



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4238

Introduced 2/27/2009, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
15 ILCS 335/11	from Ch. 124, par. 31
625 ILCS 5/2-123	from Ch. 95 1/2, par. 2-123
625 ILCS 5/6-110	from Ch. 95 1/2, par. 6-110

Amends the Illinois Vehicle Code and Illinois Identification Card Act to provide that the Secretary of State shall designate on each identification card (driver's license or Illinois identification card) issued a space where the word "veteran", on a distinct background, would be placed at the request of an applicant for an identification card who also presents to the Secretary of State a written confirmation from the Department of Veteran's Affairs that the applicant is a veteran of the United States Armed Forces and was not dishonorably discharged. Provides that the Secretary of State may disclose the applicant's social security number or any associated information obtained from the Social Security Administration without the written request or consent of the individual to the Department of Veterans' Affairs for the purpose of confirming veteran status for qualification for distinct identification cards or veteran special license plates. Effective January 1, 2010.

LRB096 09683 AJT 19844 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning identification cards.

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

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Sections 4 and 11 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
17 fees. No identification card shall be issued to any person who
18 holds a valid foreign state identification card, license, or
19 permit unless the person first surrenders to the Secretary of
20 State the valid foreign state identification card, license, or
21 permit. The card shall be prepared and supplied by the
22 Secretary of State and shall include a photograph of the
23 applicant. The applicant, upon receipt of a card and prior to

1 its use for any purpose, shall affix his signature thereon in
2 the space provided therefor. The Illinois Identification Card
3 may be used for identification purposes in any lawful situation
4 only by the person to whom it was issued. As used in this Act,
5 "photograph" means any color photograph or digitally produced
6 and captured image of an applicant for an identification card.
7 As used in this Act, "signature" means the name of a person as
8 written by that person and captured in a manner acceptable to
9 the Secretary of State.

10 (b) The Secretary of State shall issue a special Illinois
11 Identification Card, which shall be known as an Illinois
12 Disabled Person Identification Card, to any natural person who
13 is a resident of the State of Illinois, who is a disabled
14 person as defined in Section 4A of this Act, who applies for
15 such card, or renewal thereof. No Disabled Person
16 Identification Card shall be issued to any person who holds a
17 valid foreign state identification card, license, or permit
18 unless the person first surrenders to the Secretary of State
19 the valid foreign state identification card, license, or
20 permit. The Secretary of State shall charge no fee to issue
21 such card. The card shall be prepared and supplied by the
22 Secretary of State, and shall include a photograph of the
23 applicant, a designation indicating that the card is an
24 Illinois Disabled Person Identification Card, and shall
25 include a comprehensible designation of the type and
26 classification of the applicant's disability as set out in

1 Section 4A of this Act. If the applicant so requests, the card
2 shall include a description of the applicant's disability and
3 any information about the applicant's disability or medical
4 history which the Secretary determines would be helpful to the
5 applicant in securing emergency medical care. The applicant,
6 upon receipt of such a card and prior to its use for any
7 purpose, shall have affixed thereon in the space provided
8 therefor his signature or mark. If a mark is used in lieu of a
9 signature, such mark shall be affixed to the card in the
10 presence of two witnesses who attest to the authenticity of the
11 mark. The Illinois Disabled Person Identification Card may be
12 used for identification purposes in any lawful situation by the
13 person to whom it was issued.

14 The Illinois Disabled Person Identification Card may be
15 used as adequate documentation of disability in lieu of a
16 physician's determination of disability, a determination of
17 disability from a physician assistant who has been delegated
18 the authority to make this determination by his or her
19 supervising physician, a determination of disability from an
20 advanced practice nurse who has a written collaborative
21 agreement with a collaborating physician that authorizes the
22 advanced practice nurse to make this determination, or any
23 other documentation of disability whenever any State law
24 requires that a disabled person provide such documentation of
25 disability, however an Illinois Disabled Person Identification
26 Card shall not qualify the cardholder to participate in any

1 program or to receive any benefit which is not available to all
2 persons with like disabilities. Notwithstanding any other
3 provisions of law, an Illinois Disabled Person Identification
4 Card, or evidence that the Secretary of State has issued an
5 Illinois Disabled Person Identification Card, shall not be used
6 by any person other than the person named on such card to prove
7 that the person named on such card is a disabled person or for
8 any other purpose unless the card is used for the benefit of
9 the person named on such card, and the person named on such
10 card consents to such use at the time the card is so used.

11 An optometrist's determination of a visual disability
12 under Section 4A of this Act is acceptable as documentation for
13 the purpose of issuing an Illinois Disabled Person
14 Identification Card.

15 When medical information is contained on an Illinois
16 Disabled Person Identification Card, the Office of the
17 Secretary of State shall not be liable for any actions taken
18 based upon that medical information.

19 (c) Beginning January 1, 1986, the Secretary of State shall
20 provide that each original or renewal Illinois Identification
21 Card or Illinois Disabled Person Identification Card issued to
22 a person under the age of 21, shall be of a distinct nature
23 from those Illinois Identification Cards or Illinois Disabled
24 Person Identification Cards issued to individuals 21 years of
25 age or older. The color designated for Illinois Identification
26 Cards or Illinois Disabled Person Identification Cards for

1 persons under the age of 21 shall be at the discretion of the
2 Secretary of State.

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

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

19 (e) The Secretary of State, in his or her discretion, may
20 designate on each Illinois Identification Card or Illinois
21 Disabled Person Identification Card a space where the card
22 holder may place a sticker or decal, issued by the Secretary of
23 State, of uniform size as the Secretary may specify, that shall
24 indicate in appropriate language that the card holder has
25 renewed his or her Illinois Identification Card or Illinois
26 Disabled Person Identification Card.

1 (f) The Secretary of State shall designate on each
2 identification card issued under this Act a space where the
3 word "veteran", on a distinct background, shall be placed at
4 the request of an applicant for an identification card who also
5 presents to the Secretary of State a written confirmation from
6 the Department of Veteran's Affairs that the applicant is a
7 veteran of the United States Armed Forces and was not
8 dishonorably discharged.

9 (Source: P.A. 95-762, eff. 1-1-09; 95-779, eff. 1-1-09; revised
10 9-5-08.)

11 (15 ILCS 335/11) (from Ch. 124, par. 31)

12 Sec. 11. The Secretary may make a search of his records and
13 furnish information as to whether a person has a current
14 Standard Illinois Identification Card or an Illinois Disabled
15 Person Identification Card then on file, upon receipt of a
16 written application therefor accompanied with the prescribed
17 fee. However, the Secretary may not disclose medical
18 information concerning an individual to any person, public
19 agency, private agency, corporation or governmental body
20 unless the individual has submitted a written request for the
21 information or unless the individual has given prior written
22 consent for the release of the information to a specific person
23 or entity. This exception shall not apply to: (1) offices and
24 employees of the Secretary who have a need to know the medical
25 information in performance of their official duties, or (2)

1 orders of a court of competent jurisdiction. When medical
2 information is disclosed by the Secretary in accordance with
3 the provisions of this Section, no liability shall rest with
4 the Office of the Secretary of State as the information is
5 released for informational purposes only.

6 The Secretary may release personally identifying
7 information or highly restricted personal information only to:

8 (1) officers and employees of the Secretary who have a
9 need to know that information;

10 (2) other governmental agencies for use in their
11 official governmental functions;

12 (3) law enforcement agencies that need the information
13 for a criminal or civil investigation; or

14 (4) any entity that the Secretary has authorized, by
15 rule, to receive this information.

16 The Secretary may not disclose an individual's social
17 security number or any associated information obtained from the
18 Social Security Administration without the written request or
19 consent of the individual except: (i) to officers and employees
20 of the Secretary who have a need to know the social security
21 number in the performance of their official duties; (ii) to law
22 enforcement officials for a lawful civil or criminal law
23 enforcement investigation if the head of the law enforcement
24 agency has made a written request to the Secretary specifying
25 the law enforcement investigation for which the social security
26 number is being sought; ~~or~~ (iii) under a lawful court order

1 signed by a judge; or (iv) to the Department of Veterans'
2 Affairs for the purpose of confirming veteran status for
3 qualification for distinct identification cards.

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

5 Section 10. The Illinois Vehicle Code is amended by
6 changing Sections 2-123 and 6-110 as follows:

7 (625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)

8 Sec. 2-123. Sale and Distribution of Information.

9 (a) Except as otherwise provided in this Section, the
10 Secretary may make the driver's license, vehicle and title
11 registration lists, in part or in whole, and any statistical
12 information derived from these lists available to local
13 governments, elected state officials, state educational
14 institutions, and all other governmental units of the State and
15 Federal Government requesting them for governmental purposes.
16 The Secretary shall require any such applicant for services to
17 pay for the costs of furnishing such services and the use of
18 the equipment involved, and in addition is empowered to
19 establish prices and charges for the services so furnished and
20 for the use of the electronic equipment utilized.

21 (b) The Secretary is further empowered to and he may, in
22 his discretion, furnish to any applicant, other than listed in
23 subsection (a) of this Section, vehicle or driver data on a
24 computer tape, disk, other electronic format or computer

1 processable medium, or printout at a fixed fee of \$250 for
2 orders received before October 1, 2003 and \$500 for orders
3 received on or after October 1, 2003, in advance, and require
4 in addition a further sufficient deposit based upon the
5 Secretary of State's estimate of the total cost of the
6 information requested and a charge of \$25 for orders received
7 before October 1, 2003 and \$50 for orders received on or after
8 October 1, 2003, per 1,000 units or part thereof identified or
9 the actual cost, whichever is greater. The Secretary is
10 authorized to refund any difference between the additional
11 deposit and the actual cost of the request. This service shall
12 not be in lieu of an abstract of a driver's record nor of a
13 title or registration search. This service may be limited to
14 entities purchasing a minimum number of records as required by
15 administrative rule. The information sold pursuant to this
16 subsection shall be the entire vehicle or driver data list, or
17 part thereof. The information sold pursuant to this subsection
18 shall not contain personally identifying information unless
19 the information is to be used for one of the purposes
20 identified in subsection (f-5) of this Section. Commercial
21 purchasers of driver and vehicle record databases shall enter
22 into a written agreement with the Secretary of State that
23 includes disclosure of the commercial use of the information to
24 be purchased.

25 (b-1) The Secretary is further empowered to and may, in his
26 or her discretion, furnish vehicle or driver data on a computer

1 tape, disk, or other electronic format or computer processible
2 medium, at no fee, to any State or local governmental agency
3 that uses the information provided by the Secretary to transmit
4 data back to the Secretary that enables the Secretary to
5 maintain accurate driving records, including dispositions of
6 traffic cases. This information may be provided without fee not
7 more often than once every 6 months.

8 (c) Secretary of State may issue registration lists. The
9 Secretary of State may compile a list of all registered
10 vehicles. Each list of registered vehicles shall be arranged
11 serially according to the registration numbers assigned to
12 registered vehicles and may contain in addition the names and
13 addresses of registered owners and a brief description of each
14 vehicle including the serial or other identifying number
15 thereof. Such compilation may be in such form as in the
16 discretion of the Secretary of State may seem best for the
17 purposes intended.

18 (d) The Secretary of State shall furnish no more than 2
19 current available lists of such registrations to the sheriffs
20 of all counties and to the chiefs of police of all cities and
21 villages and towns of 2,000 population and over in this State
22 at no cost. Additional copies may be purchased by the sheriffs
23 or chiefs of police at the fee of \$500 each or at the cost of
24 producing the list as determined by the Secretary of State.
25 Such lists are to be used for governmental purposes only.

26 (e) (Blank).

1 (e-1) (Blank).

2 (f) The Secretary of State shall make a title or
3 registration search of the records of his office and a written
4 report on the same for any person, upon written application of
5 such person, accompanied by a fee of \$5 for each registration
6 or title search. The written application shall set forth the
7 intended use of the requested information. No fee shall be
8 charged for a title or registration search, or for the
9 certification thereof requested by a government agency. The
10 report of the title or registration search shall not contain
11 personally identifying information unless the request for a
12 search was made for one of the purposes identified in
13 subsection (f-5) of this Section. The report of the title or
14 registration search shall not contain highly restricted
15 personal information unless specifically authorized by this
16 Code.

17 The Secretary of State shall certify a title or
18 registration record upon written request. The fee for
19 certification shall be \$5 in addition to the fee required for a
20 title or registration search. Certification shall be made under
21 the signature of the Secretary of State and shall be
22 authenticated by Seal of the Secretary of State.

23 The Secretary of State may notify the vehicle owner or
24 registrant of the request for purchase of his title or
25 registration information as the Secretary deems appropriate.

26 No information shall be released to the requestor until

1 expiration of a 10 day period. This 10 day period shall not
2 apply to requests for information made by law enforcement
3 officials, government agencies, financial institutions,
4 attorneys, insurers, employers, automobile associated
5 businesses, persons licensed as a private detective or firms
6 licensed as a private detective agency under the Private
7 Detective, Private Alarm, Private Security, Fingerprint
8 Vendor, and Locksmith Act of 2004, who are employed by or are
9 acting on behalf of law enforcement officials, government
10 agencies, financial institutions, attorneys, insurers,
11 employers, automobile associated businesses, and other
12 business entities for purposes consistent with the Illinois
13 Vehicle Code, the vehicle owner or registrant or other entities
14 as the Secretary may exempt by rule and regulation.

15 Any misrepresentation made by a requestor of title or
16 vehicle information shall be punishable as a petty offense,
17 except in the case of persons licensed as a private detective
18 or firms licensed as a private detective agency which shall be
19 subject to disciplinary sanctions under Section 40-10 of the
20 Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004.

22 (f-5) The Secretary of State shall not disclose or
23 otherwise make available to any person or entity any personally
24 identifying information obtained by the Secretary of State in
25 connection with a driver's license, vehicle, or title
26 registration record unless the information is disclosed for one

1 of the following purposes:

2 (1) For use by any government agency, including any
3 court or law enforcement agency, in carrying out its
4 functions, or any private person or entity acting on behalf
5 of a federal, State, or local agency in carrying out its
6 functions.

7 (2) For use in connection with matters of motor vehicle
8 or driver safety and theft; motor vehicle emissions; motor
9 vehicle product alterations, recalls, or advisories;
10 performance monitoring of motor vehicles, motor vehicle
11 parts, and dealers; and removal of non-owner records from
12 the original owner records of motor vehicle manufacturers.

13 (3) For use in the normal course of business by a
14 legitimate business or its agents, employees, or
15 contractors, but only:

16 (A) to verify the accuracy of personal information
17 submitted by an individual to the business or its
18 agents, employees, or contractors; and

19 (B) if such information as so submitted is not
20 correct or is no longer correct, to obtain the correct
21 information, but only for the purposes of preventing
22 fraud by, pursuing legal remedies against, or
23 recovering on a debt or security interest against, the
24 individual.

25 (4) For use in research activities and for use in
26 producing statistical reports, if the personally

1 identifying information is not published, redisclosed, or
2 used to contact individuals.

3 (5) For use in connection with any civil, criminal,
4 administrative, or arbitral proceeding in any federal,
5 State, or local court or agency or before any
6 self-regulatory body, including the service of process,
7 investigation in anticipation of litigation, and the
8 execution or enforcement of judgments and orders, or
9 pursuant to an order of a federal, State, or local court.

10 (6) For use by any insurer or insurance support
11 organization or by a self-insured entity or its agents,
12 employees, or contractors in connection with claims
13 investigation activities, antifraud activities, rating, or
14 underwriting.

15 (7) For use in providing notice to the owners of towed
16 or impounded vehicles.

17 (8) For use by any person licensed as a private
18 detective or firm licensed as a private detective agency
19 under the Private Detective, Private Alarm, Private
20 Security, Fingerprint Vendor, and Locksmith Act of 2004,
21 private investigative agency or security service licensed
22 in Illinois for any purpose permitted under this
23 subsection.

24 (9) For use by an employer or its agent or insurer to
25 obtain or verify information relating to a holder of a
26 commercial driver's license that is required under chapter

1 313 of title 49 of the United States Code.

2 (10) For use in connection with the operation of
3 private toll transportation facilities.

4 (11) For use by any requester, if the requester
5 demonstrates it has obtained the written consent of the
6 individual to whom the information pertains.

7 (12) For use by members of the news media, as defined
8 in Section 1-148.5, for the purpose of newsgathering when
9 the request relates to the operation of a motor vehicle or
10 public safety.

11 (13) For any other use specifically authorized by law,
12 if that use is related to the operation of a motor vehicle
13 or public safety.

14 (f-6) The Secretary of State shall not disclose or
15 otherwise make available to any person or entity any highly
16 restricted personal information obtained by the Secretary of
17 State in connection with a driver's license, vehicle, or title
18 registration record unless specifically authorized by this
19 Code.

20 (g) 1. The Secretary of State may, upon receipt of a
21 written request and a fee of \$6 before October 1, 2003 and
22 a fee of \$12 on and after October 1, 2003, furnish to the
23 person or agency so requesting a driver's record. Such
24 document may include a record of: current driver's license
25 issuance information, except that the information on
26 judicial driving permits shall be available only as

1 otherwise provided by this Code; convictions; orders
2 entered revoking, suspending or cancelling a driver's
3 license or privilege; and notations of accident
4 involvement. All other information, unless otherwise
5 permitted by this Code, shall remain confidential.
6 Information released pursuant to a request for a driver's
7 record shall not contain personally identifying
8 information, unless the request for the driver's record was
9 made for one of the purposes set forth in subsection (f-5)
10 of this Section. The Secretary of State may, without fee,
11 allow a parent or guardian of a person under the age of 18
12 years, who holds an instruction permit or graduated
13 driver's license, to view that person's driving record
14 online, through a computer connection. The parent or
15 guardian's online access to the driving record will
16 terminate when the instruction permit or graduated
17 driver's license holder reaches the age of 18.

18 2. The Secretary of State shall not disclose or
19 otherwise make available to any person or entity any highly
20 restricted personal information obtained by the Secretary
21 of State in connection with a driver's license, vehicle, or
22 title registration record unless specifically authorized
23 by this Code. The Secretary of State may certify an
24 abstract of a driver's record upon written request
25 therefor. Such certification shall be made under the
26 signature of the Secretary of State and shall be

1 authenticated by the Seal of his office.

2 3. All requests for driving record information shall be
3 made in a manner prescribed by the Secretary and shall set
4 forth the intended use of the requested information.

5 The Secretary of State may notify the affected driver
6 of the request for purchase of his driver's record as the
7 Secretary deems appropriate.

8 No information shall be released to the requester until
9 expiration of a 10 day period. This 10 day period shall not
10 apply to requests for information made by law enforcement
11 officials, government agencies, financial institutions,
12 attorneys, insurers, employers, automobile associated
13 businesses, persons licensed as a private detective or
14 firms licensed as a private detective agency under the
15 Private Detective, Private Alarm, Private Security,
16 Fingerprint Vendor, and Locksmith Act of 2004, who are
17 employed by or are acting on behalf of law enforcement
18 officials, government agencies, financial institutions,
19 attorneys, insurers, employers, automobile associated
20 businesses, and other business entities for purposes
21 consistent with the Illinois Vehicle Code, the affected
22 driver or other entities as the Secretary may exempt by
23 rule and regulation.

24 Any misrepresentation made by a requestor of driver
25 information shall be punishable as a petty offense, except
26 in the case of persons licensed as a private detective or

1 firms licensed as a private detective agency which shall be
2 subject to disciplinary sanctions under Section 40-10 of
3 the Private Detective, Private Alarm, Private Security,
4 Fingerprint Vendor, and Locksmith Act of 2004.

5 4. The Secretary of State may furnish without fee, upon
6 the written request of a law enforcement agency, any
7 information from a driver's record on file with the
8 Secretary of State when such information is required in the
9 enforcement of this Code or any other law relating to the
10 operation of motor vehicles, including records of
11 dispositions; documented information involving the use of
12 a motor vehicle; whether such individual has, or previously
13 had, a driver's license; and the address and personal
14 description as reflected on said driver's record.

15 5. Except as otherwise provided in this Section, the
16 Secretary of State may furnish, without fee, information
17 from an individual driver's record on file, if a written
18 request therefor is submitted by any public transit system
19 or authority, public defender, law enforcement agency, a
20 state or federal agency, or an Illinois local
21 intergovernmental association, if the request is for the
22 purpose of a background check of applicants for employment
23 with the requesting agency, or for the purpose of an
24 official investigation conducted by the agency, or to
25 determine a current address for the driver so public funds
26 can be recovered or paid to the driver, or for any other

1 purpose set forth in subsection (f-5) of this Section.

2 The Secretary may also furnish the courts a copy of an
3 abstract of a driver's record, without fee, subsequent to
4 an arrest for a violation of Section 11-501 or a similar
5 provision of a local ordinance. Such abstract may include
6 records of dispositions; documented information involving
7 the use of a motor vehicle as contained in the current
8 file; whether such individual has, or previously had, a
9 driver's license; and the address and personal description
10 as reflected on said driver's record.

11 6. Any certified abstract issued by the Secretary of
12 State or transmitted electronically by the Secretary of
13 State pursuant to this Section, to a court or on request of
14 a law enforcement agency, for the record of a named person
15 as to the status of the person's driver's license shall be
16 prima facie evidence of the facts therein stated and if the
17 name appearing in such abstract is the same as that of a
18 person named in an information or warrant, such abstract
19 shall be prima facie evidence that the person named in such
20 information or warrant is the same person as the person
21 named in such abstract and shall be admissible for any
22 prosecution under this Code and be admitted as proof of any
23 prior conviction or proof of records, notices, or orders
24 recorded on individual driving records maintained by the
25 Secretary of State.

26 7. Subject to any restrictions contained in the

1 Juvenile Court Act of 1987, and upon receipt of a proper
2 request and a fee of \$6 before October 1, 2003 and a fee of
3 \$12 on or after October 1, 2003, the Secretary of State
4 shall provide a driver's record to the affected driver, or
5 the affected driver's attorney, upon verification. Such
6 record shall contain all the information referred to in
7 paragraph 1 of this subsection (g) plus: any recorded
8 accident involvement as a driver; information recorded
9 pursuant to subsection (e) of Section 6-117 and paragraph
10 (4) of subsection (a) of Section 6-204 of this Code. All
11 other information, unless otherwise permitted by this
12 Code, shall remain confidential.

13 (h) The Secretary shall not disclose social security
14 numbers or any associated information obtained from the Social
15 Security Administration except pursuant to a written request
16 by, or with the prior written consent of, the individual
17 except: (1) to officers and employees of the Secretary who have
18 a need to know the social security numbers in performance of
19 their official duties, (2) to law enforcement officials for a
20 lawful, civil or criminal law enforcement investigation, and if
21 the head of the law enforcement agency has made a written
22 request to the Secretary specifying the law enforcement
23 investigation for which the social security numbers are being
24 sought, (3) to the United States Department of Transportation,
25 or any other State, pursuant to the administration and
26 enforcement of the Commercial Motor Vehicle Safety Act of 1986,

1 (4) pursuant to the order of a court of competent jurisdiction,
2 ~~or~~ (5) to the Department of Healthcare and Family Services
3 (formerly Department of Public Aid) for utilization in the
4 child support enforcement duties assigned to that Department
5 under provisions of the Illinois Public Aid Code after the
6 individual has received advanced meaningful notification of
7 what redisclosure is sought by the Secretary in accordance with
8 the federal Privacy Act, or (6) to the Department of Veterans'
9 Affairs for the purpose of confirming veteran status for
10 qualification for special license plates and distinct driver's
11 licenses.

12 (i) (Blank).

13 (j) Medical statements or medical reports received in the
14 Secretary of State's Office shall be confidential. No
15 confidential information may be open to public inspection or
16 the contents disclosed to anyone, except officers and employees
17 of the Secretary who have a need to know the information
18 contained in the medical reports and the Driver License Medical
19 Advisory Board, unless so directed by an order of a court of
20 competent jurisdiction.

21 (k) All fees collected under this Section shall be paid
22 into the Road Fund of the State Treasury, except that (i) for
23 fees collected before October 1, 2003, \$3 of the \$6 fee for a
24 driver's record shall be paid into the Secretary of State
25 Special Services Fund, (ii) for fees collected on and after
26 October 1, 2003, of the \$12 fee for a driver's record, \$3 shall

1 be paid into the Secretary of State Special Services Fund and
2 \$6 shall be paid into the General Revenue Fund, and (iii) for
3 fees collected on and after October 1, 2003, 50% of the amounts
4 collected pursuant to subsection (b) shall be paid into the
5 General Revenue Fund.

6 (l) (Blank).

7 (m) Notations of accident involvement that may be disclosed
8 under this Section shall not include notations relating to
9 damage to a vehicle or other property being transported by a
10 tow truck. This information shall remain confidential,
11 provided that nothing in this subsection (m) shall limit
12 disclosure of any notification of accident involvement to any
13 law enforcement agency or official.

14 (n) Requests made by the news media for driver's license,
15 vehicle, or title registration information may be furnished
16 without charge or at a reduced charge, as determined by the
17 Secretary, when the specific purpose for requesting the
18 documents is deemed to be in the public interest. Waiver or
19 reduction of the fee is in the public interest if the principal
20 purpose of the request is to access and disseminate information
21 regarding the health, safety, and welfare or the legal rights
22 of the general public and is not for the principal purpose of
23 gaining a personal or commercial benefit. The information
24 provided pursuant to this subsection shall not contain
25 personally identifying information unless the information is
26 to be used for one of the purposes identified in subsection

1 (f-5) of this Section.

2 (o) The redisclosure of personally identifying information
3 obtained pursuant to this Section is prohibited, except to the
4 extent necessary to effectuate the purpose for which the
5 original disclosure of the information was permitted.

6 (p) The Secretary of State is empowered to adopt rules to
7 effectuate this Section.

8 (Source: P.A. 94-56, eff. 6-17-05; 95-201, eff. 1-1-08; 95-287,
9 eff. 1-1-08; 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;
10 95-876, eff. 8-21-08.)

11 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

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

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

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

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

24 A driver's license issued may, in the discretion of the
25 Secretary, include a suitable photograph of a type prescribed

1 by the Secretary.

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

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

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

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

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

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

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

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

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

21 (5) involved in an emergency;

22 (6) going to or returning home from, without any detour
23 or stop, an official school, religious, or other
24 recreational activity supervised by adults and sponsored
25 by a government or governmental agency, a civic
26 organization, or another similar entity that takes

1 responsibility for the licensee, without any detour or
2 stop;

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

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

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

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

16 (2) the sponsoring organization carries liability
17 insurance covering the program.

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

1 against traffic regulations governing the movement of vehicles
2 or Section 6-107 or Section 12-603.1 of this Code.

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

25 (c) The Secretary of State shall designate on each driver's
26 license issued a space where the licensee may place a sticker

1 or decal of the uniform size as the Secretary may specify,
2 which sticker or decal may indicate in appropriate language
3 that the owner of the license carries an Emergency Medical
4 Information Card.

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

10 (c-5) The Secretary of State shall designate on each
11 driver's license issued under this Chapter a space where the
12 word "veteran", on a distinct background, shall be placed at
13 the request of an applicant for a driver's license who also
14 presents to the Secretary of State a written confirmation from
15 the Department of Veteran's Affairs that the applicant is a
16 veteran of the United States Armed Forces and was not
17 dishonorably discharged.

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

21 (e) The Secretary of State shall provide that each original
22 or renewal driver's license issued to a licensee under 21 years
23 of age shall be of a distinct nature from those driver's
24 licenses issued to individuals 21 years of age and older. The
25 color designated for driver's licenses for licensees under 21
26 years of age shall be at the discretion of the Secretary of

1 State.

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

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.)

13 Section 99. Effective date. This Act takes effect January
14 1, 2010.