



Rep. Monique D. Davis

Filed: 3/19/2010

09600HB6450ham003

LRB096 21079 AJT 39370 a

1 AMENDMENT TO HOUSE BILL 6450

2 AMENDMENT NO. _____. Amend House Bill 6450 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 10-17.6 as follows:

6 (305 ILCS 5/10-17.6) (from Ch. 23, par. 10-17.6)

7 Sec. 10-17.6. Certification of Information to Licensing
8 Agencies.

9 (a) The Illinois Department may provide by rule for
10 certification to any State licensing agency to suspend, revoke,
11 or deny issuance or renewal of licenses because of (i) the
12 failure of responsible relatives to comply with subpoenas or
13 warrants relating to paternity or child support proceedings and
14 (ii) past due support owed by responsible relatives under a
15 support order entered by a court or administrative body of this
16 or any other State on behalf of resident or non-resident

1 persons receiving child support enforcement services under
2 Title IV, Part D of the Social Security Act. The rule shall
3 provide for notice to and an opportunity to be heard by each
4 responsible relative affected and any final administrative
5 decision rendered by the Department shall be reviewed only
6 under and in accordance with the Administrative Review Law.

7 (b) The Illinois Department may provide by rule for
8 directing the Secretary of State to issue family financial
9 responsibility driving permits upon petition of responsible
10 relatives whose driver's licenses have been suspended in
11 accordance with subsection (b) of Section 7-702.1 of the
12 Illinois Vehicle Code. Any final administrative decisions
13 rendered by the Department upon such petitions shall be
14 reviewable only under and in accordance with the Administrative
15 Review Law.

16 (Source: P.A. 95-685, eff. 10-23-07.)

17 Section 10. The Illinois Vehicle Code is amended by
18 changing Section 7-702.1 as follows:

19 (625 ILCS 5/7-702.1)

20 Sec. 7-702.1. Family financial responsibility driving
21 permits.

22 (a) Following the entry of an order that an obligor has
23 been found in contempt by the court for failure to pay court
24 ordered child support payments or upon a motion by the obligor

1 who is subject to having his or her driver's license suspended
2 pursuant to subsection (b) of Section 7-703, the court may
3 enter an order directing the Secretary of State to issue a
4 family financial responsibility driving permit for the purpose
5 of providing the obligor the privilege of operating a motor
6 vehicle between the obligor's residence and place of
7 employment, or within the scope of employment related duties;
8 or for the purpose of providing transportation for the obligor
9 or a household member to receive alcohol treatment, other drug
10 treatment, or medical care. If the obligor is unemployed, the
11 court may issue the order for the purpose of seeking
12 employment, which may be subject to the requirements set forth
13 in subsection (a) of Section 505.1 of the Illinois Marriage and
14 Dissolution of Marriage Act. Except upon a showing of good
15 cause, any permit issued for the purpose of seeking employment
16 shall be limited to Monday through Friday between the hours of
17 8 a.m. and 12 p.m. The court may enter an order directing the
18 issuance of a permit only if the obligor has proven to the
19 satisfaction of the court that no alternative means of
20 transportation are reasonably available for the above stated
21 purposes. No permit shall be issued to a person under the age
22 of 16 years who possesses an instruction permit. ~~In accordance~~
23 ~~with 49 C.F.R. Part 384, the Secretary of State may not issue a~~
24 ~~family financial responsibility driving permit to any person~~
25 ~~for the operation of a commercial motor vehicle if the person's~~
26 ~~driving privileges have been suspended under any provisions of~~

1 ~~this Code.~~

2 Upon entry of an order granting the issuance of a permit to
3 an obligor, the court shall report this finding to the
4 Secretary of State on a form prescribed by the Secretary. This
5 form shall state whether the permit has been granted for
6 employment or medical purposes and the specific days and hours
7 for which limited driving privileges have been granted.

8 The family financial responsibility driving permit shall
9 be subject to cancellation, invalidation, suspension, and
10 revocation by the Secretary of State in the same manner and for
11 the same reasons as a driver's license may be cancelled,
12 invalidated, suspended, or revoked.

13 The Secretary of State shall, upon receipt of a certified
14 court order from the court of jurisdiction, issue a family
15 financial responsibility driving permit. In order for this
16 permit to be issued, an individual's driving privileges must be
17 valid except for the family financial responsibility
18 suspension. This permit shall be valid only for employment and
19 medical purposes as set forth above. The permit shall state the
20 days and hours for which limited driving privileges have been
21 granted.

22 Any submitted court order that contains insufficient data
23 or fails to comply with any provision of this Code shall not be
24 used for issuance of the permit or entered to the individual's
25 driving record but shall be returned to the court of
26 jurisdiction indicating why the permit cannot be issued at that

1 time. The Secretary of State shall also send notice of the
2 return of the court order to the individual requesting the
3 permit.

4 (b) Following certification of delinquency pursuant to
5 subsection (c) of Section 7-702 of this Code, and upon petition
6 by the obligor whose driver's license has been suspended under
7 that subsection, the Department of Healthcare and Family
8 Services may direct the Secretary of State to issue a family
9 financial responsibility driving permit for the purpose of
10 providing the obligor the privilege of operating a motor
11 vehicle between the obligor's residence and place of
12 employment, or within the scope of employment related duties,
13 or for the purpose of providing transportation for the obligor
14 or a household member to receive alcohol treatment, other drug
15 treatment, or medical care. If the obligor is unemployed, the
16 Department of Healthcare and Family Services may direct the
17 issuance of the permit for the purpose of seeking employment,
18 which may be subject to the requirements set forth in
19 subsection (a) of Section 505.1 of the Illinois Marriage and
20 Dissolution of Marriage Act. Except upon a showing of good
21 cause, any permit issued for the purpose of seeking employment
22 shall be limited to Monday through Friday between the hours of
23 8 a.m. and 12 p.m. The Department of Healthcare and Family
24 Services may direct the issuance of a permit only if the
25 obligor has proven to the Department's satisfaction that no
26 alternative means of transportation is reasonably available

1 for the above stated purposes.

2 The Department of Healthcare and Family Services shall
3 report to the Secretary of State the finding granting a permit
4 on a form prescribed by the Secretary of State. The form shall
5 state the purpose for which the permit has been granted, the
6 specific days and hours for which limited driving privileges
7 are allowed, and the duration of the permit.

8 The family financial responsibility driving permit shall
9 be subject to cancellation, invalidation, suspension, and
10 revocation by the Secretary of State in the same manner and for
11 the same reasons as a driver's license may be cancelled,
12 invalidated, suspended, or revoked.

13 As directed by the Department of Healthcare and Family
14 Services, the Secretary of State shall issue a family financial
15 responsibility driving permit, but only if the obligor's
16 driving privileges are valid except for the family financial
17 responsibility suspension. The permit shall state the purpose
18 or purposes for which it was granted under this subsection, the
19 specific days and hours for which limited driving privileges
20 are allowed, and the duration of the permit.

21 If the Department of Healthcare and Family Services
22 directive to issue a family financial responsibility driving
23 permit contains insufficient data or fails to comply with any
24 provision of this Code, a permit shall not be issued and the
25 directive shall be returned to the Department of Healthcare and
26 Family Services. The Secretary of State shall also send notice

1 of the return of the Department's directive to the obligor
2 requesting the permit.

3 (c) In accordance with 49 C.F.R. Part 384, the Secretary of
4 State may not issue a family financial responsibility driving
5 permit to any person for the operation of a commercial motor
6 vehicle if the person's driving privileges have been suspended
7 under any provisions of this Code.

8 (Source: P.A. 94-307, eff. 9-30-05.)".