

# HB2486



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB2486**

Introduced 2/20/2009, by Rep. Kevin Joyce

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-117

from Ch. 95 1/2, par. 6-117

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning records to be kept by the Secretary of State.

LRB096 10049 AJT 20213 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 6-117 as follows:

6 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

7 Sec. 6-117. Records to be kept by the Secretary of State.

8 (a) The ~~The~~ Secretary of State shall file every application  
9 for a license or permit accepted under this Chapter, and shall  
10 maintain suitable indexes thereof. The records of the Secretary  
11 of State shall indicate the action taken with respect to such  
12 applications.

13 (b) The Secretary of State shall maintain appropriate  
14 records of all licenses and permits refused, cancelled,  
15 disqualified, revoked, or suspended and of the revocation,  
16 suspension, and disqualification of driving privileges of  
17 persons not licensed under this Chapter, and such records shall  
18 note the reasons for such action.

19 (c) The Secretary of State shall maintain appropriate  
20 records of convictions reported under this Chapter. Records of  
21 conviction may be maintained in a computer processible medium.

22 (d) The Secretary of State may also maintain appropriate  
23 records of any accident reports received.

1           (e) The Secretary of State shall also maintain appropriate  
2 records of any disposition of supervision or records relative  
3 to a driver's referral to a driver remedial or rehabilitative  
4 program, as required by the Secretary of State or the courts.  
5 Such records shall only be available for use by the Secretary,  
6 the driver licensing administrator of any other state, law  
7 enforcement agencies, the courts, and the affected driver or,  
8 upon proper verification, such affected driver's attorney.

9           (f) The Secretary of State shall also maintain or contract  
10 to maintain appropriate records of all photographs and  
11 signatures obtained in the process of issuing any driver's  
12 license, permit, or identification card. The record shall be  
13 confidential and shall not be disclosed except to those  
14 entities listed under Section 6-110.1 of this Code.

15           (g) The Secretary of State may establish a First Person  
16 Consent organ and tissue donor registry in compliance with  
17 subsection (b-1) of Section 5-20 of the Illinois Anatomical  
18 Gift Act, as follows:

19                   (1) The Secretary shall offer, to each applicant  
20 for issuance or renewal of a driver's license or  
21 identification card who is 18 years of age or older, the  
22 opportunity to have his or her name included in the First  
23 Person Consent organ and tissue donor registry. The  
24 Secretary must advise the applicant or licensee that he or  
25 she is under no compulsion to have his or her name included  
26 in the registry. An individual who agrees to having his or

1 her name included in the First Person Consent organ and  
2 tissue donor registry has given full legal consent to the  
3 donation of any of his or her organs or tissue upon his or  
4 her death. A brochure explaining this method of executing  
5 an anatomical gift must be given to each applicant for  
6 issuance or renewal of a driver's license or identification  
7 card. The brochure must advise the applicant or licensee  
8 (i) that he or she is under no compulsion to have his or  
9 her name included in this registry and (ii) that he or she  
10 may wish to consult with family, friends, or clergy before  
11 doing so.

12 (2) The Secretary of State may establish  
13 additional methods by which an individual may have his or  
14 her name included in the First Person Consent organ and  
15 tissue donor registry.

16 (3) When an individual has agreed to have his or  
17 her name included in the First Person Consent organ and  
18 tissue donor registry, the Secretary of State shall note  
19 that agreement in the First Person consent organ and tissue  
20 donor registry. Representatives of federally designated  
21 organ procurement agencies and tissue banks may inquire of  
22 the Secretary of State whether a potential organ donor's  
23 name is included in the First Person Consent organ and  
24 tissue donor registry, and the Secretary of State may  
25 provide that information to the representative.

26 (4) An individual may withdraw his or her consent

1 to be listed in the First Person Consent organ and tissue  
2 donor registry maintained by the Secretary of State by  
3 notifying the Secretary of State in writing, or by any  
4 other means approved by the Secretary, of the individual's  
5 decision to have his or her name removed from the registry.

6 (5) The Secretary of State may undertake  
7 additional efforts, including education and awareness  
8 activities, to promote organ and tissue donation.

9 (6) In the absence of gross negligence or willful  
10 misconduct, the Secretary of State and his or her employees  
11 are immune from any civil or criminal liability in  
12 connection with an individual's consent to be listed in the  
13 organ and tissue donor registry.

14 (Source: P.A. 94-75, eff. 1-1-06; 95-382, eff. 8-23-07.)