

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

23 (b) The Illinois Department may provide by rule for

1 directing the Secretary of State to issue family financial
2 responsibility driving permits upon petition of responsible
3 relatives whose driver's licenses have been suspended in
4 accordance with subsection (b) of Section 7-702.1 of the
5 Illinois Vehicle Code. Any final administrative decisions
6 rendered by the Department upon such petitions shall be
7 reviewable only under and in accordance with the Administrative
8 Review Law.

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

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

12 (625 ILCS 5/7-702.1)

13 Sec. 7-702.1. Family financial responsibility driving
14 permits.

15 (a) Following the entry of an order that an obligor has
16 been found in contempt by the court for failure to pay court
17 ordered child support payments or upon a motion by the obligor
18 who is subject to having his or her driver's license suspended
19 pursuant to subsection (b) of Section 7-703, the court may
20 enter an order directing the Secretary of State to issue a
21 family financial responsibility driving permit for the purpose
22 of providing the obligor the privilege of operating a motor
23 vehicle between the obligor's residence and place of
24 employment, or within the scope of employment related duties;

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

21 Upon entry of an order granting the issuance of a permit to
22 an obligor, the court shall report this finding to the
23 Secretary of State on a form prescribed by the Secretary. This
24 form shall state whether the permit has been granted for
25 employment or medical purposes and the specific days and hours
26 for which limited driving privileges have been granted.

1 The family financial responsibility driving permit shall
2 be subject to cancellation, invalidation, suspension, and
3 revocation by the Secretary of State in the same manner and for
4 the same reasons as a driver's license may be cancelled,
5 invalidated, suspended, or revoked.

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

15 Any submitted court order that contains insufficient data
16 or fails to comply with any provision of this Code shall not be
17 used for issuance of the permit or entered to the individual's
18 driving record but shall be returned to the court of
19 jurisdiction indicating why the permit cannot be issued at that
20 time. The Secretary of State shall also send notice of the
21 return of the court order to the individual requesting the
22 permit.

23 (b) Following certification of delinquency pursuant to
24 subsection (c) of Section 7-702 of this Code, and upon petition
25 by the obligor whose driver's license has been suspended under
26 that subsection, the Department of Healthcare and Family

1 Services may direct the Secretary of State to issue a family
2 financial responsibility driving permit for the purpose of
3 providing the obligor the privilege of operating a motor
4 vehicle between the obligor's residence and place of
5 employment, or within the scope of employment related duties,
6 or for the purpose of providing transportation for the obligor
7 or a household member to receive alcohol treatment, other drug
8 treatment, or medical care. If the obligor is unemployed, the
9 Department of Healthcare and Family Services may direct the
10 issuance of the permit for the purpose of seeking employment,
11 which may be subject to the requirements set forth in
12 subsection (a) of Section 505.1 of the Illinois Marriage and
13 Dissolution of Marriage Act. Except upon a showing of good
14 cause, any permit issued for the purpose of seeking employment
15 shall be limited to Monday through Friday between the hours of
16 8 a.m. and 12 p.m. The Department of Healthcare and Family
17 Services may direct the issuance of a permit only if the
18 obligor has proven to the Department's satisfaction that no
19 alternative means of transportation is reasonably available
20 for the above stated purposes.

21 The Department of Healthcare and Family Services shall
22 report to the Secretary of State the finding granting a permit
23 on a form prescribed by the Secretary of State. The form shall
24 state the purpose for which the permit has been granted, the
25 specific days and hours for which limited driving privileges
26 are allowed, and the duration of the permit.

1 The family financial responsibility driving permit shall
2 be subject to cancellation, invalidation, suspension, and
3 revocation by the Secretary of State in the same manner and for
4 the same reasons as a driver's license may be cancelled,
5 invalidated, suspended, or revoked.

6 As directed by the Department of Healthcare and Family
7 Services, the Secretary of State shall issue a family financial
8 responsibility driving permit, but only if the obligor's
9 driving privileges are valid except for the family financial
10 responsibility suspension. The permit shall state the purpose
11 or purposes for which it was granted under this subsection, the
12 specific days and hours for which limited driving privileges
13 are allowed, and the duration of the permit.

14 If the Department of Healthcare and Family Services
15 directive to issue a family financial responsibility driving
16 permit contains insufficient data or fails to comply with any
17 provision of this Code, a permit shall not be issued and the
18 directive shall be returned to the Department of Healthcare and
19 Family Services. The Secretary of State shall also send notice
20 of the return of the Department's directive to the obligor
21 requesting the permit.

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

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