



Sen. Pamela J. Althoff

**Filed: 4/28/2009**

09600HB0931sam001

LRB096 08629 AJT 25329 a

1 AMENDMENT TO HOUSE BILL 931

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 931 on page 1, by  
3 replacing lines 4 through 5 with the following:

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

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification Card.

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

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

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

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

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

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

18 An optometrist's determination of a visual disability  
19 under Section 4A of this Act is acceptable as documentation for  
20 the purpose of issuing an Illinois Disabled Person  
21 Identification Card.

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

26 (c) Beginning January 1, 1986, the Secretary of State shall

1 provide that each original or renewal Illinois Identification  
2 Card or Illinois Disabled Person Identification Card issued to  
3 a person under the age of 21, shall be of a distinct nature  
4 from those Illinois Identification Cards or Illinois Disabled  
5 Person Identification Cards issued to individuals 21 years of  
6 age or older. The color designated for Illinois Identification  
7 Cards or Illinois Disabled Person Identification Cards for  
8 persons under the age of 21 shall be at the discretion of the  
9 Secretary of State.

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

16 (c-5) The Secretary of State shall provide that each  
17 original or renewal identification card issued to a person  
18 identified as a veteran pursuant to subsection (b) of Section 5  
19 of this Act be of a distinct nature from all other  
20 identification cards. The design of the distinction shall be at  
21 the discretion of the Secretary of State.

22 (d) The Secretary of State may issue a Senior Citizen  
23 discount card, to any natural person who is a resident of the  
24 State of Illinois who is 60 years of age or older and who  
25 applies for such a card or renewal thereof. The Secretary of  
26 State shall charge no fee to issue such card. The card shall be

1 issued in every county and applications shall be made available  
2 at, but not limited to, nutrition sites, senior citizen centers  
3 and Area Agencies on Aging. The applicant, upon receipt of such  
4 card and prior to its use for any purpose, shall have affixed  
5 thereon in the space provided therefor his signature or mark.

6 (e) The Secretary of State, in his or her discretion, may  
7 designate on each Illinois Identification Card or Illinois  
8 Disabled Person Identification Card a space where the card  
9 holder may place a sticker or decal, issued by the Secretary of  
10 State, of uniform size as the Secretary may specify, that shall  
11 indicate in appropriate language that the card holder has  
12 renewed his or her Illinois Identification Card or Illinois  
13 Disabled Person Identification Card.

14 (Source: P.A. 95-762, eff. 1-1-09; 95-779, eff. 1-1-09; revised  
15 9-5-08.)

16 (15 ILCS 335/5) (from Ch. 124, par. 25)

17 Sec. 5. Applications.

18 (a) Any natural person who is a resident of the State of  
19 Illinois, may file an application for an identification card or  
20 for the renewal thereof, in a manner prescribed by the  
21 Secretary. Each original application shall be completed by the  
22 applicant in full and shall set forth the legal name, residence  
23 address and zip code, social security number, birth date, sex  
24 and a brief description of the applicant. The applicant shall  
25 be photographed and he shall also submit any other information

1 as the Secretary may deem necessary or such documentation as  
2 the Secretary may require to determine the identity of the  
3 applicant. An applicant for a disabled persons card must also  
4 submit with each original or renewal application, on forms  
5 prescribed by the Secretary, such documentation as the  
6 Secretary may require, establishing that the applicant is a  
7 "disabled person" as defined in Section 4A of this Act, and  
8 setting forth the applicant's type and class of disability as  
9 set forth in Section 4A of this Act.

10 (b) For each original or renewal identification card  
11 application under this Act, the Secretary shall inquire as to  
12 whether the applicant is a veteran for purposes of issuing a  
13 distinct identification card under subsection (c-5) of Section  
14 4 of this Act. The acceptable forms of proof shall include, but  
15 are not limited to, Department of Defense form DD-214. The  
16 Secretary shall determine by rule what other forms of proof of  
17 a person's status as a veteran are acceptable.

18 For purposes of this subsection:

19 "Active duty" means active duty pursuant to an executive  
20 order of the President of the United States, an act of the  
21 Congress of the United States, or an order of the Governor.

22 "Armed forces" means any of the Armed Forces of the United  
23 States, including a member of any reserve component thereof or  
24 National Guard unit called to active duty.

25 "Veteran" means a person that has served on active duty in  
26 the armed forces of the United States and was discharged or

1 separated under honorable conditions.

2 (Source: P.A. 93-895, eff. 1-1-05.)

3 Section 10. The Illinois Vehicle Code is amended by  
4 changing Sections 6-106, 6-110, 6-507, 6-514, and 6-524 as  
5 follows:

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

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

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

15 (b) Every application shall state the legal name, social  
16 security number, zip code, date of birth, sex, and residence  
17 address of the applicant; briefly describe the applicant; state  
18 whether the applicant has theretofore been licensed as a  
19 driver, and, if so, when and by what state or country, and  
20 whether any such license has ever been cancelled, suspended,  
21 revoked or refused, and, if so, the date and reason for such  
22 cancellation, suspension, revocation or refusal; shall include  
23 an affirmation by the applicant that all information set forth  
24 is true and correct; and shall bear the applicant's signature.



1 The application form may also require the statement of such  
2 additional relevant information as the Secretary of State shall  
3 deem necessary to determine the applicant's competency and  
4 eligibility. The Secretary of State may in his discretion  
5 substitute a federal tax number in lieu of a social security  
6 number, or he may instead assign an additional distinctive  
7 number in lieu thereof, where an applicant is prohibited by  
8 bona fide religious convictions from applying or is exempt from  
9 applying for a social security number. The Secretary of State  
10 shall, however, determine which religious orders or sects have  
11 such bona fide religious convictions. The Secretary of State  
12 may, in his discretion, by rule or regulation, provide that an  
13 application for a drivers license or permit may include a  
14 suitable photograph of the applicant in the form prescribed by  
15 the Secretary, and he may further provide that each drivers  
16 license shall include a photograph of the driver. The Secretary  
17 of State may utilize a photograph process or system most  
18 suitable to deter alteration or improper reproduction of a  
19 drivers license and to prevent substitution of another photo  
20 thereon.

21 (c) The application form shall include a notice to the  
22 applicant of the registration obligations of sex offenders  
23 under the Sex Offender Registration Act. The notice shall be  
24 provided in a form and manner prescribed by the Secretary of  
25 State.

26 For purposes of this subsection (c), "sex offender" has the

1 meaning ascribed to it in Section 2 of the Sex Offender  
2 Registration Act.

3 (d) Any male United States citizen or immigrant who applies  
4 for any permit or license authorized to be issued under this  
5 Act or for a renewal of any permit or license, and who is at  
6 least 18 years of age but less than 26 years of age, must be  
7 registered in compliance with the requirements of the federal  
8 Military Selective Service Act. The Secretary of State must  
9 forward in an electronic format the necessary personal  
10 information regarding the applicants identified in this  
11 subsection (d) to the Selective Service System. The applicant's  
12 signature on the application serves as an indication that the  
13 applicant either has already registered with the Selective  
14 Service System or that he is authorizing the Secretary to  
15 forward to the Selective Service System the necessary  
16 information for registration. The Secretary must notify the  
17 applicant at the time of application that his signature  
18 constitutes consent to registration with the Selective Service  
19 System, if he is not already registered.

20 (e) For each original or renewal driver's license  
21 application under this Act, the Secretary shall inquire as to  
22 whether the applicant is a veteran for purposes of issuing a  
23 distinct driver's license under subsection (e-5) of Section  
24 6-110 of this Chapter. The acceptable forms of proof shall  
25 include, but are not limited to, Department of Defense form  
26 DD-214. The Secretary shall determine by rule what other forms

1 of proof of a person's status as a veteran are acceptable.

2 For purposes of this subsection:

3 "Active duty" means active duty pursuant to an executive  
4 order of the President of the United States, an act of the  
5 Congress of the United States, or an order of the Governor.

6 "Armed forces" means any of the Armed Forces of the United  
7 States, including a member of any reserve component thereof or  
8 National Guard unit called to active duty.

9 "Veteran" means a person that has served on active duty in  
10 the armed forces of the United States and was discharged or  
11 separated under honorable conditions.

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

13 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

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

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

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

23 In lieu of the social security number, the Secretary may in  
24 his discretion substitute a federal tax number or other  
25 distinctive number.

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

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

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

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

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

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

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

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

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

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

23                   (5) involved in an emergency;

24                   (6) going to or returning home from, without any detour  
25 or stop, an official school, religious, or other  
26 recreational activity supervised by adults and sponsored

1 by a government or governmental agency, a civic  
2 organization, or another similar entity that takes  
3 responsibility for the licensee, without any detour or  
4 stop;

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

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

10 (a-2.5) The driver's license of a person who is 17 years of  
11 age and has been licensed for at least 12 months is not invalid  
12 as described in subsection (a-1) of this Section while the  
13 licensee is participating as an assigned driver in a Safe Rides  
14 program that meets the following criteria:

15 (1) the program is sponsored by the Boy Scouts of  
16 America or another national public service organization;  
17 and

18 (2) the sponsoring organization carries liability  
19 insurance covering the program.

20 (a-3) If a graduated driver's license holder over the age  
21 of 18 committed an offense against traffic regulations  
22 governing the movement of vehicles or any violation of Section  
23 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
24 the graduated driver's license holder's 18th birthday, and was  
25 subsequently convicted of the offense, the provisions of  
26 subsection (a-1) shall continue to apply until such time as a

1 period of 6 consecutive months has elapsed without an  
2 additional violation and subsequent conviction of an offense  
3 against traffic regulations governing the movement of vehicles  
4 or Section 6-107 or Section 12-603.1 of this Code.

5 (b) Until the Secretary of State establishes a First Person  
6 Consent organ and tissue donor registry under Section 6-117 of  
7 this Code, the Secretary of State shall provide a format on the  
8 reverse of each driver's license issued which the licensee may  
9 use to execute a document of gift conforming to the provisions  
10 of the Illinois Anatomical Gift Act. The format shall allow the  
11 licensee to indicate the gift intended, whether specific  
12 organs, any organ, or the entire body, and shall accommodate  
13 the signatures of the donor and 2 witnesses. The Secretary  
14 shall also inform each applicant or licensee of this format,  
15 describe the procedure for its execution, and may offer the  
16 necessary witnesses; provided that in so doing, the Secretary  
17 shall advise the applicant or licensee that he or she is under  
18 no compulsion to execute a document of gift. A brochure  
19 explaining this method of executing an anatomical gift document  
20 shall be given to each applicant or licensee. The brochure  
21 shall advise the applicant or licensee that he or she is under  
22 no compulsion to execute a document of gift, and that he or she  
23 may wish to consult with family, friends or clergy before doing  
24 so. The Secretary of State may undertake additional efforts,  
25 including education and awareness activities, to promote organ  
26 and tissue donation.

1           (c) The Secretary of State shall designate on each driver's  
2 license issued a space where the licensee may place a sticker  
3 or decal of the uniform size as the Secretary may specify,  
4 which sticker or decal may indicate in appropriate language  
5 that the owner of the license carries an Emergency Medical  
6 Information Card.

7           The sticker may be provided by any person, hospital,  
8 school, medical group, or association interested in assisting  
9 in implementing the Emergency Medical Information Card, but  
10 shall meet the specifications as the Secretary may by rule or  
11 regulation require.

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

15           (e) The Secretary of State shall provide that each original  
16 or renewal driver's license issued to a licensee under 21 years  
17 of age shall be of a distinct nature from those driver's  
18 licenses issued to individuals 21 years of age and older. The  
19 color designated for driver's licenses for licensees under 21  
20 years of age shall be at the discretion of the Secretary of  
21 State.

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

26           (e-5) The Secretary of State shall provide that each

1 original or renewal driver's license issued to a person  
2 identified as a veteran pursuant to subsection (e) of Section  
3 6-106 of this Chapter be of a distinct nature from all other  
4 driver's licenses. The design of the distinction shall be at  
5 the discretion of the Secretary of State.

6 (f) The Secretary of State shall inform all Illinois  
7 licensed commercial motor vehicle operators of the  
8 requirements of the Uniform Commercial Driver License Act,  
9 Article V of this Chapter, and shall make provisions to insure  
10 that all drivers, seeking to obtain a commercial driver's  
11 license, be afforded an opportunity prior to April 1, 1992, to  
12 obtain the license. The Secretary is authorized to extend  
13 driver's license expiration dates, and assign specific times,  
14 dates and locations where these commercial driver's tests shall  
15 be conducted. Any applicant, regardless of the current  
16 expiration date of the applicant's driver's license, may be  
17 subject to any assignment by the Secretary. Failure to comply  
18 with the Secretary's assignment may result in the applicant's  
19 forfeiture of an opportunity to receive a commercial driver's  
20 license prior to April 1, 1992.

21 (g) The Secretary of State shall designate on a driver's  
22 license issued, a space where the licensee may indicate that he  
23 or she has drafted a living will in accordance with the  
24 Illinois Living Will Act or a durable power of attorney for  
25 health care in accordance with the Illinois Power of Attorney  
26 Act.



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

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

11           (Source: P.A. 94-75, eff. 1-1-06; 94-930, eff. 6-26-06; 95-310,  
12 eff. 1-1-08; 95-747, eff. 7-22-08.)".