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09600HB5341ham001

LRB096 18436 AJT 38113 a

1 AMENDMENT TO HOUSE BILL 5341

2 AMENDMENT NO. _____. Amend House Bill 5341 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-107.1 and by adding Section 11-507 as
6 follows:

7 (625 ILCS 5/6-107.1)

8 Sec. 6-107.1. Instruction permit for a minor.

9 (a) The Secretary of State, upon receiving proper
10 application and payment of the required fee, may issue an
11 instruction permit to any person under the age of 18 years who
12 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,
13 or 8 of Section 6-103, after the applicant has successfully
14 passed such examination as the Secretary of State in his
15 discretion may prescribe.

16 (1) An instruction permit issued under this Section

1 shall be valid for a period of 24 months after the date of
2 its issuance and shall be restricted, by the Secretary of
3 State, to the operation of a motor vehicle by the minor
4 only when under direct supervision of ~~accompanied by~~ the
5 adult instructor of a driver education program during
6 enrollment in the program or when practicing under direct
7 supervision of ~~with~~ a parent, legal guardian, family
8 member, or a person in loco parentis who is 21 years of age
9 or more, has a license classification to operate such
10 vehicle and at least one year of driving experience, and
11 who is occupying a seat beside the driver.

12 (2) A 24 month instruction permit for a motor driven
13 cycle may be issued to a person 16 or 17 years of age and
14 entitles the holder to drive upon the highways during
15 daylight under direct supervision of a licensed motor
16 driven cycle operator or motorcycle operator 21 years of
17 age or older who has a license classification to operate
18 such motor driven cycle or motorcycle and at least one year
19 of driving experience.

20 (3) A 24 month instruction permit for a motorcycle
21 other than a motor driven cycle may be issued to a person
22 16 or 17 years of age in accordance with the provisions of
23 paragraph 2 of Section 6-103 and entitles a holder to drive
24 upon the highways during daylight under the direct
25 supervision of a licensed motorcycle operator 21 years of
26 age or older who has at least one year of driving

1 experience.

2 (b) An instruction permit issued under this Section when
3 issued to a person under the age of 18 years shall, as a matter
4 of law, be invalid for the operation of any motor vehicle
5 during the following times:

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

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

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

11 The instruction permit of a person under the age of 18
12 shall not be invalid as described in paragraph (b) of this
13 Section if the instruction permit holder under the age of 18
14 was:

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

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

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

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

22 (5) involved in an emergency;

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

1 organization, or another similar entity that takes
2 responsibility for the licensee, without any detour or
3 stop;

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

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

9 (b-1) No instruction permit shall be issued to any
10 applicant who is under the age of 18 years and who has been
11 certified to be a chronic or habitual truant, as defined in
12 Section 26-2a of the School Code.

13 An applicant under the age of 18 years who provides proof
14 that he or she has resumed regular school attendance or that
15 his or her application was denied in error shall be eligible to
16 receive an instruction permit if other requirements are met.
17 The Secretary shall adopt rules for implementing this
18 subsection (b-1).

19 (c) Any person under the age of 16 years who possesses an
20 instruction permit and whose driving privileges have been
21 suspended or revoked under the provisions of this Code shall
22 not be granted a Family Financial Responsibility Driving Permit
23 or a Restricted Driving Permit.

24 (Source: P.A. 94-916, eff. 7-1-07; 95-310, eff. 1-1-08.)

1 Sec. 11-507. Supervising a minor driver while under the
2 influence of alcohol, other drug or drugs, intoxicating
3 compound or compounds or any combination thereof.

4 (a) A person shall not accompany or provide instruction,
5 pursuant to subsection (a) of Section 6-107.1 of this Code, to
6 a driver who is a minor and driving a motor vehicle pursuant to
7 an instruction permit under Section 6-107.1 of this Code,
8 while:

9 (1) the alcohol concentration in the person's blood or
10 breath is 0.08 or more based on the definition of blood and
11 breath units in Section 11-501.2 of this Code;

12 (2) under the influence of alcohol;

13 (3) under the influence of any intoxicating compound or
14 combination of intoxicating compounds to a degree that
15 renders the person incapable of properly supervising or
16 providing instruction to the minor driver;

17 (4) under the influence of any other drug or
18 combination of drugs to a degree that renders the person
19 incapable of properly supervising or providing instruction
20 to the minor driver;

21 (5) under the combined influence of alcohol, other drug
22 or drugs, or intoxicating compound or compounds to a degree
23 that renders the person incapable of properly supervising
24 or providing instruction to the minor driver; or

25 (6) there is any amount of a drug, substance, or
26 compound in the person's breath, blood, or urine resulting

1 from the unlawful use or consumption of cannabis listed in
2 the Cannabis Control Act, a controlled substance listed in
3 the Illinois Controlled Substances Act, an intoxicating
4 compound listed in the Use of Intoxicating Compounds Act,
5 or methamphetamine as listed in the Methamphetamine
6 Control and Community Protection Act.

7 (b) A person found guilty of violating this Section is
8 guilty of an offense against the regulations governing the
9 movement of vehicles."