

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 Sections 3-100.2, 3-821, 5-501, 5-801, 6-205 and 6-206 and by
6 adding Section 5-803 as follows:

7 (625 ILCS 5/3-100.2)

8 Sec. 3-100.2. Electronic access; agreements with
9 submitters.

10 (a) The Secretary of State may ~~allow, but not require,~~ a
11 licensee under Chapter 3 or 5 of this Code ~~person~~ to submit any
12 record required to be submitted to the Secretary of State by
13 using electronic media deemed feasible by the Secretary of
14 State, in addition to ~~instead of~~ requiring the actual submittal
15 of the original paper record. The Secretary of State may also
16 ~~allow, but not require,~~ a person or licensee to receive any
17 record to be provided by the Secretary of State by using
18 electronic media deemed feasible by the Secretary of State,
19 instead of providing the original paper record.

20 (b) Electronic submittal, receipt, and delivery of records
21 and electronic signatures may be authorized or accepted by the
22 Secretary of State, when supported by a signed agreement
23 between the Secretary of State and the submitter. The agreement

1 shall require, at a minimum, each record to include all
2 information necessary to complete a transaction, certification
3 by the submitter upon its best knowledge as to the truthfulness
4 of the data to be submitted to the Secretary of State, and
5 retention by the submitter of supporting records.

6 (c) The Secretary of State may establish minimum
7 transaction volume levels, audit and security standards,
8 technological requirements, and other terms and conditions he
9 or she deems necessary for approval of the electronic delivery
10 process.

11 (d) When an agreement is made to accept electronic records,
12 the Secretary of State shall not be required to produce a
13 written record for the submitter with whom the Secretary of
14 State has the agreement until requested to do so by the
15 submitter.

16 (e) Upon the request of a lienholder submitter, the
17 Secretary of State shall provide electronic notification to the
18 lienholder submitter to verify the notation and perfection of
19 the lienholder's security interest in a vehicle for which the
20 certificate of title is an electronic record. Upon receipt of
21 an electronic message from a lienholder submitter with a
22 security interest in a vehicle for which the certificate of
23 title is an electronic record that the lien should be released,
24 the Secretary of State shall enter the appropriate electronic
25 record of the release of lien and print and mail a paper
26 certificate of title to the owner or lienholder at no expense.

1 The Secretary of State may also mail the certificate to any
 2 other person that delivers to the Secretary of State an
 3 authorization from the owner to receive the certificate. If
 4 another lienholder holds a properly perfected security
 5 interest in the vehicle as reflected in the records of the
 6 Secretary of State, the certificate shall be delivered to that
 7 lienholder instead of the owner.

8 (Source: P.A. 91-772, eff. 1-1-01.)

9 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

10 Sec. 3-821. Miscellaneous Registration and Title Fees.

11 (a) The fee to be paid to the Secretary of State for the
 12 following certificates, registrations or evidences of proper
 13 registration, or for corrected or duplicate documents shall be
 14 in accordance with the following schedule:

15	Certificate of Title, except for an all-terrain	
16	vehicle or off-highway motorcycle	\$95
17	Certificate of Title for an all-terrain vehicle	
18	or off-highway motorcycle	\$30
19	Certificate of Title for an all-terrain vehicle	
20	or off-highway motorcycle used for production	
21	agriculture, or accepted by a dealer in trade	13
22	Certificate of Title for a low-speed vehicle	30
23	Transfer of Registration or any evidence of	
24	proper registration	\$25
25	Duplicate Registration Card for plates or other	

1	evidence of proper registration	3
2	Duplicate Registration Sticker or Stickers, each	20
3	Duplicate Certificate of Title	95
4	Corrected Registration Card or Card for other	
5	evidence of proper registration	3
6	Corrected Certificate of Title	95
7	Salvage Certificate	4
8	Fleet Reciprocity Permit	15
9	Prorate Decal	1
10	Prorate Backing Plate	3
11	Special Corrected Certificate of Title	15
12	Expedited Title Service (to be charged in addition	
13	to other applicable fees)	30
14	<u>Dealer Lien Release Certificate of Title</u>	<u>20</u>

15 A special corrected certificate of title shall be issued
16 (i) to remove a co-owner's name due to the death of the
17 co-owner or due to a divorce or (ii) to change a co-owner's
18 name due to a marriage.

19 There shall be no fee paid for a Junking Certificate.

20 There shall be no fee paid for a certificate of title
21 issued to a county when the vehicle is forfeited to the county
22 under Article 36 of the Criminal Code of 1961.

23 (a-5) The Secretary of State may revoke a certificate of
24 title and registration card and issue a corrected certificate
25 of title and registration card, at no fee to the vehicle owner
26 or lienholder, if there is proof that the vehicle

1 identification number is erroneously shown on the original
2 certificate of title.

3 (a-10) The Secretary of State may issue, in connection with
4 the sale of a motor vehicle, a corrected title to a motor
5 vehicle dealer upon application and submittal of a lien release
6 letter from the lienholder listed in the files of the
7 Secretary. In the case of a title issued by another state, the
8 dealer must submit proof from the state that issued the last
9 title. The corrected title, which shall be known as a dealer
10 lien release certificate of title, shall be issued in the name
11 of the vehicle owner without the named lienholder. If the motor
12 vehicle is currently titled in a state other than Illinois, the
13 applicant must submit either (i) a letter from the current
14 lienholder releasing the lien and stating that the lienholder
15 has possession of the title; or (ii) a letter from the current
16 lienholder releasing the lien and a copy of the records of the
17 department of motor vehicles for the state in which the vehicle
18 is titled, showing that the vehicle is titled in the name of
19 the applicant and that no liens are recorded other than the
20 lien for which a release has been submitted. The fee for the
21 dealer lien release certificate of title is \$20.

22 (b) The Secretary may prescribe the maximum service charge
23 to be imposed upon an applicant for renewal of a registration
24 by any person authorized by law to receive and remit or
25 transmit to the Secretary such renewal application and fees
26 therewith.

1 (c) If a check is delivered to the Office of the Secretary
2 of State as payment of any fee or tax under this Code, and such
3 check is not honored by the bank on which it is drawn for any
4 reason, the registrant or other person tendering the check
5 remains liable for the payment of such fee or tax. The
6 Secretary of State may assess a service charge of \$19 in
7 addition to the fee or tax due and owing for all dishonored
8 checks.

9 If the total amount then due and owing exceeds the sum of
10 \$50 and has not been paid in full within 60 days from the date
11 such fee or tax became due to the Secretary of State, the
12 Secretary of State shall assess a penalty of 25% of such amount
13 remaining unpaid.

14 All amounts payable under this Section shall be computed to
15 the nearest dollar.

16 (d) The minimum fee and tax to be paid by any applicant for
17 apportionment of a fleet of vehicles under this Code shall be
18 \$15 if the application was filed on or before the date
19 specified by the Secretary together with fees and taxes due. If
20 an application and the fees or taxes due are filed after the
21 date specified by the Secretary, the Secretary may prescribe
22 the payment of interest at the rate of 1/2 of 1% per month or
23 fraction thereof after such due date and a minimum of \$8.

24 (e) Trucks, truck tractors, truck tractors with loads, and
25 motor buses, any one of which having a combined total weight in
26 excess of 12,000 lbs. shall file an application for a Fleet

1 Reciprocity Permit issued by the Secretary of State. This
2 permit shall be in the possession of any driver operating a
3 vehicle on Illinois highways. Any foreign licensed vehicle of
4 the second division operating at any time in Illinois without a
5 Fleet Reciprocity Permit or other proper Illinois
6 registration, shall subject the operator to the penalties
7 provided in Section 3-834 of this Code. For the purposes of
8 this Code, "Fleet Reciprocity Permit" means any second division
9 motor vehicle with a foreign license and used only in
10 interstate transportation of goods. The fee for such permit
11 shall be \$15 per fleet which shall include all vehicles of the
12 fleet being registered.

13 (f) For purposes of this Section, "all-terrain vehicle or
14 off-highway motorcycle used for production agriculture" means
15 any all-terrain vehicle or off-highway motorcycle used in the
16 raising of or the propagation of livestock, crops for sale for
17 human consumption, crops for livestock consumption, and
18 production seed stock grown for the propagation of feed grains
19 and the husbandry of animals or for the purpose of providing a
20 food product, including the husbandry of blood stock as a main
21 source of providing a food product. "All-terrain vehicle or
22 off-highway motorcycle used in production agriculture" also
23 means any all-terrain vehicle or off-highway motorcycle used in
24 animal husbandry, floriculture, aquaculture, horticulture, and
25 viticulture.

26 (g) All of the proceeds of the additional fees imposed by

1 Public Act 96-34 shall be deposited into the Capital Projects
2 Fund.

3 (Source: P.A. 95-287, eff. 1-1-08; 96-34, eff. 7-13-09; 96-554,
4 eff. 1-1-10; 96-653, eff. 1-1-10; 96-1000, eff. 7-2-10;
5 96-1274, eff. 7-26-10.)

6 (625 ILCS 5/5-501) (from Ch. 95 1/2, par. 5-501)

7 Sec. 5-501. Denial, suspension or revocation or
8 cancellation of a license.

9 (a) The license of a person issued under this Chapter may
10 be denied, revoked or suspended if the Secretary of State finds
11 that the applicant, or the officer, director, shareholder
12 having a ten percent or greater ownership interest in the
13 corporation, owner, partner, trustee, manager, employee or the
14 licensee has:

15 1. Violated this Act;

16 2. Made any material misrepresentation to the
17 Secretary of State in connection with an application for a
18 license, junking certificate, salvage certificate, title
19 or registration;

20 3. Committed a fraudulent act in connection with
21 selling, bartering, exchanging, offering for sale or
22 otherwise dealing in vehicles, chassis, essential parts,
23 or vehicle shells;

24 4. As a new vehicle dealer has no contract with a
25 manufacturer or enfranchised distributor to sell that new

1 vehicle in this State;

2 5. Not maintained an established place of business as
3 defined in this Code;

4 6. Failed to file or produce for the Secretary of State
5 any application, report, document or other pertinent
6 books, records, documents, letters, contracts, required to
7 be filed or produced under this Code or any rule or
8 regulation made by the Secretary of State pursuant to this
9 Code;

10 7. Previously had, within 3 years, such a license
11 denied, suspended, revoked, or cancelled under the
12 provisions of subsection (c) (2) of this Section;

13 8. Has committed in any calendar year 3 or more
14 violations, as determined in any civil or criminal
15 proceeding, of any one or more of the following Acts:

16 a. the "Consumer Finance Act";

17 b. the "Consumer Installment Loan Act";

18 c. the "Retail Installment Sales Act";

19 d. the "Motor Vehicle Retail Installment Sales
20 Act";

21 e. "An Act in relation to the rate of interest and
22 other charges in connection with sales on credit and
23 the lending of money", approved May 24, 1879, as
24 amended;

25 f. "An Act to promote the welfare of wage-earners
26 by regulating the assignment of wages, and prescribing

1 a penalty for the violation thereof", approved July 1,
2 1935, as amended;

3 g. Part 8 of Article XII of the Code of Civil
4 Procedure; or

5 h. the "Consumer Fraud Act";

6 9. Failed to pay any fees or taxes due under this Act,
7 or has failed to transmit any fees or taxes received by him
8 for transmittal by him to the Secretary of State or the
9 State of Illinois;

10 10. Converted an abandoned vehicle;

11 11. Used a vehicle identification plate or number
12 assigned to a vehicle other than the one to which
13 originally assigned;

14 12. Violated the provisions of Chapter 5 of this Act,
15 as amended;

16 13. Violated the provisions of Chapter 4 of this Act,
17 as amended;

18 14. Violated the provisions of Chapter 3 of this Act,
19 as amended;

20 15. Violated Section 21-2 of the Criminal Code of 1961,
21 Criminal Trespass to Vehicles;

22 16. Made or concealed a material fact in connection
23 with his application for a license;

24 17. Acted in the capacity of a person licensed or acted
25 as a licensee under this Chapter without having a license
26 therefor;

1 18. Failed to pay, within 90 days after a final
2 judgment, any fines assessed against the licensee pursuant
3 to an action brought under Section 5-404;

4 19. Failed to pay the Dealer Recovery Trust Fund fee
5 under Section 5-102.7 of this Code; -

6 20. Failed to pay, within 90 days after notice has been
7 given, any fine or fee owed as a result of an
8 administrative citation issued by the Secretary under this
9 Code.

10 (b) In addition to other grounds specified in this Chapter,
11 the Secretary of State, on complaint of the Department of
12 Revenue, shall refuse the issuance or renewal of a license, or
13 suspend or revoke such license, for any of the following
14 violations of the "Retailers' Occupation Tax Act":

15 1. Failure to make a tax return;

16 2. The filing of a fraudulent return;

17 3. Failure to pay all or part of any tax or penalty
18 finally determined to be due;

19 4. Failure to comply with the bonding requirements of
20 the "Retailers' Occupation Tax Act".

21 (b-1) In addition to other grounds specified in this
22 Chapter, the Secretary of State, on complaint of the Motor
23 Vehicle Review Board, shall refuse the issuance or renewal of a
24 license, or suspend or revoke that license, if costs or fees
25 assessed under Section 29 or Section 30 of the Motor Vehicle
26 Franchise Act have remained unpaid for a period in excess of 90

1 days after the licensee received from the Motor Vehicle Board a
2 second notice and demand for the costs or fees. The Motor
3 Vehicle Review Board must send the licensee written notice and
4 demand for payment of the fees or costs at least 2 times, and
5 the second notice and demand must be sent by certified mail.

6 (c) Cancellation of a license.

7 1. The license of a person issued under this Chapter
8 may be cancelled by the Secretary of State prior to its
9 expiration in any of the following situations:

10 A. When a license is voluntarily surrendered, by
11 the licensed person; or

12 B. If the business enterprise is a sole
13 proprietorship, which is not a franchised dealership,
14 when the sole proprietor dies or is imprisoned for any
15 period of time exceeding 30 days; or

16 C. If the license was issued to the wrong person or
17 corporation, or contains an error on its face. If any
18 person above whose license has been cancelled wishes to
19 apply for another license, whether during the same
20 license year or any other year, that person shall be
21 treated as any other new applicant and the cancellation
22 of the person's prior license shall not, in and of
23 itself, be a bar to the issuance of a new license.

24 2. The license of a person issued under this Chapter
25 may be cancelled without a hearing when the Secretary of
26 State is notified that the applicant, or any officer,

1 director, shareholder having a 10 per cent or greater
2 ownership interest in the corporation, owner, partner,
3 trustee, manager, employee or member of the applicant or
4 the licensee has been convicted of any felony involving the
5 selling, bartering, exchanging, offering for sale, or
6 otherwise dealing in vehicles, chassis, essential parts,
7 vehicle shells, or ownership documents relating to any of
8 the above items.

9 (Source: P.A. 97-480, eff. 10-1-11.)

10 (625 ILCS 5/5-801) (from Ch. 95 1/2, par. 5-801)

11 Sec. 5-801. Criminal penalties ~~Penalties~~. Any person who
12 violates any of the provisions of this Chapter, except a person
13 who violates a provision for which a different criminal penalty
14 is indicated, shall be guilty of a Class A misdemeanor. Any
15 person who violates any provisions of Section 5-701 shall be
16 guilty of a Class 3 felony.

17 (Source: P.A. 95-51, eff. 1-1-08.)

18 (625 ILCS 5/5-803 new)

19 Sec. 5-803. Administrative penalties. Instead of filing a
20 criminal complaint against a new or used vehicle dealer, or
21 against any other entity licensed by the Secretary under this
22 Code, a Secretary of State Police investigator may issue
23 administrative citations for violations of any of the
24 provisions of this Chapter or any administrative rule adopted

1 by the Secretary under this Chapter. A party receiving a
2 citation shall have the right to contest the citation in
3 proceedings before the Secretary of State Department of
4 Administrative Hearings. Penalties imposed by issuance of an
5 administrative citation shall not exceed \$50 per violation. A
6 penalty may not be imposed unless, during the course of a
7 single investigation or upon review of the party's records, the
8 party is found to have committed at least 3 separate violations
9 of one or more of the provisions of this Code or any
10 administrative rule adopted by the Secretary under this Code.
11 Penalties paid as a result of the issuance of administrative
12 citations shall be deposited in the Secretary of State Police
13 Services Fund.

14 (625 ILCS 5/6-205)

15 Sec. 6-205. Mandatory revocation of license or permit;
16 Hardship cases.

17 (a) Except as provided in this Section, the Secretary of
18 State shall immediately revoke the license, permit, or driving
19 privileges of any driver upon receiving a report of the
20 driver's conviction of any of the following offenses:

21 1. Reckless homicide resulting from the operation of a
22 motor vehicle;

23 2. Violation of Section 11-501 of this Code or a
24 similar provision of a local ordinance relating to the
25 offense of operating or being in physical control of a

1 vehicle while under the influence of alcohol, other drug or
2 drugs, intoxicating compound or compounds, or any
3 combination thereof;

4 3. Any felony under the laws of any State or the
5 federal government in the commission of which a motor
6 vehicle was used;

7 4. Violation of Section 11-401 of this Code relating to
8 the offense of leaving the scene of a traffic accident
9 involving death or personal injury;

10 5. Perjury or the making of a false affidavit or
11 statement under oath to the Secretary of State under this
12 Code or under any other law relating to the ownership or
13 operation of motor vehicles;

14 6. Conviction upon 3 charges of violation of Section
15 11-503 of this Code relating to the offense of reckless
16 driving committed within a period of 12 months;

17 7. Conviction of any offense defined in Section 4-102
18 of this Code;

19 8. Violation of Section 11-504 of this Code relating to
20 the offense of drag racing;

21 9. Violation of Chapters 8 and 9 of this Code;

22 10. Violation of Section 12-5 of the Criminal Code of
23 1961 arising from the use of a motor vehicle;

24 11. Violation of Section 11-204.1 of this Code relating
25 to aggravated fleeing or attempting to elude a peace
26 officer;

1 12. Violation of paragraph (1) of subsection (b) of
2 Section 6-507, or a similar law of any other state,
3 relating to the unlawful operation of a commercial motor
4 vehicle;

5 13. Violation of paragraph (a) of Section 11-502 of
6 this Code or a similar provision of a local ordinance if
7 the driver has been previously convicted of a violation of
8 that Section or a similar provision of a local ordinance
9 and the driver was less than 21 years of age at the time of
10 the offense;

11 14. Violation of paragraph (a) of Section 11-506 of
12 this Code or a similar provision of a local ordinance
13 relating to the offense of street racing;

14 15. A second or subsequent conviction of driving while
15 the person's driver's license, permit or privileges was
16 revoked for reckless homicide or a similar out-of-state
17 offense;

18 16. Any offense against any provision in this Code, or
19 any local ordinance, regulating the movement of traffic
20 when that offense was the proximate cause of the death of
21 any person. Any person whose driving privileges have been
22 revoked pursuant to this paragraph may seek to have the
23 revocation terminated or to have the length of revocation
24 reduced by requesting an administrative hearing with the
25 Secretary of State prior to the projected driver's license
26 application eligibility date; =

1 17. A second or subsequent conviction of illegal
2 possession, while operating or in actual physical control,
3 as a driver, of a motor vehicle, of any controlled
4 substance prohibited under the Illinois Controlled
5 Substances Act, any cannabis prohibited under the Cannabis
6 Control Act, or any methamphetamine prohibited under the
7 Methamphetamine Control and Community Protection Act. A
8 defendant found guilty of this offense while operating a
9 motor vehicle shall have an entry made in the court record
10 by the presiding judge that this offense did occur while
11 the defendant was operating a motor vehicle and order the
12 clerk of the court to report the violation to the Secretary
13 of State.

14 (b) The Secretary of State shall also immediately revoke
15 the license or permit of any driver in the following
16 situations:

17 1. Of any minor upon receiving the notice provided for
18 in Section 5-901 of the Juvenile Court Act of 1987 that the
19 minor has been adjudicated under that Act as having
20 committed an offense relating to motor vehicles prescribed
21 in Section 4-103 of this Code;

22 2. Of any person when any other law of this State
23 requires either the revocation or suspension of a license
24 or permit;

25 3. Of any person adjudicated under the Juvenile Court
26 Act of 1987 based on an offense determined to have been

1 committed in furtherance of the criminal activities of an
2 organized gang as provided in Section 5-710 of that Act,
3 and that involved the operation or use of a motor vehicle
4 or the use of a driver's license or permit. The revocation
5 shall remain in effect for the period determined by the
6 court. Upon the direction of the court, the Secretary shall
7 issue the person a judicial driving permit, also known as a
8 JDP. The JDP shall be subject to the same terms as a JDP
9 issued under Section 6-206.1, except that the court may
10 direct that a JDP issued under this subdivision (b) (3) be
11 effective immediately.

12 (c) (1) Whenever a person is convicted of any of the
13 offenses enumerated in this Section, the court may recommend
14 and the Secretary of State in his discretion, without regard to
15 whether the recommendation is made by the court may, upon
16 application, issue to the person a restricted driving permit
17 granting the privilege of driving a motor vehicle between the
18 petitioner's residence and petitioner's place of employment or
19 within the scope of the petitioner's employment related duties,
20 or to allow the petitioner to transport himself or herself or a
21 family member of the petitioner's household to a medical
22 facility for the receipt of necessary medical care or to allow
23 the petitioner to transport himself or herself to and from
24 alcohol or drug remedial or rehabilitative activity
25 recommended by a licensed service provider, or to allow the
26 petitioner to transport himself or herself or a family member

1 of the petitioner's household to classes, as a student, at an
2 accredited educational institution, or to allow the petitioner
3 to transport children, elderly persons, or disabled persons who
4 do not hold driving privileges and are living in the
5 petitioner's household to and from daycare; if the petitioner
6 is able to demonstrate that no alternative means of
7 transportation is reasonably available and that the petitioner
8 will not endanger the public safety or welfare; provided that
9 the Secretary's discretion shall be limited to cases where
10 undue hardship, as defined by the rules of the Secretary of
11 State, would result from a failure to issue the restricted
12 driving permit. Those multiple offenders identified in
13 subdivision (b)4 of Section 6-208 of this Code, however, shall
14 not be eligible for the issuance of a restricted driving
15 permit.

16 (2) If a person's license or permit is revoked or
17 suspended due to 2 or more convictions of violating Section
18 11-501 of this Code or a similar provision of a local
19 ordinance or a similar out-of-state offense, or Section 9-3
20 of the Criminal Code of 1961, where the use of alcohol or
21 other drugs is recited as an element of the offense, or a
22 similar out-of-state offense, or a combination of these
23 offenses, arising out of separate occurrences, that
24 person, if issued a restricted driving permit, may not
25 operate a vehicle unless it has been equipped with an
26 ignition interlock device as defined in Section 1-129.1.

1 (3) If:

2 (A) a person's license or permit is revoked or
3 suspended 2 or more times within a 10 year period due
4 to any combination of:

5 (i) a single conviction of violating Section
6 11-501 of this Code or a similar provision of a
7 local ordinance or a similar out-of-state offense,
8 or Section 9-3 of the Criminal Code of 1961, where
9 the use of alcohol or other drugs is recited as an
10 element of the offense, or a similar out-of-state
11 offense; or

12 (ii) a statutory summary suspension or
13 revocation under Section 11-501.1; or

14 (iii) a suspension pursuant to Section
15 6-203.1;

16 arising out of separate occurrences; or

17 (B) a person has been convicted of one violation of
18 Section 6-303 of this Code committed while his or her
19 driver's license, permit, or privilege was revoked
20 because of a violation of Section 9-3 of the Criminal
21 Code of 1961, relating to the offense of reckless
22 homicide where the use of alcohol or other drugs was
23 recited as an element of the offense, or a similar
24 provision of a law of another state;

25 that person, if issued a restricted driving permit, may not
26 operate a vehicle unless it has been equipped with an

1 ignition interlock device as defined in Section 1-129.1.

2 (4) The person issued a permit conditioned on the use
3 of an ignition interlock device must pay to the Secretary
4 of State DUI Administration Fund an amount not to exceed
5 \$30 per month. The Secretary shall establish by rule the
6 amount and the procedures, terms, and conditions relating
7 to these fees.

8 (5) If the restricted driving permit is issued for
9 employment purposes, then the prohibition against
10 operating a motor vehicle that is not equipped with an
11 ignition interlock device does not apply to the operation
12 of an occupational vehicle owned or leased by that person's
13 employer when used solely for employment purposes.

14 (6) In each case the Secretary of State may issue a
15 restricted driving permit for a period he deems
16 appropriate, except that the permit shall expire within one
17 year from the date of issuance. The Secretary may not,
18 however, issue a restricted driving permit to any person
19 whose current revocation is the result of a second or
20 subsequent conviction for a violation of Section 11-501 of
21 this Code or a similar provision of a local ordinance or
22 any similar out-of-state offense, or Section 9-3 of the
23 Criminal Code of 1961, where the use of alcohol or other
24 drugs is recited as an element of the offense, or any
25 similar out-of-state offense, or any combination of these
26 offenses, until the expiration of at least one year from

1 the date of the revocation. A restricted driving permit
2 issued under this Section shall be subject to cancellation,
3 revocation, and suspension by the Secretary of State in
4 like manner and for like cause as a driver's license issued
5 under this Code may be cancelled, revoked, or suspended;
6 except that a conviction upon one or more offenses against
7 laws or ordinances regulating the movement of traffic shall
8 be deemed sufficient cause for the revocation, suspension,
9 or cancellation of a restricted driving permit. The
10 Secretary of State may, as a condition to the issuance of a
11 restricted driving permit, require the petitioner to
12 participate in a designated driver remedial or
13 rehabilitative program. The Secretary of State is
14 authorized to cancel a restricted driving permit if the
15 permit holder does not successfully complete the program.
16 However, if an individual's driving privileges have been
17 revoked in accordance with paragraph 13 of subsection (a)
18 of this Section, no restricted driving permit shall be
19 issued until the individual has served 6 months of the
20 revocation period.

21 (c-5) (Blank).

22 (c-6) If a person is convicted of a second violation of
23 operating a motor vehicle while the person's driver's license,
24 permit or privilege was revoked, where the revocation was for a
25 violation of Section 9-3 of the Criminal Code of 1961 relating
26 to the offense of reckless homicide or a similar out-of-state

1 offense, the person's driving privileges shall be revoked
2 pursuant to subdivision (a) (15) of this Section. The person may
3 not make application for a license or permit until the
4 expiration of five years from the effective date of the
5 revocation or the expiration of five years from the date of
6 release from a term of imprisonment, whichever is later.

7 (c-7) If a person is convicted of a third or subsequent
8 violation of operating a motor vehicle while the person's
9 driver's license, permit or privilege was revoked, where the
10 revocation was for a violation of Section 9-3 of the Criminal
11 Code of 1961 relating to the offense of reckless homicide or a
12 similar out-of-state offense, the person may never apply for a
13 license or permit.

14 (d) (1) Whenever a person under the age of 21 is convicted
15 under Section 11-501 of this Code or a similar provision of a
16 local ordinance or a similar out-of-state offense, the
17 Secretary of State shall revoke the driving privileges of that
18 person. One year after the date of revocation, and upon
19 application, the Secretary of State may, if satisfied that the
20 person applying will not endanger the public safety or welfare,
21 issue a restricted driving permit granting the privilege of
22 driving a motor vehicle only between the hours of 5 a.m. and 9
23 p.m. or as otherwise provided by this Section for a period of
24 one year. After this one year period, and upon reapplication
25 for a license as provided in Section 6-106, upon payment of the
26 appropriate reinstatement fee provided under paragraph (b) of

1 Section 6-118, the Secretary of State, in his discretion, may
2 reinstate the petitioner's driver's license and driving
3 privileges, or extend the restricted driving permit as many
4 times as the Secretary of State deems appropriate, by
5 additional periods of not more than 12 months each.

6 (2) If a person's license or permit is revoked or
7 suspended due to 2 or more convictions of violating Section
8 11-501 of this Code or a similar provision of a local
9 ordinance or a similar out-of-state offense, or Section 9-3
10 of the Criminal Code of 1961, where the use of alcohol or
11 other drugs is recited as an element of the offense, or a
12 similar out-of-state offense, or a combination of these
13 offenses, arising out of separate occurrences, that
14 person, if issued a restricted driving permit, may not
15 operate a vehicle unless it has been equipped with an
16 ignition interlock device as defined in Section 1-129.1.

17 (3) If a person's license or permit is revoked or
18 suspended 2 or more times within a 10 year period due to
19 any combination of:

20 (A) a single conviction of violating Section
21 11-501 of this Code or a similar provision of a local
22 ordinance or a similar out-of-state offense, or
23 Section 9-3 of the Criminal Code of 1961, where the use
24 of alcohol or other drugs is recited as an element of
25 the offense, or a similar out-of-state offense; or

26 (B) a statutory summary suspension or revocation

1 under Section 11-501.1; or

2 (C) a suspension pursuant to Section 6-203.1;
3 arising out of separate occurrences, that person, if issued
4 a restricted driving permit, may not operate a vehicle
5 unless it has been equipped with an ignition interlock
6 device as defined in Section 1-129.1.

7 (4) The person issued a permit conditioned upon the use
8 of an interlock device must pay to the Secretary of State
9 DUI Administration Fund an amount not to exceed \$30 per
10 month. The Secretary shall establish by rule the amount and
11 the procedures, terms, and conditions relating to these
12 fees.

13 (5) If the restricted driving permit is issued for
14 employment purposes, then the prohibition against driving
15 a vehicle that is not equipped with an ignition interlock
16 device does not apply to the operation of an occupational
17 vehicle owned or leased by that person's employer when used
18 solely for employment purposes.

19 (6) A restricted driving permit issued under this
20 Section shall be subject to cancellation, revocation, and
21 suspension by the Secretary of State in like manner and for
22 like cause as a driver's license issued under this Code may
23 be cancelled, revoked, or suspended; except that a
24 conviction upon one or more offenses against laws or
25 ordinances regulating the movement of traffic shall be
26 deemed sufficient cause for the revocation, suspension, or

1 cancellation of a restricted driving permit.

2 (d-5) The revocation of the license, permit, or driving
3 privileges of a person convicted of a third or subsequent
4 violation of Section 6-303 of this Code committed while his or
5 her driver's license, permit, or privilege was revoked because
6 of a violation of Section 9-3 of the Criminal Code of 1961,
7 relating to the offense of reckless homicide, or a similar
8 provision of a law of another state, is permanent. The
9 Secretary may not, at any time, issue a license or permit to
10 that person.

11 (e) This Section is subject to the provisions of the Driver
12 License Compact.

13 (f) Any revocation imposed upon any person under
14 subsections 2 and 3 of paragraph (b) that is in effect on
15 December 31, 1988 shall be converted to a suspension for a like
16 period of time.

17 (g) The Secretary of State shall not issue a restricted
18 driving permit to a person under the age of 16 years whose
19 driving privileges have been revoked under any provisions of
20 this Code.

21 (h) The Secretary of State shall require the use of
22 ignition interlock devices on all vehicles owned by a person
23 who has been convicted of a second or subsequent offense under
24 Section 11-501 of this Code or a similar provision of a local
25 ordinance. The person must pay to the Secretary of State DUI
26 Administration Fund an amount not to exceed \$30 for each month

1 that he or she uses the device. The Secretary shall establish
2 by rule and regulation the procedures for certification and use
3 of the interlock system, the amount of the fee, and the
4 procedures, terms, and conditions relating to these fees.

5 (i) (Blank).

6 (j) In accordance with 49 C.F.R. 384, the Secretary of
7 State may not issue a restricted driving permit for the
8 operation of a commercial motor vehicle to a person holding a
9 CDL whose driving privileges have been revoked, suspended,
10 cancelled, or disqualified under any provisions of this Code.

11 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;
12 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.
13 7-1-11; 97-333, eff. 8-12-11.)

14 (625 ILCS 5/6-206)

15 Sec. 6-206. Discretionary authority to suspend or revoke
16 license or permit; Right to a hearing.

17 (a) The Secretary of State is authorized to suspend or
18 revoke the driving privileges of any person without preliminary
19 hearing upon a showing of the person's records or other
20 sufficient evidence that the person:

21 1. Has committed an offense for which mandatory
22 revocation of a driver's license or permit is required upon
23 conviction;

24 2. Has been convicted of not less than 3 offenses
25 against traffic regulations governing the movement of

1 vehicles committed within any 12 month period. No
2 revocation or suspension shall be entered more than 6
3 months after the date of last conviction;

4 3. Has been repeatedly involved as a driver in motor
5 vehicle collisions or has been repeatedly convicted of
6 offenses against laws and ordinances regulating the
7 movement of traffic, to a degree that indicates lack of
8 ability to exercise ordinary and reasonable care in the
9 safe operation of a motor vehicle or disrespect for the
10 traffic laws and the safety of other persons upon the
11 highway;

12 4. Has by the unlawful operation of a motor vehicle
13 caused or contributed to an accident resulting in injury
14 requiring immediate professional treatment in a medical
15 facility or doctor's office to any person, except that any
16 suspension or revocation imposed by the Secretary of State
17 under the provisions of this subsection shall start no
18 later than 6 months after being convicted of violating a
19 law or ordinance regulating the movement of traffic, which
20 violation is related to the accident, or shall start not
21 more than one year after the date of the accident,
22 whichever date occurs later;

23 5. Has permitted an unlawful or fraudulent use of a
24 driver's license, identification card, or permit;

25 6. Has been lawfully convicted of an offense or
26 offenses in another state, including the authorization

1 contained in Section 6-203.1, which if committed within
2 this State would be grounds for suspension or revocation;

3 7. Has refused or failed to submit to an examination
4 provided for by Section 6-207 or has failed to pass the
5 examination;

6 8. Is ineligible for a driver's license or permit under
7 the provisions of Section 6-103;

8 9. Has made a false statement or knowingly concealed a
9 material fact or has used false information or
10 identification in any application for a license,
11 identification card, or permit;

12 10. Has possessed, displayed, or attempted to
13 fraudulently use any license, identification card, or
14 permit not issued to the person;

15 11. Has operated a motor vehicle upon a highway of this
16 State when the person's driving privilege or privilege to
17 obtain a driver's license or permit was revoked or
18 suspended unless the operation was authorized by a
19 monitoring device driving permit, judicial driving permit
20 issued prior to January 1, 2009, probationary license to
21 drive, or a restricted driving permit issued under this
22 Code;

23 12. Has submitted to any portion of the application
24 process for another person or has obtained the services of
25 another person to submit to any portion of the application
26 process for the purpose of obtaining a license,

1 identification card, or permit for some other person;

2 13. Has operated a motor vehicle upon a highway of this
3 State when the person's driver's license or permit was
4 invalid under the provisions of Sections 6-107.1 and 6-110;

5 14. Has committed a violation of Section 6-301,
6 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B
7 of the Illinois Identification Card Act;

8 15. Has been convicted of violating Section 21-2 of the
9 Criminal Code of 1961 relating to criminal trespass to
10 vehicles in which case, the suspension shall be for one
11 year;

12 16. Has been convicted of violating Section 11-204 of
13 this Code relating to fleeing from a peace officer;

14 17. Has refused to submit to a test, or tests, as
15 required under Section 11-501.1 of this Code and the person
16 has not sought a hearing as provided for in Section
17 11-501.1;

18 18. Has, since issuance of a driver's license or
19 permit, been adjudged to be afflicted with or suffering
20 from any mental disability or disease;

21 19. Has committed a violation of paragraph (a) or (b)
22 of Section 6-101 relating to driving without a driver's
23 license;

24 20. Has been convicted of violating Section 6-104
25 relating to classification of driver's license;

26 21. Has been convicted of violating Section 11-402 of

1 this Code relating to leaving the scene of an accident
2 resulting in damage to a vehicle in excess of \$1,000, in
3 which case the suspension shall be for one year;

4 22. Has used a motor vehicle in violating paragraph
5 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
6 the Criminal Code of 1961 relating to unlawful use of
7 weapons, in which case the suspension shall be for one
8 year;

9 23. Has, as a driver, been convicted of committing a
10 violation of paragraph (a) of Section 11-502 of this Code
11 for a second or subsequent time within one year of a
12 similar violation;

13 24. Has been convicted by a court-martial or punished
14 by non-judicial punishment by military authorities of the
15 United States at a military installation in Illinois of or
16 for a traffic related offense that is the same as or
17 similar to an offense specified under Section 6-205 or
18 6-206 of this Code;

19 25. Has permitted any form of identification to be used
20 by another in the application process in order to obtain or
21 attempt to obtain a license, identification card, or
22 permit;

23 26. Has altered or attempted to alter a license or has
24 possessed an altered license, identification card, or
25 permit;

26 27. Has violated Section 6-16 of the Liquor Control Act

1 of 1934;

2 28. Has been convicted for a first time of the illegal
3 possession, while operating or in actual physical control,
4 as a driver, of a motor vehicle, of any controlled
5 substance prohibited under the Illinois Controlled
6 Substances Act, any cannabis prohibited under the Cannabis
7 Control Act, or any methamphetamine prohibited under the
8 Methamphetamine Control and Community Protection Act, in
9 which case the person's driving privileges shall be
10 suspended for one year, ~~and any driver who is convicted of~~
11 ~~a second or subsequent offense, within 5 years of a~~
12 ~~previous conviction, for the illegal possession, while~~
13 ~~operating or in actual physical control, as a driver, of a~~
14 ~~motor vehicle, of any controlled substance prohibited~~
15 ~~under the Illinois Controlled Substances Act, any cannabis~~
16 ~~prohibited under the Cannabis Control Act, or any~~
17 ~~methamphetamine prohibited under the Methamphetamine~~
18 ~~Control and Community Protection Act shall be suspended for~~
19 ~~5 years.~~ Any defendant found guilty of this offense while
20 operating a motor vehicle, shall have an entry made in the
21 court record by the presiding judge that this offense did
22 occur while the defendant was operating a motor vehicle and
23 order the clerk of the court to report the violation to the
24 Secretary of State;

25 29. Has been convicted of the following offenses that
26 were committed while the person was operating or in actual

1 physical control, as a driver, of a motor vehicle: criminal
2 sexual assault, predatory criminal sexual assault of a
3 child, aggravated criminal sexual assault, criminal sexual
4 abuse, aggravated criminal sexual abuse, juvenile pimping,
5 soliciting for a juvenile prostitute, promoting juvenile
6 prostitution as described in subdivision (a)(1), (a)(2),
7 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961,
8 and the manufacture, sale or delivery of controlled
9 substances or instruments used for illegal drug use or
10 abuse in which case the driver's driving privileges shall
11 be suspended for one year;

12 30. Has been convicted a second or subsequent time for
13 any combination of the offenses named in paragraph 29 of
14 this subsection, in which case the person's driving
15 privileges shall be suspended for 5 years;

16 31. Has refused to submit to a test as required by
17 Section 11-501.6 or has submitted to a test resulting in an
18 alcohol concentration of 0.08 or more or any amount of a
19 drug, substance, or compound resulting from the unlawful
20 use or consumption of cannabis as listed in the Cannabis
21 Control Act, a controlled substance as listed in the
22 Illinois Controlled Substances Act, an intoxicating
23 compound as listed in the Use of Intoxicating Compounds
24 Act, or methamphetamine as listed in the Methamphetamine
25 Control and Community Protection Act, in which case the
26 penalty shall be as prescribed in Section 6-208.1;

1 32. Has been convicted of Section 24-1.2 of the
2 Criminal Code of 1961 relating to the aggravated discharge
3 of a firearm if the offender was located in a motor vehicle
4 at the time the firearm was discharged, in which case the
5 suspension shall be for 3 years;

6 33. Has as a driver, who was less than 21 years of age
7 on the date of the offense, been convicted a first time of
8 a violation of paragraph (a) of Section 11-502 of this Code
9 or a similar provision of a local ordinance;

10 34. Has committed a violation of Section 11-1301.5 of
11 this Code;

12 35. Has committed a violation of Section 11-1301.6 of
13 this Code;

14 36. Is under the age of 21 years at the time of arrest
15 and has been convicted of not less than 2 offenses against
16 traffic regulations governing the movement of vehicles
17 committed within any 24 month period. No revocation or
18 suspension shall be entered more than 6 months after the
19 date of last conviction;

20 37. Has committed a violation of subsection (c) of
21 Section 11-907 of this Code that resulted in damage to the
22 property of another or the death or injury of another;

23 38. Has been convicted of a violation of Section 6-20
24 of the Liquor Control Act of 1934 or a similar provision of
25 a local ordinance;

26 39. Has committed a second or subsequent violation of

1 Section 11-1201 of this Code;

2 40. Has committed a violation of subsection (a-1) of
3 Section 11-908 of this Code;

4 41. Has committed a second or subsequent violation of
5 Section 11-605.1 of this Code, a similar provision of a
6 local ordinance, or a similar violation in any other state
7 within 2 years of the date of the previous violation, in
8 which case the suspension shall be for 90 days;

9 42. Has committed a violation of subsection (a-1) of
10 Section 11-1301.3 of this Code;

11 43. Has received a disposition of court supervision for
12 a violation of subsection (a), (d), or (e) of Section 6-20
13 of the Liquor Control Act of 1934 or a similar provision of
14 a local ordinance, in which case the suspension shall be
15 for a period of 3 months;

16 44. Is under the age of 21 years at the time of arrest
17 and has been convicted of an offense against traffic
18 regulations governing the movement of vehicles after
19 having previously had his or her driving privileges
20 suspended or revoked pursuant to subparagraph 36 of this
21 Section; or

22 45. Has, in connection with or during the course of a
23 formal hearing conducted under Section 2-118 of this Code:
24 (i) committed perjury; (ii) submitted fraudulent or
25 falsified documents; (iii) submitted documents that have
26 been materially altered; or (iv) submitted, as his or her

1 own, documents that were in fact prepared or composed for
2 another person.

3 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
4 and 27 of this subsection, license means any driver's license,
5 any traffic ticket issued when the person's driver's license is
6 deposited in lieu of bail, a suspension notice issued by the
7 Secretary of State, a duplicate or corrected driver's license,
8 a probationary driver's license or a temporary driver's
9 license.

10 (b) If any conviction forming the basis of a suspension or
11 revocation authorized under this Section is appealed, the
12 Secretary of State may rescind or withhold the entry of the
13 order of suspension or revocation, as the case may be, provided
14 that a certified copy of a stay order of a court is filed with
15 the Secretary of State. If the conviction is affirmed on
16 appeal, the date of the conviction shall relate back to the
17 time the original judgment of conviction was entered and the 6
18 month limitation prescribed shall not apply.

19 (c) 1. Upon suspending or revoking the driver's license or
20 permit of any person as authorized in this Section, the
21 Secretary of State shall immediately notify the person in
22 writing of the revocation or suspension. The notice to be
23 deposited in the United States mail, postage prepaid, to the
24 last known address of the person.

25 2. If the Secretary of State suspends the driver's
26 license of a person under subsection 2 of paragraph (a) of

1 this Section, a person's privilege to operate a vehicle as
2 an occupation shall not be suspended, provided an affidavit
3 is properly completed, the appropriate fee received, and a
4 permit issued prior to the effective date of the
5 suspension, unless 5 offenses were committed, at least 2 of
6 which occurred while operating a commercial vehicle in
7 connection with the driver's regular occupation. All other
8 driving privileges shall be suspended by the Secretary of
9 State. Any driver prior to operating a vehicle for
10 occupational purposes only must submit the affidavit on
11 forms to be provided by the Secretary of State setting
12 forth the facts of the person's occupation. The affidavit
13 shall also state the number of offenses committed while
14 operating a vehicle in connection with the driver's regular
15 occupation. The affidavit shall be accompanied by the
16 driver's license. Upon receipt of a properly completed
17 affidavit, the Secretary of State shall issue the driver a
18 permit to operate a vehicle in connection with the driver's
19 regular occupation only. Unless the permit is issued by the
20 Secretary of State prior to the date of suspension, the
21 privilege to drive any motor vehicle shall be suspended as
22 set forth in the notice that was mailed under this Section.
23 If an affidavit is received subsequent to the effective
24 date of this suspension, a permit may be issued for the
25 remainder of the suspension period.

26 The provisions of this subparagraph shall not apply to

1 any driver required to possess a CDL for the purpose of
2 operating a commercial motor vehicle.

3 Any person who falsely states any fact in the affidavit
4 required herein shall be guilty of perjury under Section
5 6-302 and upon conviction thereof shall have all driving
6 privileges revoked without further rights.

7 3. At the conclusion of a hearing under Section 2-118
8 of this Code, the Secretary of State shall either rescind
9 or continue an order of revocation or shall substitute an
10 order of suspension; or, good cause appearing therefor,
11 rescind, continue, change, or extend the order of
12 suspension. If the Secretary of State does not rescind the
13 order, the Secretary may upon application, to relieve undue
14 hardship (as defined by the rules of the Secretary of
15 State), issue a restricted driving permit granting the
16 privilege of driving a motor vehicle between the
17 petitioner's residence and petitioner's place of
18 employment or within the scope of the petitioner's
19 employment related duties, or to allow the petitioner to
20 transport himself or herself, or a family member of the
21 petitioner's household to a medical facility, to receive
22 necessary medical care, to allow the petitioner to
23 transport himself or herself to and from alcohol or drug
24 remedial or rehabilitative activity recommended by a
25 licensed service provider, or to allow the petitioner to
26 transport himself or herself or a family member of the

1 petitioner's household to classes, as a student, at an
2 accredited educational institution, or to allow the
3 petitioner to transport children, elderly persons, or
4 disabled persons who do not hold driving privileges and are
5 living in the petitioner's household to and from daycare.
6 The petitioner must demonstrate that no alternative means
7 of transportation is reasonably available and that the
8 petitioner will not endanger the public safety or welfare.
9 Those multiple offenders identified in subdivision (b)4 of
10 Section 6-208 of this Code, however, shall not be eligible
11 for the issuance of a restricted driving permit.

12 (A) If a person's license or permit is revoked or
13 suspended due to 2 or more convictions of violating
14 Section 11-501 of this Code or a similar provision of a
15 local ordinance or a similar out-of-state offense, or
16 Section 9-3 of the Criminal Code of 1961, where the use
17 of alcohol or other drugs is recited as an element of
18 the offense, or a similar out-of-state offense, or a
19 combination of these offenses, arising out of separate
20 occurrences, that person, if issued a restricted
21 driving permit, may not operate a vehicle unless it has
22 been equipped with an ignition interlock device as
23 defined in Section 1-129.1.

24 (B) If a person's license or permit is revoked or
25 suspended 2 or more times within a 10 year period due
26 to any combination of:

1 (i) a single conviction of violating Section
2 11-501 of this Code or a similar provision of a
3 local ordinance or a similar out-of-state offense
4 or Section 9-3 of the Criminal Code of 1961, where
5 the use of alcohol or other drugs is recited as an
6 element of the offense, or a similar out-of-state
7 offense; or

8 (ii) a statutory summary suspension or
9 revocation under Section 11-501.1; or

10 (iii) a suspension under Section 6-203.1;
11 arising out of separate occurrences; that person, if
12 issued a restricted driving permit, may not operate a
13 vehicle unless it has been equipped with an ignition
14 interlock device as defined in Section 1-129.1.

15 (C) The person issued a permit conditioned upon the
16 use of an ignition interlock device must pay to the
17 Secretary of State DUI Administration Fund an amount
18 not to exceed \$30 per month. The Secretary shall
19 establish by rule the amount and the procedures, terms,
20 and conditions relating to these fees.

21 (D) If the restricted driving permit is issued for
22 employment purposes, then the prohibition against
23 operating a motor vehicle that is not equipped with an
24 ignition interlock device does not apply to the
25 operation of an occupational vehicle owned or leased by
26 that person's employer when used solely for employment

1 purposes.

2 (E) In each case the Secretary may issue a
3 restricted driving permit for a period deemed
4 appropriate, except that all permits shall expire
5 within one year from the date of issuance. The
6 Secretary may not, however, issue a restricted driving
7 permit to any person whose current revocation is the
8 result of a second or subsequent conviction for a
9 violation of Section 11-501 of this Code or a similar
10 provision of a local ordinance or any similar
11 out-of-state offense, or Section 9-3 of the Criminal
12 Code of 1961, where the use of alcohol or other drugs
13 is recited as an element of the offense, or any similar
14 out-of-state offense, or any combination of those
15 offenses, until the expiration of at least one year
16 from the date of the revocation. A restricted driving
17 permit issued under this Section shall be subject to
18 cancellation, revocation, and suspension by the
19 Secretary of State in like manner and for like cause as
20 a driver's license issued under this Code may be
21 cancelled, revoked, or suspended; except that a
22 conviction upon one or more offenses against laws or
23 ordinances regulating the movement of traffic shall be
24 deemed sufficient cause for the revocation,
25 suspension, or cancellation of a restricted driving
26 permit. The Secretary of State may, as a condition to

1 the issuance of a restricted driving permit, require
2 the applicant to participate in a designated driver
3 remedial or rehabilitative program. The Secretary of
4 State is authorized to cancel a restricted driving
5 permit if the permit holder does not successfully
6 complete the program.

7 (c-3) In the case of a suspension under paragraph 43 of
8 subsection (a), reports received by the Secretary of State
9 under this Section shall, except during the actual time the
10 suspension is in effect, be privileged information and for use
11 only by the courts, police officers, prosecuting authorities,
12 the driver licensing administrator of any other state, the
13 Secretary of State, or the parent or legal guardian of a driver
14 under the age of 18. However, beginning January 1, 2008, if the
15 person is a CDL holder, the suspension shall also be made
16 available to the driver licensing administrator of any other
17 state, the U.S. Department of Transportation, and the affected
18 driver or motor carrier or prospective motor carrier upon
19 request.

20 (c-4) In the case of a suspension under paragraph 43 of
21 subsection (a), the Secretary of State shall notify the person
22 by mail that his or her driving privileges and driver's license
23 will be suspended one month after the date of the mailing of
24 the notice.

25 (c-5) The Secretary of State may, as a condition of the
26 reissuance of a driver's license or permit to an applicant

1 whose driver's license or permit has been suspended before he
2 or she reached the age of 21 years pursuant to any of the
3 provisions of this Section, require the applicant to
4 participate in a driver remedial education course and be
5 retested under Section 6-109 of this Code.

6 (d) This Section is subject to the provisions of the
7 Drivers License Compact.

8 (e) The Secretary of State shall not issue a restricted
9 driving permit to a person under the age of 16 years whose
10 driving privileges have been suspended or revoked under any
11 provisions of this Code.

12 (f) In accordance with 49 C.F.R. 384, the Secretary of
13 State may not issue a restricted driving permit for the
14 operation of a commercial motor vehicle to a person holding a
15 CDL whose driving privileges have been suspended, revoked,
16 cancelled, or disqualified under any provisions of this Code.

17 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;
18 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.
19 7-1-11; 96-1551, eff. 7-1-11; 97-229, eff. 7-28-11; 97-333,
20 eff. 8-12-11; revised 9-15-11.)

21 Section 99. Effective date. This Section and Secs. 3-100.2,
22 3-821, 5-501, 5-801, and 5-803 of Section 5 of this Act take
23 effect upon becoming law.