issued for the  
9 remainder of the suspension period.

10 The provisions of this subparagraph shall not apply to  
11 any driver required to possess a CDL for the purpose of  
12 operating a commercial motor vehicle.

13 Any person who falsely states any fact in the affidavit  
14 required herein shall be guilty of perjury under Section  
15 6-302 and upon conviction thereof shall have all driving  
16 privileges revoked without further rights.

17 3. At the conclusion of a hearing under Section 2-118  
18 of this Code, the Secretary of State shall either rescind  
19 or continue an order of revocation or shall substitute an  
20 order of suspension; or, good cause appearing therefor,  
21 rescind, continue, change, or extend the order of  
22 suspension. If the Secretary of State does not rescind the  
23 order, the Secretary may upon application, to relieve undue  
24 hardship, issue a restricted driving permit granting the  
25 privilege of driving a motor vehicle between the  
26 petitioner's residence and petitioner's place of



1 employment or within the scope of his employment related  
2 duties, or to allow transportation for the petitioner, or a  
3 household member of the petitioner's family, to receive  
4 necessary medical care and if the professional evaluation  
5 indicates, provide transportation for alcohol remedial or  
6 rehabilitative activity, or for the petitioner to attend  
7 classes, as a student, in an accredited educational  
8 institution; if the petitioner is able to demonstrate that  
9 no alternative means of transportation is reasonably  
10 available and the petitioner will not endanger the public  
11 safety or welfare.

12 If a person's license or permit has been revoked or  
13 suspended due to 2 or more convictions of violating Section  
14 11-501 of this Code or a similar provision of a local  
15 ordinance or a similar out-of-state offense, arising out of  
16 separate occurrences, that person, if issued a restricted  
17 driving permit, may not operate a vehicle unless it has  
18 been equipped with an ignition interlock device as defined  
19 in Section 1-129.1.

20 If a person's license or permit has been revoked or  
21 suspended 2 or more times within a 10 year period due to a  
22 single conviction of violating Section 11-501 of this Code  
23 or a similar provision of a local ordinance or a similar  
24 out-of-state offense, and a statutory summary suspension  
25 under Section 11-501.1, or 2 or more statutory summary  
26 suspensions, or combination of 2 offenses, or of an offense

1 and a statutory summary suspension, arising out of separate  
2 occurrences, that person, if issued a restricted driving  
3 permit, may not operate a vehicle unless it has been  
4 equipped with an ignition interlock device as defined in  
5 Section 1-129.1. The person must pay to the Secretary of  
6 State DUI Administration Fund an amount not to exceed \$20  
7 per month. The Secretary shall establish by rule the amount  
8 and the procedures, terms, and conditions relating to these  
9 fees. If the restricted driving permit was issued for  
10 employment purposes, then this provision does not apply to  
11 the operation of an occupational vehicle owned or leased by  
12 that person's employer. In each case the Secretary may  
13 issue a restricted driving permit for a period deemed  
14 appropriate, except that all permits shall expire within  
15 one year from the date of issuance. The Secretary may not,  
16 however, issue a restricted driving permit to any person  
17 whose current revocation is the result of a second or  
18 subsequent conviction for a violation of Section 11-501 of  
19 this Code or a similar provision of a local ordinance  
20 relating to the offense of operating or being in physical  
21 control of a motor vehicle while under the influence of  
22 alcohol, other drug or drugs, intoxicating compound or  
23 compounds, or any similar out-of-state offense, or any  
24 combination of those offenses, until the expiration of at  
25 least one year from the date of the revocation. A  
26 restricted driving permit issued under this Section shall

1 be subject to cancellation, revocation, and suspension by  
2 the Secretary of State in like manner and for like cause as  
3 a driver's license issued under this Code may be cancelled,  
4 revoked, or suspended; except that a conviction upon one or  
5 more offenses against laws or ordinances regulating the  
6 movement of traffic shall be deemed sufficient cause for  
7 the revocation, suspension, or cancellation of a  
8 restricted driving permit. The Secretary of State may, as a  
9 condition to the issuance of a restricted driving permit,  
10 require the applicant to participate in a designated driver  
11 remedial or rehabilitative program. The Secretary of State  
12 is authorized to cancel a restricted driving permit if the  
13 permit holder does not successfully complete the program.

14 (c-3) In the case of a suspension under paragraph 43 of  
15 subsection (a), reports received by the Secretary of State  
16 under this Section shall, except during the actual time the  
17 suspension is in effect, be privileged information and for use  
18 only by the courts, police officers, prosecuting authorities,  
19 the driver licensing administrator of any other state, or the  
20 Secretary of State, or the parent or legal guardian of a driver  
21 under the age of 18. However, beginning January 1, 2008, if the  
22 person is a CDL holder, the suspension shall also be made  
23 available to the driver licensing administrator of any other  
24 state, the U.S. Department of Transportation, and the affected  
25 driver or motor carrier or prospective motor carrier upon  
26 request.

1 (c-4) In the case of a suspension under paragraph 43 of  
2 subsection (a), the Secretary of State shall notify the person  
3 by mail that his or her driving privileges and driver's license  
4 will be suspended one month after the date of the mailing of  
5 the notice.

6 (c-5) The Secretary of State may, as a condition of the  
7 reissuance of a driver's license or permit to an applicant  
8 whose driver's license or permit has been suspended before he  
9 or she reached the age of 21 ~~18~~ years pursuant to any of the  
10 provisions of this Section, require the applicant to  
11 participate in a driver remedial education course and be  
12 retested under Section 6-109 of this Code.

13 (d) This Section is subject to the provisions of the  
14 Drivers License Compact.

15 (e) The Secretary of State shall not issue a restricted  
16 driving permit to a person under the age of 16 years whose  
17 driving privileges have been suspended or revoked under any  
18 provisions of this Code.

19 (f) In accordance with 49 C.F.R. 384, the Secretary of  
20 State may not issue a restricted driving permit for the  
21 operation of a commercial motor vehicle to a person holding a  
22 CDL whose driving privileges have been suspended, revoked,  
23 cancelled, or disqualified under any provisions of this Code.

24 (Source: P.A. 94-307, eff. 9-30-05; 94-556, eff. 9-11-05;  
25 94-930, eff. 6-26-06; 95-166, eff. 1-1-08; 95-310, eff. 1-1-08;  
26 95-382, eff. 8-23-07; revised 11-16-07.)

1 (Text of Section after amendment by P.A. 95-627)

2 Sec. 6-206. Discretionary authority to suspend or revoke  
3 license or permit; Right to a hearing.

4 (a) The Secretary of State is authorized to suspend or  
5 revoke the driving privileges of any person without preliminary  
6 hearing upon a showing of the person's records or other  
7 sufficient evidence that the person:

8 1. Has committed an offense for which mandatory  
9 revocation of a driver's license or permit is required upon  
10 conviction;

11 2. Has been convicted of not less than 3 offenses  
12 against traffic regulations governing the movement of  
13 vehicles committed within any 12 month period. No  
14 revocation or suspension shall be entered more than 6  
15 months after the date of last conviction;

16 3. Has been repeatedly involved as a driver in motor  
17 vehicle collisions or has been repeatedly convicted of  
18 offenses against laws and ordinances regulating the  
19 movement of traffic, to a degree that indicates lack of  
20 ability to exercise ordinary and reasonable care in the  
21 safe operation of a motor vehicle or disrespect for the  
22 traffic laws and the safety of other persons upon the  
23 highway;

24 4. Has by the unlawful operation of a motor vehicle  
25 caused or contributed to an accident resulting in death or

1 injury requiring immediate professional treatment in a  
2 medical facility or doctor's office to any person, except  
3 that any suspension or revocation imposed by the Secretary  
4 of State under the provisions of this subsection shall  
5 start no later than 6 months after being convicted of  
6 violating a law or ordinance regulating the movement of  
7 traffic, which violation is related to the accident, or  
8 shall start not more than one year after the date of the  
9 accident, whichever date occurs later;

10 5. Has permitted an unlawful or fraudulent use of a  
11 driver's license, identification card, or permit;

12 6. Has been lawfully convicted of an offense or  
13 offenses in another state, including the authorization  
14 contained in Section 6-203.1, which if committed within  
15 this State would be grounds for suspension or revocation;

16 7. Has refused or failed to submit to an examination  
17 provided for by Section 6-207 or has failed to pass the  
18 examination;

19 8. Is ineligible for a driver's license or permit under  
20 the provisions of Section 6-103;

21 9. Has made a false statement or knowingly concealed a  
22 material fact or has used false information or  
23 identification in any application for a license,  
24 identification card, or permit;

25 10. Has possessed, displayed, or attempted to  
26 fraudulently use any license, identification card, or

1 permit not issued to the person;

2 11. Has operated a motor vehicle upon a highway of this  
3 State when the person's driving privilege or privilege to  
4 obtain a driver's license or permit was revoked or  
5 suspended unless the operation was authorized by a judicial  
6 driving permit, probationary license to drive, or a  
7 restricted driving permit issued under this Code;

8 12. Has submitted to any portion of the application  
9 process for another person or has obtained the services of  
10 another person to submit to any portion of the application  
11 process for the purpose of obtaining a license,  
12 identification card, or permit for some other person;

13 13. Has operated a motor vehicle upon a highway of this  
14 State when the person's driver's license or permit was  
15 invalid under the provisions of Sections 6-107.1 and 6-110;

16 14. Has committed a violation of Section 6-301,  
17 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
18 of the Illinois Identification Card Act;

19 15. Has been convicted of violating Section 21-2 of the  
20 Criminal Code of 1961 relating to criminal trespass to  
21 vehicles in which case, the suspension shall be for one  
22 year;

23 16. Has been convicted of violating Section 11-204 of  
24 this Code relating to fleeing from a peace officer;

25 17. Has refused to submit to a test, or tests, as  
26 required under Section 11-501.1 of this Code and the person

1 has not sought a hearing as provided for in Section  
2 11-501.1;

3 18. Has, since issuance of a driver's license or  
4 permit, been adjudged to be afflicted with or suffering  
5 from any mental disability or disease;

6 19. Has committed a violation of paragraph (a) or (b)  
7 of Section 6-101 relating to driving without a driver's  
8 license;

9 20. Has been convicted of violating Section 6-104  
10 relating to classification of driver's license;

11 21. Has been convicted of violating Section 11-402 of  
12 this Code relating to leaving the scene of an accident  
13 resulting in damage to a vehicle in excess of \$1,000, in  
14 which case the suspension shall be for one year;

15 22. Has used a motor vehicle in violating paragraph  
16 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
17 the Criminal Code of 1961 relating to unlawful use of  
18 weapons, in which case the suspension shall be for one  
19 year;

20 23. Has, as a driver, been convicted of committing a  
21 violation of paragraph (a) of Section 11-502 of this Code  
22 for a second or subsequent time within one year of a  
23 similar violation;

24 24. Has been convicted by a court-martial or punished  
25 by non-judicial punishment by military authorities of the  
26 United States at a military installation in Illinois of or



1 for a traffic related offense that is the same as or  
2 similar to an offense specified under Section 6-205 or  
3 6-206 of this Code;

4 25. Has permitted any form of identification to be used  
5 by another in the application process in order to obtain or  
6 attempt to obtain a license, identification card, or  
7 permit;

8 26. Has altered or attempted to alter a license or has  
9 possessed an altered license, identification card, or  
10 permit;

11 27. Has violated Section 6-16 of the Liquor Control Act  
12 of 1934;

13 28. Has been convicted of the illegal possession, while  
14 operating or in actual physical control, as a driver, of a  
15 motor vehicle, of any controlled substance prohibited  
16 under the Illinois Controlled Substances Act, any cannabis  
17 prohibited under the Cannabis Control Act, or any  
18 methamphetamine prohibited under the Methamphetamine  
19 Control and Community Protection Act, in which case the  
20 person's driving privileges shall be suspended for one  
21 year, and any driver who is convicted of a second or  
22 subsequent offense, within 5 years of a previous  
23 conviction, for the illegal possession, while operating or  
24 in actual physical control, as a driver, of a motor  
25 vehicle, of any controlled substance prohibited under the  
26 Illinois Controlled Substances Act, any cannabis

1 prohibited under the Cannabis Control Act, or any  
2 methamphetamine prohibited under the Methamphetamine  
3 Control and Community Protection Act shall be suspended for  
4 5 years. Any defendant found guilty of this offense while  
5 operating a motor vehicle, shall have an entry made in the  
6 court record by the presiding judge that this offense did  
7 occur while the defendant was operating a motor vehicle and  
8 order the clerk of the court to report the violation to the  
9 Secretary of State;

10 29. Has been convicted of the following offenses that  
11 were committed while the person was operating or in actual  
12 physical control, as a driver, of a motor vehicle: criminal  
13 sexual assault, predatory criminal sexual assault of a  
14 child, aggravated criminal sexual assault, criminal sexual  
15 abuse, aggravated criminal sexual abuse, juvenile pimping,  
16 soliciting for a juvenile prostitute and the manufacture,  
17 sale or delivery of controlled substances or instruments  
18 used for illegal drug use or abuse in which case the  
19 driver's driving privileges shall be suspended for one  
20 year;

21 30. Has been convicted a second or subsequent time for  
22 any combination of the offenses named in paragraph 29 of  
23 this subsection, in which case the person's driving  
24 privileges shall be suspended for 5 years;

25 31. Has refused to submit to a test as required by  
26 Section 11-501.6 or has submitted to a test resulting in an

1 alcohol concentration of 0.08 or more or any amount of a  
2 drug, substance, or compound resulting from the unlawful  
3 use or consumption of cannabis as listed in the Cannabis  
4 Control Act, a controlled substance as listed in the  
5 Illinois Controlled Substances Act, an intoxicating  
6 compound as listed in the Use of Intoxicating Compounds  
7 Act, or methamphetamine as listed in the Methamphetamine  
8 Control and Community Protection Act, in which case the  
9 penalty shall be as prescribed in Section 6-208.1;

10 32. Has been convicted of Section 24-1.2 of the  
11 Criminal Code of 1961 relating to the aggravated discharge  
12 of a firearm if the offender was located in a motor vehicle  
13 at the time the firearm was discharged, in which case the  
14 suspension shall be for 3 years;

15 33. Has as a driver, who was less than 21 years of age  
16 on the date of the offense, been convicted a first time of  
17 a violation of paragraph (a) of Section 11-502 of this Code  
18 or a similar provision of a local ordinance;

19 34. Has committed a violation of Section 11-1301.5 of  
20 this Code;

21 35. Has committed a violation of Section 11-1301.6 of  
22 this Code;

23 36. Is under the age of 21 years at the time of arrest  
24 and has been convicted of not less than 2 offenses against  
25 traffic regulations governing the movement of vehicles  
26 committed within any 24 month period. No revocation or

1 suspension shall be entered more than 6 months after the  
2 date of last conviction;

3 37. Has committed a violation of subsection (c) of  
4 Section 11-907 of this Code;

5 38. Has been convicted of a violation of Section 6-20  
6 of the Liquor Control Act of 1934 or a similar provision of  
7 a local ordinance;

8 39. Has committed a second or subsequent violation of  
9 Section 11-1201 of this Code;

10 40. Has committed a violation of subsection (a-1) of  
11 Section 11-908 of this Code;

12 41. Has committed a second or subsequent violation of  
13 Section 11-605.1 of this Code within 2 years of the date of  
14 the previous violation, in which case the suspension shall  
15 be for 90 days;

16 42. Has committed a violation of subsection (a-1) of  
17 Section 11-1301.3 of this Code; ~~or~~

18 43. Has received a disposition of court supervision for  
19 a violation of subsection (a), (d), or (e) of Section 6-20  
20 of the Liquor Control Act of 1934 or a similar provision of  
21 a local ordinance, in which case the suspension shall be  
22 for a period of 3 months; ~~or~~

23 44. ~~43.~~ Is under the age of 21 years at the time of  
24 arrest and has been convicted of an offense against traffic  
25 regulations governing the movement of vehicles after  
26 having previously had his or her driving privileges ~~been~~

1 suspended or revoked pursuant to subparagraph 36 of this  
2 Section; ~~or~~

3 45. 43. Has, in connection with or during the course of  
4 a formal hearing conducted under Section 2-118 of this  
5 Code: (i) committed perjury; (ii) submitted fraudulent or  
6 falsified documents; (iii) submitted documents that have  
7 been materially altered; or (iv) ~~7~~ submitted 4 as his or her  
8 own, documents that were in fact prepared or composed for  
9 another person.

10 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,  
11 and 27 of this subsection, license means any driver's license,  
12 any traffic ticket issued when the person's driver's license is  
13 deposited in lieu of bail, a suspension notice issued by the  
14 Secretary of State, a duplicate or corrected driver's license,  
15 a probationary driver's license or a temporary driver's  
16 license.

17 (b) If any conviction forming the basis of a suspension or  
18 revocation authorized under this Section is appealed, the  
19 Secretary of State may rescind or withhold the entry of the  
20 order of suspension or revocation, as the case may be, provided  
21 that a certified copy of a stay order of a court is filed with  
22 the Secretary of State. If the conviction is affirmed on  
23 appeal, the date of the conviction shall relate back to the  
24 time the original judgment of conviction was entered and the 6  
25 month limitation prescribed shall not apply.

26 (c) 1. Upon suspending or revoking the driver's license or

1 permit of any person as authorized in this Section, the  
2 Secretary of State shall immediately notify the person in  
3 writing of the revocation or suspension. The notice to be  
4 deposited in the United States mail, postage prepaid, to the  
5 last known address of the person.

6 2. If the Secretary of State suspends the driver's  
7 license of a person under subsection 2 of paragraph (a) of  
8 this Section, a person's privilege to operate a vehicle as  
9 an occupation shall not be suspended, provided an affidavit  
10 is properly completed, the appropriate fee received, and a  
11 permit issued prior to the effective date of the  
12 suspension, unless 5 offenses were committed, at least 2 of  
13 which occurred while operating a commercial vehicle in  
14 connection with the driver's regular occupation. All other  
15 driving privileges shall be suspended by the Secretary of  
16 State. Any driver prior to operating a vehicle for  
17 occupational purposes only must submit the affidavit on  
18 forms to be provided by the Secretary of State setting  
19 forth the facts of the person's occupation. The affidavit  
20 shall also state the number of offenses committed while  
21 operating a vehicle in connection with the driver's regular  
22 occupation. The affidavit shall be accompanied by the  
23 driver's license. Upon receipt of a properly completed  
24 affidavit, the Secretary of State shall issue the driver a  
25 permit to operate a vehicle in connection with the driver's  
26 regular occupation only. Unless the permit is issued by the

1 Secretary of State prior to the date of suspension, the  
2 privilege to drive any motor vehicle shall be suspended as  
3 set forth in the notice that was mailed under this Section.  
4 If an affidavit is received subsequent to the effective  
5 date of this suspension, a permit may be issued for the  
6 remainder of the suspension period.

7 The provisions of this subparagraph shall not apply to  
8 any driver required to possess a CDL for the purpose of  
9 operating a commercial motor vehicle.

10 Any person who falsely states any fact in the affidavit  
11 required herein shall be guilty of perjury under Section  
12 6-302 and upon conviction thereof shall have all driving  
13 privileges revoked without further rights.

14 3. At the conclusion of a hearing under Section 2-118  
15 of this Code, the Secretary of State shall either rescind  
16 or continue an order of revocation or shall substitute an  
17 order of suspension; or, good cause appearing therefor,  
18 rescind, continue, change, or extend the order of  
19 suspension. If the Secretary of State does not rescind the  
20 order, the Secretary may upon application, to relieve undue  
21 hardship (as defined by the rules of the Secretary of  
22 State), issue a restricted driving permit granting the  
23 privilege of driving a motor vehicle between the  
24 petitioner's residence and petitioner's place of  
25 employment or within the scope of the petitioner's  
26 employment related duties, or to allow transportation for

1 the petitioner, or a household member of the petitioner's  
2 family, to receive necessary medical care, provide  
3 transportation to and from alcohol or drug remedial or  
4 rehabilitative activity recommended by a licensed service  
5 provider, or for the petitioner to attend classes, as a  
6 student, in an accredited educational institution. The  
7 petitioner must demonstrate that no alternative means of  
8 transportation is reasonably available and that the  
9 petitioner will not endanger the public safety or welfare.  
10 Those multiple offenders identified in subdivision (b)4 of  
11 Section 6-208 of this Code, however, shall not be eligible  
12 for the issuance of a restricted driving permit.

13 (A) If a person's license or permit is revoked or  
14 suspended due to 2 or more convictions of violating  
15 Section 11-501 of this Code or a similar provision of a  
16 local ordinance or a similar out-of-state offense, or  
17 Section 9-3 of the Criminal Code of 1961, where the use  
18 of alcohol or other drugs is recited as an element of  
19 the offense, or a similar out-of-state offense, or a  
20 combination of these offenses, arising out of separate  
21 occurrences, that person, if issued a restricted  
22 driving permit, may not operate a vehicle unless it has  
23 been equipped with an ignition interlock device as  
24 defined in Section 1-129.1.

25 (B) If a person's license or permit is revoked or  
26 suspended 2 or more times within a 10 year period due



1 to any combination of:

2 (i) a single conviction of violating Section  
3 11-501 of this Code or a similar provision of a  
4 local ordinance or a similar out-of-state offense  
5 or Section 9-3 of the Criminal Code of 1961, where  
6 the use of alcohol or other drugs is recited as an  
7 element of the offense, or a similar out-of-state  
8 offense; or

9 (ii) a statutory summary suspension under  
10 Section 11-501.1; or

11 (iii) a suspension under Section 6-203.1~~;~~  
12 arising out of separate occurrences~~;~~ that person, if  
13 issued a restricted driving permit, may not operate a  
14 vehicle unless it has been equipped with an ignition  
15 interlock device as defined in Section 1-129.1.

16 (C) The person must pay to the Secretary of State  
17 DUI Administration Fund an amount not to exceed \$20 per  
18 month. The Secretary shall establish by rule the amount  
19 and the procedures, terms, and conditions relating to  
20 these fees.

21 (D) If the restricted driving permit is issued for  
22 employment purposes, then the prohibition against  
23 operating a motor vehicle that is not equipped with an  
24 ignition interlock device does not apply to the  
25 operation of an occupational vehicle owned or leased by  
26 that person's employer when used solely for employment

1 purposes.

2 (E) In each case the Secretary may issue a  
3 restricted driving permit for a period deemed  
4 appropriate, except that all permits shall expire  
5 within one year from the date of issuance. The  
6 Secretary may not, however, issue a restricted driving  
7 permit to any person whose current revocation is the  
8 result of a second or subsequent conviction for a  
9 violation of Section 11-501 of this Code or a similar  
10 provision of a local ordinance or any similar  
11 out-of-state offense, or Section 9-3 of the Criminal  
12 Code of 1961, where the use of alcohol or other drugs  
13 is recited as an element of the offense, or any similar  
14 out-of-state offense, or any combination of those  
15 offenses, until the expiration of at least one year  
16 from the date of the revocation. A restricted driving  
17 permit issued under this Section shall be subject to  
18 cancellation, revocation, and suspension by the  
19 Secretary of State in like manner and for like cause as  
20 a driver's license issued under this Code may be  
21 cancelled, revoked, or suspended; except that a  
22 conviction upon one or more offenses against laws or  
23 ordinances regulating the movement of traffic shall be  
24 deemed sufficient cause for the revocation,  
25 suspension, or cancellation of a restricted driving  
26 permit. The Secretary of State may, as a condition to

1           the issuance of a restricted driving permit, require  
2           the applicant to participate in a designated driver  
3           remedial or rehabilitative program. The Secretary of  
4           State is authorized to cancel a restricted driving  
5           permit if the permit holder does not successfully  
6           complete the program.

7           (c-3) In the case of a suspension under paragraph 43 of  
8           subsection (a), reports received by the Secretary of State  
9           under this Section shall, except during the actual time the  
10          suspension is in effect, be privileged information and for use  
11          only by the courts, police officers, prosecuting authorities,  
12          the driver licensing administrator of any other state, or the  
13          Secretary of State, or the parent or legal guardian of a driver  
14          under the age of 18. However, beginning January 1, 2008, if the  
15          person is a CDL holder, the suspension shall also be made  
16          available to the driver licensing administrator of any other  
17          state, the U.S. Department of Transportation, and the affected  
18          driver or motor carrier or prospective motor carrier upon  
19          request.

20          (c-4) In the case of a suspension under paragraph 43 of  
21          subsection (a), the Secretary of State shall notify the person  
22          by mail that his or her driving privileges and driver's license  
23          will be suspended one month after the date of the mailing of  
24          the notice.

25          (c-5) The Secretary of State may, as a condition of the  
26          reissuance of a driver's license or permit to an applicant

1 whose driver's license or permit has been suspended before he  
2 or she reached the age of 18 years pursuant to any of the  
3 provisions of this Section, require the applicant to  
4 participate in a driver remedial education course and be  
5 retested under Section 6-109 of this Code.

6 (d) This Section is subject to the provisions of the  
7 Drivers License Compact.

8 (e) The Secretary of State shall not issue a restricted  
9 driving permit to a person under the age of 16 years whose  
10 driving privileges have been suspended or revoked under any  
11 provisions of this Code.

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

17 (Source: P.A. 94-307, eff. 9-30-05; 94-556, eff. 9-11-05;  
18 94-930, eff. 6-26-06; 95-166, eff. 1-1-08; 95-310, eff. 1-1-08;  
19 95-382, eff. 8-23-07; 95-627, eff. 6-1-08; revised 11-16-07.)

20 (Text of Section after amendment by P.A. 95-400)

21 Sec. 6-206. Discretionary authority to suspend or revoke  
22 license or permit; Right to a hearing.

23 (a) The Secretary of State is authorized to suspend or  
24 revoke the driving privileges of any person without preliminary  
25 hearing upon a showing of the person's records or other

1 sufficient evidence that the person:

2 1. Has committed an offense for which mandatory  
3 revocation of a driver's license or permit is required upon  
4 conviction;

5 2. Has been convicted of not less than 3 offenses  
6 against traffic regulations governing the movement of  
7 vehicles committed within any 12 month period. No  
8 revocation or suspension shall be entered more than 6  
9 months after the date of last conviction;

10 3. Has been repeatedly involved as a driver in motor  
11 vehicle collisions or has been repeatedly convicted of  
12 offenses against laws and ordinances regulating the  
13 movement of traffic, to a degree that indicates lack of  
14 ability to exercise ordinary and reasonable care in the  
15 safe operation of a motor vehicle or disrespect for the  
16 traffic laws and the safety of other persons upon the  
17 highway;

18 4. Has by the unlawful operation of a motor vehicle  
19 caused or contributed to an accident resulting in death or  
20 injury requiring immediate professional treatment in a  
21 medical facility or doctor's office to any person, except  
22 that any suspension or revocation imposed by the Secretary  
23 of State under the provisions of this subsection shall  
24 start no later than 6 months after being convicted of  
25 violating a law or ordinance regulating the movement of  
26 traffic, which violation is related to the accident, or

1 shall start not more than one year after the date of the  
2 accident, whichever date occurs later;

3 5. Has permitted an unlawful or fraudulent use of a  
4 driver's license, identification card, or permit;

5 6. Has been lawfully convicted of an offense or  
6 offenses in another state, including the authorization  
7 contained in Section 6-203.1, which if committed within  
8 this State would be grounds for suspension or revocation;

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

12 8. Is ineligible for a driver's license or permit under  
13 the provisions of Section 6-103;

14 9. Has made a false statement or knowingly concealed a  
15 material fact or has used false information or  
16 identification in any application for a license,  
17 identification card, or permit;

18 10. Has possessed, displayed, or attempted to  
19 fraudulently use any license, identification card, or  
20 permit not issued to the person;

21 11. Has operated a motor vehicle upon a highway of this  
22 State when the person's driving privilege or privilege to  
23 obtain a driver's license or permit was revoked or  
24 suspended unless the operation was authorized by a  
25 monitoring device driving permit, judicial driving permit  
26 issued prior to January 1, 2009 ~~the effective date of this~~

1 ~~amendatory Act of the 95th General Assembly~~, probationary  
2 license to drive, or a restricted driving permit issued  
3 under this Code;

4 12. Has submitted to any portion of the application  
5 process for another person or has obtained the services of  
6 another person to submit to any portion of the application  
7 process for the purpose of obtaining a license,  
8 identification card, or permit for some other person;

9 13. Has operated a motor vehicle upon a highway of this  
10 State when the person's driver's license or permit was  
11 invalid under the provisions of Sections 6-107.1 and 6-110;

12 14. Has committed a violation of Section 6-301,  
13 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
14 of the Illinois Identification Card Act;

15 15. Has been convicted of violating Section 21-2 of the  
16 Criminal Code of 1961 relating to criminal trespass to  
17 vehicles in which case, the suspension shall be for one  
18 year;

19 16. Has been convicted of violating Section 11-204 of  
20 this Code relating to fleeing from a peace officer;

21 17. Has refused to submit to a test, or tests, as  
22 required under Section 11-501.1 of this Code and the person  
23 has not sought a hearing as provided for in Section  
24 11-501.1;

25 18. Has, since issuance of a driver's license or  
26 permit, been adjudged to be afflicted with or suffering

1 from any mental disability or disease;

2 19. Has committed a violation of paragraph (a) or (b)  
3 of Section 6-101 relating to driving without a driver's  
4 license;

5 20. Has been convicted of violating Section 6-104  
6 relating to classification of driver's license;

7 21. Has been convicted of violating Section 11-402 of  
8 this Code relating to leaving the scene of an accident  
9 resulting in damage to a vehicle in excess of \$1,000, in  
10 which case the suspension shall be for one year;

11 22. Has used a motor vehicle in violating paragraph  
12 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
13 the Criminal Code of 1961 relating to unlawful use of  
14 weapons, in which case the suspension shall be for one  
15 year;

16 23. Has, as a driver, been convicted of committing a  
17 violation of paragraph (a) of Section 11-502 of this Code  
18 for a second or subsequent time within one year of a  
19 similar violation;

20 24. Has been convicted by a court-martial or punished  
21 by non-judicial punishment by military authorities of the  
22 United States at a military installation in Illinois of or  
23 for a traffic related offense that is the same as or  
24 similar to an offense specified under Section 6-205 or  
25 6-206 of this Code;

26 25. Has permitted any form of identification to be used



1 by another in the application process in order to obtain or  
2 attempt to obtain a license, identification card, or  
3 permit;

4 26. Has altered or attempted to alter a license or has  
5 possessed an altered license, identification card, or  
6 permit;

7 27. Has violated Section 6-16 of the Liquor Control Act  
8 of 1934;

9 28. Has been convicted of the illegal possession, while  
10 operating or in actual physical control, as a driver, of a  
11 motor vehicle, of any controlled substance prohibited  
12 under the Illinois Controlled Substances Act, any cannabis  
13 prohibited under the Cannabis Control Act, or any  
14 methamphetamine prohibited under the Methamphetamine  
15 Control and Community Protection Act, in which case the  
16 person's driving privileges shall be suspended for one  
17 year, and any driver who is convicted of a second or  
18 subsequent offense, within 5 years of a previous  
19 conviction, for the illegal possession, while operating or  
20 in actual physical control, as a driver, of a motor  
21 vehicle, of any controlled substance prohibited under the  
22 Illinois Controlled Substances Act, any cannabis  
23 prohibited under the Cannabis Control Act, or any  
24 methamphetamine prohibited under the Methamphetamine  
25 Control and Community Protection Act shall be suspended for  
26 5 years. Any defendant found guilty of this offense while

1 operating a motor vehicle, shall have an entry made in the  
2 court record by the presiding judge that this offense did  
3 occur while the defendant was operating a motor vehicle and  
4 order the clerk of the court to report the violation to the  
5 Secretary of State;

6 29. Has been convicted of the following offenses that  
7 were committed while the person was operating or in actual  
8 physical control, as a driver, of a motor vehicle: criminal  
9 sexual assault, predatory criminal sexual assault of a  
10 child, aggravated criminal sexual assault, criminal sexual  
11 abuse, aggravated criminal sexual abuse, juvenile pimping,  
12 soliciting for a juvenile prostitute and the manufacture,  
13 sale or delivery of controlled substances or instruments  
14 used for illegal drug use or abuse in which case the  
15 driver's driving privileges shall be suspended for one  
16 year;

17 30. Has been convicted a second or subsequent time for  
18 any combination of the offenses named in paragraph 29 of  
19 this subsection, in which case the person's driving  
20 privileges shall be suspended for 5 years;

21 31. Has refused to submit to a test as required by  
22 Section 11-501.6 or has submitted to a test resulting in an  
23 alcohol concentration of 0.08 or more or any amount of a  
24 drug, substance, or compound resulting from the unlawful  
25 use or consumption of cannabis as listed in the Cannabis  
26 Control Act, a controlled substance as listed in the

1 Illinois Controlled Substances Act, an intoxicating  
2 compound as listed in the Use of Intoxicating Compounds  
3 Act, or methamphetamine as listed in the Methamphetamine  
4 Control and Community Protection Act, in which case the  
5 penalty shall be as prescribed in Section 6-208.1;

6 32. Has been convicted of Section 24-1.2 of the  
7 Criminal Code of 1961 relating to the aggravated discharge  
8 of a firearm if the offender was located in a motor vehicle  
9 at the time the firearm was discharged, in which case the  
10 suspension shall be for 3 years;

11 33. Has as a driver, who was less than 21 years of age  
12 on the date of the offense, been convicted a first time of  
13 a violation of paragraph (a) of Section 11-502 of this Code  
14 or a similar provision of a local ordinance;

15 34. Has committed a violation of Section 11-1301.5 of  
16 this Code;

17 35. Has committed a violation of Section 11-1301.6 of  
18 this Code;

19 36. Is under the age of 21 years at the time of arrest  
20 and has been convicted of not less than 2 offenses against  
21 traffic regulations governing the movement of vehicles  
22 committed within any 24 month period. No revocation or  
23 suspension shall be entered more than 6 months after the  
24 date of last conviction;

25 37. Has committed a violation of subsection (c) of  
26 Section 11-907 of this Code;

1           38. Has been convicted of a violation of Section 6-20  
2 of the Liquor Control Act of 1934 or a similar provision of  
3 a local ordinance;

4           39. Has committed a second or subsequent violation of  
5 Section 11-1201 of this Code;

6           40. Has committed a violation of subsection (a-1) of  
7 Section 11-908 of this Code;

8           41. Has committed a second or subsequent violation of  
9 Section 11-605.1 of this Code within 2 years of the date of  
10 the previous violation, in which case the suspension shall  
11 be for 90 days;

12           42. Has committed a violation of subsection (a-1) of  
13 Section 11-1301.3 of this Code; ~~or~~

14           43. Has received a disposition of court supervision for  
15 a violation of subsection (a), (d), or (e) of Section 6-20  
16 of the Liquor Control Act of 1934 or a similar provision of  
17 a local ordinance, in which case the suspension shall be  
18 for a period of 3 months; ~~or~~

19           44. ~~43.~~ Is under the age of 21 years at the time of  
20 arrest and has been convicted of an offense against traffic  
21 regulations governing the movement of vehicles after  
22 having previously had his or her driving privileges ~~been~~  
23 suspended or revoked pursuant to subparagraph 36 of this  
24 Section; ~~or~~

25           45. ~~43.~~ Has, in connection with or during the course of  
26 a formal hearing conducted under Section 2-118 of this

1 Code: (i) committed perjury; (ii) submitted fraudulent or  
2 falsified documents; (iii) submitted documents that have  
3 been materially altered; or (iv) ~~r~~ submitted l as his or her  
4 own, documents that were in fact prepared or composed for  
5 another person.

6 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,  
7 and 27 of this subsection, license means any driver's license,  
8 any traffic ticket issued when the person's driver's license is  
9 deposited in lieu of bail, a suspension notice issued by the  
10 Secretary of State, a duplicate or corrected driver's license,  
11 a probationary driver's license or a temporary driver's  
12 license.

13 (b) If any conviction forming the basis of a suspension or  
14 revocation authorized under this Section is appealed, the  
15 Secretary of State may rescind or withhold the entry of the  
16 order of suspension or revocation, as the case may be, provided  
17 that a certified copy of a stay order of a court is filed with  
18 the Secretary of State. If the conviction is affirmed on  
19 appeal, the date of the conviction shall relate back to the  
20 time the original judgment of conviction was entered and the 6  
21 month limitation prescribed shall not apply.

22 (c) 1. Upon suspending or revoking the driver's license or  
23 permit of any person as authorized in this Section, the  
24 Secretary of State shall immediately notify the person in  
25 writing of the revocation or suspension. The notice to be  
26 deposited in the United States mail, postage prepaid, to the

1 last known address of the person.

2 2. If the Secretary of State suspends the driver's  
3 license of a person under subsection 2 of paragraph (a) of  
4 this Section, a person's privilege to operate a vehicle as  
5 an occupation shall not be suspended, provided an affidavit  
6 is properly completed, the appropriate fee received, and a  
7 permit issued prior to the effective date of the  
8 suspension, unless 5 offenses were committed, at least 2 of  
9 which occurred while operating a commercial vehicle in  
10 connection with the driver's regular occupation. All other  
11 driving privileges shall be suspended by the Secretary of  
12 State. Any driver prior to operating a vehicle for  
13 occupational purposes only must submit the affidavit on  
14 forms to be provided by the Secretary of State setting  
15 forth the facts of the person's occupation. The affidavit  
16 shall also state the number of offenses committed while  
17 operating a vehicle in connection with the driver's regular  
18 occupation. The affidavit shall be accompanied by the  
19 driver's license. Upon receipt of a properly completed  
20 affidavit, the Secretary of State shall issue the driver a  
21 permit to operate a vehicle in connection with the driver's  
22 regular occupation only. Unless the permit is issued by the  
23 Secretary of State prior to the date of suspension, the  
24 privilege to drive any motor vehicle shall be suspended as  
25 set forth in the notice that was mailed under this Section.  
26 If an affidavit is received subsequent to the effective

1 date of this suspension, a permit may be issued for the  
2 remainder of the suspension period.

3 The provisions of this subparagraph shall not apply to  
4 any driver required to possess a CDL for the purpose of  
5 operating a commercial motor vehicle.

6 Any person who falsely states any fact in the affidavit  
7 required herein shall be guilty of perjury under Section  
8 6-302 and upon conviction thereof shall have all driving  
9 privileges revoked without further rights.

10 3. At the conclusion of a hearing under Section 2-118  
11 of this Code, the Secretary of State shall either rescind  
12 or continue an order of revocation or shall substitute an  
13 order of suspension; or, good cause appearing therefor,  
14 rescind, continue, change, or extend the order of  
15 suspension. If the Secretary of State does not rescind the  
16 order, the Secretary may upon application, to relieve undue  
17 hardship (as defined by the rules of the Secretary of  
18 State), issue a restricted driving permit granting the  
19 privilege of driving a motor vehicle between the  
20 petitioner's residence and petitioner's place of  
21 employment or within the scope of the petitioner's  
22 employment related duties, or to allow transportation for  
23 the petitioner, or a household member of the petitioner's  
24 family, to receive necessary medical care, provide  
25 transportation to and from alcohol or drug remedial or  
26 rehabilitative activity recommended by a licensed service

1 provider, or for the petitioner to attend classes, as a  
2 student, in an accredited educational institution. The  
3 petitioner must demonstrate that no alternative means of  
4 transportation is reasonably available and that the  
5 petitioner will not endanger the public safety or welfare.  
6 Those multiple offenders identified in subdivision (b)4 of  
7 Section 6-208 of this Code, however, shall not be eligible  
8 for the issuance of a restricted driving permit.

9 (A) If a person's license or permit is revoked or  
10 suspended due to 2 or more convictions of violating  
11 Section 11-501 of this Code or a similar provision of a  
12 local ordinance or a similar out-of-state offense, or  
13 Section 9-3 of the Criminal Code of 1961, where the use  
14 of alcohol or other drugs is recited as an element of  
15 the offense, or a similar out-of-state offense, or a  
16 combination of these offenses, arising out of separate  
17 occurrences, that person, if issued a restricted  
18 driving permit, may not operate a vehicle unless it has  
19 been equipped with an ignition interlock device as  
20 defined in Section 1-129.1.

21 (B) If a person's license or permit is revoked or  
22 suspended 2 or more times within a 10 year period due  
23 to any combination of:

24 (i) a single conviction of violating Section  
25 11-501 of this Code or a similar provision of a  
26 local ordinance or a similar out-of-state offense



1           or Section 9-3 of the Criminal Code of 1961, where  
2           the use of alcohol or other drugs is recited as an  
3           element of the offense, or a similar out-of-state  
4           offense; or

5           (ii) a statutory summary suspension under  
6           Section 11-501.1; or

7           (iii) a suspension under Section 6-203.1;  
8           arising out of separate occurrences; that person, if  
9           issued a restricted driving permit, may not operate a  
10          vehicle unless it has been equipped with an ignition  
11          interlock device as defined in Section 1-129.1.

12          (C) The person must pay to the Secretary of State  
13          DUI Administration Fund an amount not to exceed \$20 per  
14          month. The Secretary shall establish by rule the amount  
15          and the procedures, terms, and conditions relating to  
16          these fees.

17          (D) If the restricted driving permit is issued for  
18          employment purposes, then the prohibition against  
19          operating a motor vehicle that is not equipped with an  
20          ignition interlock device does not apply to the  
21          operation of an occupational vehicle owned or leased by  
22          that person's employer when used solely for employment  
23          purposes.

24          (E) In each case the Secretary may issue a  
25          restricted driving permit for a period deemed  
26          appropriate, except that all permits shall expire

1 within one year from the date of issuance. The  
2 Secretary may not, however, issue a restricted driving  
3 permit to any person whose current revocation is the  
4 result of a second or subsequent conviction for a  
5 violation of Section 11-501 of this Code or a similar  
6 provision of a local ordinance or any similar  
7 out-of-state offense, or Section 9-3 of the Criminal  
8 Code of 1961, where the use of alcohol or other drugs  
9 is recited as an element of the offense, or any similar  
10 out-of-state offense, or any combination of those  
11 offenses, until the expiration of at least one year  
12 from the date of the revocation. A restricted driving  
13 permit issued under this Section shall be subject to  
14 cancellation, revocation, and suspension by the  
15 Secretary of State in like manner and for like cause as  
16 a driver's license issued under this Code may be  
17 cancelled, revoked, or suspended; except that a  
18 conviction upon one or more offenses against laws or  
19 ordinances regulating the movement of traffic shall be  
20 deemed sufficient cause for the revocation,  
21 suspension, or cancellation of a restricted driving  
22 permit. The Secretary of State may, as a condition to  
23 the issuance of a restricted driving permit, require  
24 the applicant to participate in a designated driver  
25 remedial or rehabilitative program. The Secretary of  
26 State is authorized to cancel a restricted driving

1 permit if the permit holder does not successfully  
2 complete the program.

3 (c-3) In the case of a suspension under paragraph 44 ~~43~~ of  
4 subsection (a), reports received by the Secretary of State  
5 under this Section shall, except during the actual time the  
6 suspension is in effect, be privileged information and for use  
7 only by the courts, police officers, prosecuting authorities,  
8 the driver licensing administrator of any other state, or the  
9 Secretary of State, or the parent or legal guardian of a driver  
10 under the age of 18. However, beginning January 1, 2008, if the  
11 person is a CDL holder, the suspension shall also be made  
12 available to the driver licensing administrator of any other  
13 state, the U.S. Department of Transportation, and the affected  
14 driver or motor carrier or prospective motor carrier upon  
15 request.

16 (c-4) In the case of a suspension under paragraph 43 of  
17 subsection (a), the Secretary of State shall notify the person  
18 by mail that his or her driving privileges and driver's license  
19 will be suspended one month after the date of the mailing of  
20 the notice.

21 (c-5) The Secretary of State may, as a condition of the  
22 reissuance of a driver's license or permit to an applicant  
23 whose driver's license or permit has been suspended before he  
24 or she reached the age of 21 ~~18~~ years pursuant to any of the  
25 provisions of this Section, require the applicant to  
26 participate in a driver remedial education course and be

1 retested under Section 6-109 of this Code.

2 (d) This Section is subject to the provisions of the  
3 Drivers License Compact.

4 (e) The Secretary of State shall not issue a restricted  
5 driving permit to a person under the age of 16 years whose  
6 driving privileges have been suspended or revoked under any  
7 provisions of this Code.

8 (f) In accordance with 49 C.F.R. 384, the Secretary of  
9 State may not issue a restricted driving permit for the  
10 operation of a commercial motor vehicle to a person holding a  
11 CDL whose driving privileges have been suspended, revoked,  
12 cancelled, or disqualified under any provisions of this Code.

13 (Source: P.A. 94-307, eff. 9-30-05; 94-556, eff. 9-11-05;  
14 94-930, eff. 6-26-06; 95-166, eff. 1-1-08; 95-310, eff. 1-1-08;  
15 95-382, eff. 8-23-07; 95-400, eff. 1-1-09; 95-627, eff. 6-1-08;  
16 revised 2-7-08.)

17 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

18 (Text of Section before amendment by P.A. 95-400)

19 Sec. 6-303. Driving while driver's license, permit or  
20 privilege to operate a motor vehicle is suspended or revoked.

21 (a) Except as otherwise provided in subsection (a-5), any  
22 person who drives or is in actual physical control of a motor  
23 vehicle on any highway of this State at a time when such  
24 person's driver's license, permit or privilege to do so or the  
25 privilege to obtain a driver's license or permit is revoked or

1 suspended as provided by this Code or the law of another state,  
2 except as may be specifically allowed by a judicial driving  
3 permit, family financial responsibility driving permit,  
4 probationary license to drive, or a restricted driving permit  
5 issued pursuant to this Code or under the law of another state,  
6 shall be guilty of a Class A misdemeanor.

7 (a-5) Any person who violates this Section as provided in  
8 subsection (a) while his or her driver's license, permit or  
9 privilege is revoked because of a violation of Section 9-3 of  
10 the Criminal Code of 1961, relating to the offense of reckless  
11 homicide or a similar provision of a law of another state, is  
12 guilty of a Class 4 felony. The person shall be required to  
13 undergo a professional evaluation, as provided in Section  
14 11-501 of this Code, to determine if an alcohol, drug, or  
15 intoxicating compound problem exists and the extent of the  
16 problem, and to undergo the imposition of treatment as  
17 appropriate.

18 (b) The Secretary of State upon receiving a report of the  
19 conviction of any violation indicating a person was operating a  
20 motor vehicle during the time when said person's driver's  
21 license, permit or privilege was suspended by the Secretary, by  
22 the appropriate authority of another state, or pursuant to  
23 Section 11-501.1; except as may be specifically allowed by a  
24 probationary license to drive, judicial driving permit or  
25 restricted driving permit issued pursuant to this Code or the  
26 law of another state; shall extend the suspension for the same

1 period of time as the originally imposed suspension; however,  
2 if the period of suspension has then expired, the Secretary  
3 shall be authorized to suspend said person's driving privileges  
4 for the same period of time as the originally imposed  
5 suspension.

6 (b-3) When the Secretary of State receives a report of a  
7 conviction of any violation indicating that a vehicle was  
8 operated during the time when the person's driver's license,  
9 permit or privilege was revoked, except as may be allowed by a  
10 restricted driving permit issued pursuant to this Code or the  
11 law of another state, the Secretary shall not issue a driver's  
12 license to that person for an additional period of one year  
13 from the date of such conviction.

14 (b-4) ~~(b-5)~~ When the Secretary of State receives a report  
15 of a conviction of any violation indicating a person was  
16 operating a motor vehicle that was not equipped with an  
17 ignition interlock device during a time when the person was  
18 prohibited from operating a motor vehicle not equipped with  
19 such a device, the Secretary shall not issue a driver's license  
20 to that person for an additional period of one year from the  
21 date of the conviction.

22 (b-5) Any person convicted of violating this Section shall  
23 serve a minimum term of imprisonment of 30 consecutive days or  
24 300 hours of community service when the person's driving  
25 privilege was revoked or suspended as a result of a violation  
26 of Section 9-3 of the Criminal Code of 1961, as amended,

1 relating to the offense of reckless homicide, or a similar  
2 provision of a law of another state.

3 (c) Any person convicted of violating this Section shall  
4 serve a minimum term of imprisonment of 10 consecutive days or  
5 30 days of community service when the person's driving  
6 privilege was revoked or suspended as a result of:

7 (1) a violation of Section 11-501 of this Code or a  
8 similar provision of a local ordinance relating to the  
9 offense of operating or being in physical control of a  
10 vehicle while under the influence of alcohol, any other  
11 drug or any combination thereof; or

12 (2) a violation of paragraph (b) of Section 11-401 of  
13 this Code or a similar provision of a local ordinance  
14 relating to the offense of leaving the scene of a motor  
15 vehicle accident involving personal injury or death; or

16 (3) a statutory summary suspension under Section  
17 11-501.1 of this Code.

18 Such sentence of imprisonment or community service shall  
19 not be subject to suspension in order to reduce such sentence.

20 (c-1) Except as provided in subsections (c-5) and (d), any  
21 person convicted of a second violation of this Section shall be  
22 ordered by the court to serve a minimum of 100 hours of  
23 community service.

24 (c-2) In addition to other penalties imposed under this  
25 Section, the court may impose on any person convicted a fourth  
26 time of violating this Section any of the following:

1           (1) Seizure of the license plates of the person's  
2           vehicle.

3           (2) Immobilization of the person's vehicle for a period  
4           of time to be determined by the court.

5           (c-5) Any person convicted of a second violation of this  
6           Section is guilty of a Class 2 felony, is not eligible for  
7           probation or conditional discharge, and shall serve a mandatory  
8           term of imprisonment, if the revocation or suspension was for a  
9           violation of Section 9-3 of the Criminal Code of 1961, relating  
10          to the offense of reckless homicide, or a similar out-of-state  
11          offense.

12          (d) Any person convicted of a second violation of this  
13          Section shall be guilty of a Class 4 felony and shall serve a  
14          minimum term of imprisonment of 30 days or 300 hours of  
15          community service, as determined by the court, if the original  
16          revocation or suspension was for a violation of Section 11-401  
17          or 11-501 of this Code, or a similar out-of-state offense, or a  
18          similar provision of a local ordinance, or a statutory summary  
19          suspension under Section 11-501.1 of this Code.

20          (d-1) Except as provided in subsections (d-2), (d-2.5), and  
21          (d-3), any person convicted of a third or subsequent violation  
22          of this Section shall serve a minimum term of imprisonment of  
23          30 days or 300 hours of community service, as determined by the  
24          court.

25          (d-2) Any person convicted of a third violation of this  
26          Section is guilty of a Class 4 felony and must serve a minimum



1 term of imprisonment of 30 days if the revocation or suspension  
2 was for a violation of Section 11-401 or 11-501 of this Code,  
3 or a similar out-of-state offense, or a similar provision of a  
4 local ordinance, or a statutory summary suspension under  
5 Section 11-501.1 of this Code.

6 (d-2.5) Any person convicted of a third violation of this  
7 Section is guilty of a Class 1 felony, is not eligible for  
8 probation or conditional discharge, and must serve a mandatory  
9 term of imprisonment if the revocation or suspension was for a  
10 violation of Section 9-3 of the Criminal Code of 1961, relating  
11 to the offense of reckless homicide, or a similar out-of-state  
12 offense.

13 (d-3) Any person convicted of a fourth, fifth, sixth,  
14 seventh, eighth, or ninth violation of this Section is guilty  
15 of a Class 4 felony and must serve a minimum term of  
16 imprisonment of 180 days if the revocation or suspension was  
17 for a violation of Section 11-401 or 11-501 of this Code, or a  
18 similar out-of-state offense, or a similar provision of a local  
19 ordinance, or a statutory summary suspension under Section  
20 11-501.1 of this Code.

21 (d-3.5) Any person convicted of a fourth or subsequent  
22 violation of this Section is guilty of a Class 1 felony, is not  
23 eligible for probation or conditional discharge, and must serve  
24 a mandatory term of imprisonment, and is eligible for an  
25 extended term, if the revocation or suspension was for a  
26 violation of Section 9-3 of the Criminal Code of 1961, relating

1 to the offense of reckless homicide, or a similar out-of-state  
2 offense.

3 (d-4) Any person convicted of a tenth, eleventh, twelfth,  
4 thirteenth, or fourteenth violation of this Section is guilty  
5 of a Class 3 felony, and is not eligible for probation or  
6 conditional discharge, if the revocation or suspension was for  
7 a violation of Section 11-401 or 11-501 of this Code, or a  
8 similar out-of-state offense, or a similar provision of a local  
9 ordinance, or a statutory summary suspension under Section  
10 11-501.1 of this Code.

11 (d-5) Any person convicted of a fifteenth or subsequent  
12 violation of this Section is guilty of a Class 2 felony, and is  
13 not eligible for probation or conditional discharge, if the  
14 revocation or suspension was for a violation of Section 11-401  
15 or 11-501 of this Code, or a similar out-of-state offense, or a  
16 similar provision of a local ordinance, or a statutory summary  
17 suspension under Section 11-501.1 of this Code.

18 (e) Any person in violation of this Section who is also in  
19 violation of Section 7-601 of this Code relating to mandatory  
20 insurance requirements, in addition to other penalties imposed  
21 under this Section, shall have his or her motor vehicle  
22 immediately impounded by the arresting law enforcement  
23 officer. The motor vehicle may be released to any licensed  
24 driver upon a showing of proof of insurance for the vehicle  
25 that was impounded and the notarized written consent for the  
26 release by the vehicle owner.

1 (f) For any prosecution under this Section, a certified  
2 copy of the driving abstract of the defendant shall be admitted  
3 as proof of any prior conviction.

4 (g) The motor vehicle used in a violation of this Section  
5 is subject to seizure and forfeiture as provided in Sections  
6 36-1 and 36-2 of the Criminal Code of 1961 if the person's  
7 driving privilege was revoked or suspended as a result of a  
8 violation listed in paragraph (1), (2), or (3) of subsection  
9 (c) of this Section or as a result of a summary suspension as  
10 provided in paragraph (4) of subsection (c) of this Section.

11 (Source: P.A. 94-112, eff. 1-1-06; 95-578, rely on 95-27 and  
12 95-377, eff. 1-1-08; revised 11-19-07.)

13 (Text of Section after amendment by P.A. 95-400)

14 Sec. 6-303. Driving while driver's license, permit or  
15 privilege to operate a motor vehicle is suspended or revoked.

16 (a) Except as otherwise provided in subsection (a-5), any  
17 person who drives or is in actual physical control of a motor  
18 vehicle on any highway of this State at a time when such  
19 person's driver's license, permit or privilege to do so or the  
20 privilege to obtain a driver's license or permit is revoked or  
21 suspended as provided by this Code or the law of another state,  
22 except as may be specifically allowed by a judicial driving  
23 permit issued prior to January 1, 2009 ~~the effective date of~~  
24 ~~this amendatory Act of the 95th General Assembly~~, monitoring  
25 device driving permit, family financial responsibility driving

1 permit, probationary license to drive, or a restricted driving  
2 permit issued pursuant to this Code or under the law of another  
3 state, shall be guilty of a Class A misdemeanor.

4 (a-5) Any person who violates this Section as provided in  
5 subsection (a) while his or her driver's license, permit or  
6 privilege is revoked because of a violation of Section 9-3 of  
7 the Criminal Code of 1961, relating to the offense of reckless  
8 homicide or a similar provision of a law of another state, is  
9 guilty of a Class 4 felony. The person shall be required to  
10 undergo a professional evaluation, as provided in Section  
11 11-501 of this Code, to determine if an alcohol, drug, or  
12 intoxicating compound problem exists and the extent of the  
13 problem, and to undergo the imposition of treatment as  
14 appropriate.

15 (b) The Secretary of State upon receiving a report of the  
16 conviction of any violation indicating a person was operating a  
17 motor vehicle during the time when said person's driver's  
18 license, permit or privilege was suspended by the Secretary, by  
19 the appropriate authority of another state, or pursuant to  
20 Section 11-501.1; except as may be specifically allowed by a  
21 probationary license to drive, judicial driving permit issued  
22 prior to January 1, 2009 ~~the effective date of this amendatory~~  
23 ~~Act of the 95th General Assembly~~, monitoring device driving  
24 permit, or restricted driving permit issued pursuant to this  
25 Code or the law of another state; shall extend the suspension  
26 for the same period of time as the originally imposed

1 suspension; however, if the period of suspension has then  
2 expired, the Secretary shall be authorized to suspend said  
3 person's driving privileges for the same period of time as the  
4 originally imposed suspension.

5 (b-3) When the Secretary of State receives a report of a  
6 conviction of any violation indicating that a vehicle was  
7 operated during the time when the person's driver's license,  
8 permit or privilege was revoked, except as may be allowed by a  
9 restricted driving permit issued pursuant to this Code or the  
10 law of another state, the Secretary shall not issue a driver's  
11 license to that person for an additional period of one year  
12 from the date of such conviction.

13 (b-4) ~~(b-5)~~ When the Secretary of State receives a report  
14 of a conviction of any violation indicating a person was  
15 operating a motor vehicle that was not equipped with an  
16 ignition interlock device during a time when the person was  
17 prohibited from operating a motor vehicle not equipped with  
18 such a device, the Secretary shall not issue a driver's license  
19 to that person for an additional period of one year from the  
20 date of the conviction.

21 (b-5) Any person convicted of violating this Section shall  
22 serve a minimum term of imprisonment of 30 consecutive days or  
23 300 hours of community service when the person's driving  
24 privilege was revoked or suspended as a result of a violation  
25 of Section 9-3 of the Criminal Code of 1961, as amended,  
26 relating to the offense of reckless homicide, or a similar

1 provision of a law of another state.

2 (c) Except as provided in subsections (c-3) and (c-4), any  
3 person convicted of violating this Section shall serve a  
4 minimum term of imprisonment of 10 consecutive days or 30 days  
5 of community service when the person's driving privilege was  
6 revoked or suspended as a result of:

7 (1) a violation of Section 11-501 of this Code or a  
8 similar provision of a local ordinance relating to the  
9 offense of operating or being in physical control of a  
10 vehicle while under the influence of alcohol, any other  
11 drug or any combination thereof; or

12 (2) a violation of paragraph (b) of Section 11-401 of  
13 this Code or a similar provision of a local ordinance  
14 relating to the offense of leaving the scene of a motor  
15 vehicle accident involving personal injury or death; or

16 (3) a statutory summary suspension under Section  
17 11-501.1 of this Code.

18 Such sentence of imprisonment or community service shall  
19 not be subject to suspension in order to reduce such sentence.

20 (c-1) Except as provided in subsections (c-5) and (d), any  
21 person convicted of a second violation of this Section shall be  
22 ordered by the court to serve a minimum of 100 hours of  
23 community service.

24 (c-2) In addition to other penalties imposed under this  
25 Section, the court may impose on any person convicted a fourth  
26 time of violating this Section any of the following:

1           (1) Seizure of the license plates of the person's  
2           vehicle.

3           (2) Immobilization of the person's vehicle for a period  
4           of time to be determined by the court.

5           (c-3) Any person convicted of a violation of this Section  
6           during a period of summary suspension imposed pursuant to  
7           Section 11-501.1 when the person was eligible for a MDDP shall  
8           be guilty of a Class 4 felony and shall serve a minimum term of  
9           imprisonment of 30 days.

10          (c-4) Any person who has been issued a MDDP and who is  
11          convicted of a violation of this Section as a result of  
12          operating or being in actual physical control of a motor  
13          vehicle not equipped with an ignition interlock device at the  
14          time of the offense shall be guilty of a Class 4 felony and  
15          shall serve a minimum term of imprisonment of 30 days.

16          (c-5) Any person convicted of a second violation of this  
17          Section is guilty of a Class 2 felony, is not eligible for  
18          probation or conditional discharge, and shall serve a mandatory  
19          term of imprisonment, if the revocation or suspension was for a  
20          violation of Section 9-3 of the Criminal Code of 1961, relating  
21          to the offense of reckless homicide, or a similar out-of-state  
22          offense.

23          (d) Any person convicted of a second violation of this  
24          Section shall be guilty of a Class 4 felony and shall serve a  
25          minimum term of imprisonment of 30 days or 300 hours of  
26          community service, as determined by the court, if the original

1 revocation or suspension was for a violation of Section 11-401  
2 or 11-501 of this Code, or a similar out-of-state offense, or a  
3 similar provision of a local ordinance, or a statutory summary  
4 suspension under Section 11-501.1 of this Code.

5 (d-1) Except as provided in subsections (d-2), (d-2.5), and  
6 (d-3), any person convicted of a third or subsequent violation  
7 of this Section shall serve a minimum term of imprisonment of  
8 30 days or 300 hours of community service, as determined by the  
9 court.

10 (d-2) Any person convicted of a third violation of this  
11 Section is guilty of a Class 4 felony and must serve a minimum  
12 term of imprisonment of 30 days if the revocation or suspension  
13 was for a violation of Section 11-401 or 11-501 of this Code,  
14 or a similar out-of-state offense, or a similar provision of a  
15 local ordinance, or a statutory summary suspension under  
16 Section 11-501.1 of this Code.

17 (d-2.5) Any person convicted of a third violation of this  
18 Section is guilty of a Class 1 felony, is not eligible for  
19 probation or conditional discharge, and must serve a mandatory  
20 term of imprisonment if the revocation or suspension was for a  
21 violation of Section 9-3 of the Criminal Code of 1961, relating  
22 to the offense of reckless homicide, or a similar out-of-state  
23 offense.

24 (d-3) Any person convicted of a fourth, fifth, sixth,  
25 seventh, eighth, or ninth violation of this Section is guilty  
26 of a Class 4 felony and must serve a minimum term of



1 imprisonment of 180 days if the revocation or suspension was  
2 for a violation of Section 11-401 or 11-501 of this Code, or a  
3 similar out-of-state offense, or a similar provision of a local  
4 ordinance, or a statutory summary suspension under Section  
5 11-501.1 of this Code.

6 (d-3.5) Any person convicted of a fourth or subsequent  
7 violation of this Section is guilty of a Class 1 felony, is not  
8 eligible for probation or conditional discharge, and must serve  
9 a mandatory term of imprisonment, and is eligible for an  
10 extended term, if the revocation or suspension was for a  
11 violation of Section 9-3 of the Criminal Code of 1961, relating  
12 to the offense of reckless homicide, or a similar out-of-state  
13 offense.

14 (d-4) Any person convicted of a tenth, eleventh, twelfth,  
15 thirteenth, or fourteenth violation of this Section is guilty  
16 of a Class 3 felony, and is not eligible for probation or  
17 conditional discharge, if the revocation or suspension was for  
18 a violation of Section 11-401 or 11-501 of this Code, or a  
19 similar out-of-state offense, or a similar provision of a local  
20 ordinance, or a statutory summary suspension under Section  
21 11-501.1 of this Code.

22 (d-5) Any person convicted of a fifteenth or subsequent  
23 violation of this Section is guilty of a Class 2 felony, and is  
24 not eligible for probation or conditional discharge, if the  
25 revocation or suspension was for a violation of Section 11-401  
26 or 11-501 of this Code, or a similar out-of-state offense, or a

1 similar provision of a local ordinance, or a statutory summary  
2 suspension under Section 11-501.1 of this Code.

3 (e) Any person in violation of this Section who is also in  
4 violation of Section 7-601 of this Code relating to mandatory  
5 insurance requirements, in addition to other penalties imposed  
6 under this Section, shall have his or her motor vehicle  
7 immediately impounded by the arresting law enforcement  
8 officer. The motor vehicle may be released to any licensed  
9 driver upon a showing of proof of insurance for the vehicle  
10 that was impounded and the notarized written consent for the  
11 release by the vehicle owner.

12 (f) For any prosecution under this Section, a certified  
13 copy of the driving abstract of the defendant shall be admitted  
14 as proof of any prior conviction.

15 (g) The motor vehicle used in a violation of this Section  
16 is subject to seizure and forfeiture as provided in Sections  
17 36-1 and 36-2 of the Criminal Code of 1961 if the person's  
18 driving privilege was revoked or suspended as a result of a  
19 violation listed in paragraph (1), (2), or (3) of subsection  
20 (c) of this Section or as a result of a summary suspension as  
21 provided in paragraph (4) of subsection (c) of this Section.

22 (Source: P.A. 94-112, eff. 1-1-06; 95-578, rely on 95-27 and  
23 95-377, eff. 1-1-08; 95-400, eff. 1-1-09; revised 11-19-07.)

24 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

25 Sec. 6-514. Commercial Driver's License (CDL) -

1 Disqualifications.

2 (a) A person shall be disqualified from driving a  
3 commercial motor vehicle for a period of not less than 12  
4 months for the first violation of:

5 (1) Refusing to submit to or failure to complete a test  
6 or tests to determine the driver's blood concentration of  
7 alcohol, other drug, or both, while driving a commercial  
8 motor vehicle or, if the driver is a CDL holder, while  
9 driving a non-CMV; or

10 (2) Operating a commercial motor vehicle while the  
11 alcohol concentration of the person's blood, breath or  
12 urine is at least 0.04, or any amount of a drug, substance,  
13 or compound in the person's blood or urine resulting from  
14 the unlawful use or consumption of cannabis listed in the  
15 Cannabis Control Act, a controlled substance listed in the  
16 Illinois Controlled Substances Act, or methamphetamine as  
17 listed in the Methamphetamine Control and Community  
18 Protection Act as indicated by a police officer's sworn  
19 report or other verified evidence; or operating a  
20 non-commercial motor vehicle while the alcohol  
21 concentration of the person's blood, breath, or urine was  
22 above the legal limit defined in Section 11-501.1 or  
23 11-501.8 or any amount of a drug, substance, or compound in  
24 the person's blood or urine resulting from the unlawful use  
25 or consumption of cannabis listed in the Cannabis Control  
26 Act, a controlled substance listed in the Illinois

1           Controlled Substances Act, or methamphetamine as listed in  
2           the Methamphetamine Control and Community Protection Act  
3           as indicated by a police officer's sworn report or other  
4           verified evidence while holding a commercial driver's  
5           license; or

6           (3) Conviction for a first violation of:

7           (i) Driving a commercial motor vehicle or, if the  
8           driver is a CDL holder, driving a non-CMV while under  
9           the influence of alcohol, or any other drug, or  
10          combination of drugs to a degree which renders such  
11          person incapable of safely driving; or

12          (ii) Knowingly and wilfully leaving the scene of an  
13          accident while operating a commercial motor vehicle  
14          or, if the driver is a CDL holder, while driving a  
15          non-CMV; or

16          (iii) Driving a commercial motor vehicle or, if the  
17          driver is a CDL holder, driving a non-CMV while  
18          committing any felony; or

19          (iv) Driving a commercial motor vehicle while the  
20          person's driving privileges or driver's license or  
21          permit is revoked, suspended, or cancelled or the  
22          driver is disqualified from operating a commercial  
23          motor vehicle; or

24          (v) Causing a fatality through the negligent  
25          operation of a commercial motor vehicle, including but  
26          not limited to the crimes of motor vehicle

1           manslaughter, homicide by a motor vehicle, and  
2           negligent homicide.

3           As used in this subdivision (a)(3)(v), "motor  
4           vehicle manslaughter" means the offense of involuntary  
5           manslaughter if committed by means of a vehicle;  
6           "homicide by a motor vehicle" means the offense of  
7           first degree murder or second degree murder, if either  
8           offense is committed by means of a vehicle; and  
9           "negligent homicide" means reckless homicide under  
10          Section 9-3 of the Criminal Code of 1961 and aggravated  
11          driving under the influence of alcohol, other drug or  
12          drugs, intoxicating compound or compounds, or any  
13          combination thereof under subdivision (d)(1)(F) of  
14          Section 11-501 of this Code.

15          If any of the above violations or refusals occurred  
16          while transporting hazardous material(s) required to be  
17          placarded, the person shall be disqualified for a period of  
18          not less than 3 years.

19          (b) A person is disqualified for life for a second  
20          conviction of any of the offenses specified in paragraph (a),  
21          or any combination of those offenses, arising from 2 or more  
22          separate incidents.

23          (c) A person is disqualified from driving a commercial  
24          motor vehicle for life if the person either (i) uses a  
25          commercial motor vehicle in the commission of any felony  
26          involving the manufacture, distribution, or dispensing of a

1 controlled substance, or possession with intent to  
2 manufacture, distribute or dispense a controlled substance or  
3 (ii) if the person is a CDL holder, uses a non-CMV in the  
4 commission of a felony involving any of those activities.

5 (d) The Secretary of State may, when the United States  
6 Secretary of Transportation so authorizes, issue regulations  
7 in which a disqualification for life under paragraph (b) may be  
8 reduced to a period of not less than 10 years. If a reinstated  
9 driver is subsequently convicted of another disqualifying  
10 offense, as specified in subsection (a) of this Section, he or  
11 she shall be permanently disqualified for life and shall be  
12 ineligible to again apply for a reduction of the lifetime  
13 disqualification.

14 (e) A person is disqualified from driving a commercial  
15 motor vehicle for a period of not less than 2 months if  
16 convicted of 2 serious traffic violations, committed in a  
17 commercial motor vehicle, arising from separate incidents,  
18 occurring within a 3 year period. However, a person will be  
19 disqualified from driving a commercial motor vehicle for a  
20 period of not less than 4 months if convicted of 3 serious  
21 traffic violations, committed in a commercial motor vehicle,  
22 arising from separate incidents, occurring within a 3 year  
23 period.

24 (e-1) A person is disqualified from driving a commercial  
25 motor vehicle for a period of not less than 2 months if  
26 convicted of 2 serious traffic violations committed in a

1 non-CMV while holding a CDL, arising from separate incidents,  
2 occurring within a 3 year period, if the convictions would  
3 result in the suspension or revocation of the CDL holder's  
4 non-CMV privileges. A person shall be disqualified from driving  
5 a commercial motor vehicle for a period of not less than 4  
6 months, however, if he or she is convicted of 3 or more serious  
7 traffic violations committed in a non-CMV while holding a CDL,  
8 arising from separate incidents, occurring within a 3 year  
9 period, if the convictions would result in the suspension or  
10 revocation of the CDL holder's non-CMV privileges.

11 (f) Notwithstanding any other provision of this Code, any  
12 driver disqualified from operating a commercial motor vehicle,  
13 pursuant to this UCCLA, shall not be eligible for restoration  
14 of commercial driving privileges during any such period of  
15 disqualification.

16 (g) After suspending, revoking, or cancelling a commercial  
17 driver's license, the Secretary of State must update the  
18 driver's records to reflect such action within 10 days. After  
19 suspending or revoking the driving privilege of any person who  
20 has been issued a CDL or commercial driver instruction permit  
21 from another jurisdiction, the Secretary shall originate  
22 notification to such issuing jurisdiction within 10 days.

23 (h) The "disqualifications" referred to in this Section  
24 shall not be imposed upon any commercial motor vehicle driver,  
25 by the Secretary of State, unless the prohibited action(s)  
26 occurred after March 31, 1992.

1 (i) A person is disqualified from driving a commercial  
2 motor vehicle in accordance with the following:

3 (1) For 6 months upon a first conviction of paragraph  
4 (2) of subsection (b) or subsection (b-3) of Section 6-507  
5 of this Code.

6 (2) For one year upon a second conviction of paragraph  
7 (2) of subsection (b) or subsection (b-3) or any  
8 combination of paragraphs (2) or (3) of subsection (b) or  
9 subsections (b-3) or (b-5) of Section 6-507 of this Code  
10 within a 10-year period, providing the second conviction is  
11 a violation of subdivision (b)(2) or subsection (b-3) of  
12 Section 6-507.

13 (3) For 3 years upon a third or subsequent conviction  
14 of paragraph (2) of subsection (b) or subsection (b-3) or  
15 any combination of paragraphs (2) or (3) of subsection (b)  
16 or subsections (b-3) or (b-5) of Section 6-507 of this Code  
17 within a 10-year period, providing the third or subsequent  
18 conviction is a violation of subdivision (b)(2) or  
19 subsection (b-3) of Section 6-507.

20 (4) For one year upon a first conviction of paragraph  
21 (3) of subsection (b) or subsection (b-5) of Section 6-507  
22 of this Code.

23 (5) For 3 years upon a second conviction of paragraph  
24 (3) of subsection (b) or subsection (b-5) or any  
25 combination of paragraphs (2) or (3) of subsection (b) or  
26 subsections (b-3) or (b-5) of Section 6-507 of this Code



1 within a 10-year period, providing the second conviction is  
2 a violation of subdivision (b) (3) or subsection (b-5) of  
3 Section 6-507.

4 (6) For 5 years upon a third or subsequent conviction  
5 of paragraph (3) of subsection (b) or subsection (b-5) or  
6 any combination of paragraphs (2) or (3) of subsection (b)  
7 or subsections (b-3) or (b-5) of Section 6-507 of this Code  
8 within a 10-year period, providing the third or subsequent  
9 conviction is a violation of subdivision (b) (3) or  
10 subsection (b-5) of Section 6-507.

11 (j) Disqualification for railroad-highway grade crossing  
12 violation.

13 (1) General rule. A driver who is convicted of a  
14 violation of a federal, State, or local law or regulation  
15 pertaining to one of the following 6 offenses at a  
16 railroad-highway grade crossing must be disqualified from  
17 operating a commercial motor vehicle for the period of time  
18 specified in paragraph (2) of this subsection (j) if the  
19 offense was committed while operating a commercial motor  
20 vehicle:

21 (i) For drivers who are not required to always  
22 stop, failing to slow down and check that the tracks  
23 are clear of an approaching train, as described in  
24 subsection (a-5) of Section 11-1201 of this Code;

25 (ii) For drivers who are not required to always  
26 stop, failing to stop before reaching the crossing, if

1 the tracks are not clear, as described in subsection  
2 (a) of Section 11-1201 of this Code;

3 (iii) For drivers who are always required to stop,  
4 failing to stop before driving onto the crossing, as  
5 described in Section 11-1202 of this Code;

6 (iv) For all drivers, failing to have sufficient  
7 space to drive completely through the crossing without  
8 stopping, as described in subsection (b) of Section  
9 11-1425 of this Code;

10 (v) For all drivers, failing to obey a traffic  
11 control device or the directions of an enforcement  
12 official at the crossing, as described in subdivision  
13 (a)2 of Section 11-1201 of this Code;

14 (vi) For all drivers, failing to negotiate a  
15 crossing because of insufficient undercarriage  
16 clearance, as described in subsection (d-1) of Section  
17 11-1201 of this Code.

18 (2) Duration of disqualification for railroad-highway  
19 grade crossing violation.

20 (i) First violation. A driver must be disqualified  
21 from operating a commercial motor vehicle for not less  
22 than 60 days if the driver is convicted of a violation  
23 described in paragraph (1) of this subsection (j) and,  
24 in the three-year period preceding the conviction, the  
25 driver had no convictions for a violation described in  
26 paragraph (1) of this subsection (j).

1           (ii) Second violation. A driver must be  
2           disqualified from operating a commercial motor vehicle  
3           for not less than 120 days if the driver is convicted  
4           of a violation described in paragraph (1) of this  
5           subsection (j) and, in the three-year period preceding  
6           the conviction, the driver had one other conviction for  
7           a violation described in paragraph (1) of this  
8           subsection (j) that was committed in a separate  
9           incident.

10           (iii) Third or subsequent violation. A driver must  
11           be disqualified from operating a commercial motor  
12           vehicle for not less than one year if the driver is  
13           convicted of a violation described in paragraph (1) of  
14           this subsection (j) and, in the three-year period  
15           preceding the conviction, the driver had 2 or more  
16           other convictions for violations described in  
17           paragraph (1) of this subsection (j) that were  
18           committed in separate incidents.

19           (k) Upon notification of a disqualification of a driver's  
20           commercial motor vehicle privileges imposed by the U.S.  
21           Department of Transportation, Federal Motor Carrier Safety  
22           Administration, in accordance with 49 C.F.R. 383.52, the  
23           Secretary of State shall immediately record to the driving  
24           record the notice of disqualification and confirm to the driver  
25           the action that has been taken.

26           (Source: P.A. 94-307, eff. 9-30-05; 94-930, eff. 6-26-06;

1 95-382, eff. 8-23-07.)

2 Section 15. The Child Passenger Protection Act is amended  
3 by changing Section 4b as follows:

4 (625 ILCS 25/4b)

5 Sec. 4b. Children 8 years of age or older but under the age  
6 of 19; seat belts. Every person under the age of 18 years, when  
7 transporting a child 8 years of age or older but under the age  
8 of 19 years, as provided in Section 4 of this Act, shall be  
9 responsible for securing that child in a properly adjusted and  
10 fastened seat safety belt or an appropriate child restraint  
11 system. This Section shall also apply to each driver over the  
12 age of 18 years who committed an offense against traffic  
13 regulations governing the movement of vehicles or any violation  
14 of Section 6-107 or Section 12-603.1 of this Code in the ~~within~~  
15 6 months prior to ~~of~~ the driver's 18th birthday and was  
16 subsequently convicted of the violation, until such time as a  
17 period of 6 consecutive months has elapsed without an  
18 additional violation and subsequent conviction of an offense  
19 against traffic regulations governing the movement of vehicles  
20 or any violation of Section 6-107 or Section 12-603.1 of this  
21 Code.

22 (Source: P.A. 94-241, eff. 1-1-06; 95-310, eff. 1-1-08.)

23 Section 95. No acceleration or delay. Where this Act makes

1 changes in a statute that is represented in this Act by text  
2 that is not yet or no longer in effect, the use of that text  
3 does not accelerate or delay the taking effect of (i) the  
4 changes made by this Act or (ii) provisions derived from any  
5 other Public Act.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.".