

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 2-111, 3-400, 3-413, 6-205, 6-206, 11-204.1, 11-1302,
6 11-1403, 11-1403.2, and 12-208 as follows:

7 (625 ILCS 5/2-111) (from Ch. 95 1/2, par. 2-111)

8 Sec. 2-111. Seizure or confiscation of documents and
9 plates.

10 (a) The Secretary of State is authorized to take possession
11 of any certificate of title, registration card, permit,
12 license, registration plate, plates, disability license plate
13 or parking decal or device, or registration sticker issued by
14 him upon expiration, revocation, cancellation or suspension
15 thereof, or which is fictitious, or which has been unlawfully
16 or erroneously issued. Police officers who have reasonable
17 grounds to believe that any item or items listed in this
18 Section should be seized shall take possession of the items and
19 return them or cause them to be returned to ~~request~~ the
20 Secretary of State ~~to take possession of such item or items.~~

21 (b) The Secretary of State is authorized to confiscate any
22 suspected fraudulent, fictitious, or altered documents
23 submitted by an applicant in support of an application for a

1 driver's license or permit.

2 (Source: P.A. 93-895, eff. 1-1-05; 94-619, eff. 1-1-06.)

3 (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

4 Sec. 3-400. Definition. Notwithstanding the definition set
5 forth in Chapter 1 of this Act, for the purposes of this
6 Article, the following words shall have the meaning ascribed to
7 them as follows:

8 "Apportionable Fee" means any periodic recurring fee
9 required for licensing or registering vehicles, such as, but
10 not limited to, registration fees, license or weight fees.

11 "Apportionable Vehicle" means any vehicle, except
12 recreational vehicles, vehicles displaying restricted plates,
13 city pickup and delivery vehicles, buses used in transportation
14 of chartered parties, and government owned vehicles that are
15 used or intended for use in 2 or more member jurisdictions that
16 allocate or proportionally register vehicles, in a fleet which
17 is used for the transportation of persons for hire or the
18 transportation of property and which has a gross vehicle weight
19 in excess of 26,000 pounds; or has three or more axles
20 regardless of weight; or is used in combination when the weight
21 of such combination exceeds 26,000 pounds gross vehicle weight.
22 Vehicles, or combinations having a gross vehicle weight of
23 26,000 pounds or less and two-axle vehicles may be
24 proportionally registered at the option of such owner.

25 "Base Jurisdiction" means, for purposes of fleet

1 registration, the jurisdiction where the registrant has an
2 established place of business, where operational records of the
3 fleet are maintained and where mileage is accrued by the fleet.
4 In case a registrant operates more than one fleet, and
5 maintains records for each fleet in different places, the "base
6 jurisdiction" for a fleet shall be the jurisdiction where an
7 established place of business is maintained, where records of
8 the operation of that fleet are maintained and where mileage is
9 accrued by that fleet.

10 "Operational Records" means documents supporting miles
11 traveled in each jurisdiction and total miles traveled, such as
12 fuel reports, trip leases, and logs.

13 Owner. A person who holds legal title of a motor vehicle,
14 or in the event a motor vehicle is the subject of an agreement
15 for the conditional sale or lease thereof with the right of
16 purchase upon performance of the conditions stated in the
17 agreement and with an immediate right of possession vested in
18 the conditional vendee or lessee with right of purchase, or in
19 the event a mortgagor of such motor vehicle is entitled to
20 possession, or in the event a lessee of such motor vehicle is
21 entitled to possession or control, then such conditional vendee
22 or lessee with right of purchase or mortgagor or lessee is
23 considered to be the owner for the purpose of this Act.

24 "Registration plate cover" means any tinted, colored,
25 painted, marked, clear, or illuminated object that is designed
26 to (i) cover any of the characters of a motor vehicle's

1 registration plate; or (ii) distort a recorded image of any of
2 the characters of a motor vehicle's registration plate recorded
3 by an automated enforcement system as defined in Section
4 11-208.6, 11-208.8, or 11-1201.1 of this Code or recorded by an
5 automated traffic control system as defined in Section 15 of
6 the Automated Traffic Control Systems in Highway Construction
7 or Maintenance Zones Act.

8 "Rental Owner" means an owner principally engaged, with
9 respect to one or more rental fleets, in renting to others or
10 offering for rental the vehicles of such fleets, without
11 drivers.

12 "Restricted Plates" shall include but are not limited to
13 dealer, manufacturer, transporter, farm, reposessor, and
14 permanently mounted type plates. Vehicles displaying any of
15 these type plates from a foreign jurisdiction that is a member
16 of the International Registration Plan shall be granted
17 reciprocity but shall be subject to the same limitations as
18 similar plated Illinois registered vehicles.

19 (Source: P.A. 89-571, eff. 7-26-96; 90-89, eff. 1-1-98.)

20 (625 ILCS 5/3-413) (from Ch. 95 1/2, par. 3-413)

21 Sec. 3-413. Display of registration plates, registration
22 stickers, and drive-away permits; registration plate covers.

23 (a) Registration plates issued for a motor vehicle other
24 than a motorcycle, trailer, semitrailer, truck-tractor,
25 apportioned bus, or apportioned truck shall be attached

1 thereto, one in the front and one in the rear. The registration
2 plate issued for a motorcycle, trailer or semitrailer required
3 to be registered hereunder and any apportionment plate issued
4 to a bus under the provisions of this Code shall be attached to
5 the rear thereof. The registration plate issued for a
6 truck-tractor or an apportioned truck required to be registered
7 hereunder shall be attached to the front thereof.

8 (b) Every registration plate shall at all times be securely
9 fastened in a horizontal position to the vehicle for which it
10 is issued so as to prevent the plate from swinging and at a
11 height of not less than 5 inches from the ground, measuring
12 from the bottom of such plate, in a place and position to be
13 clearly visible and shall be maintained in a condition to be
14 clearly legible, free from any materials that would obstruct
15 the visibility of the plate, ~~including, but not limited to,~~
16 ~~glass covers and plastic covers.~~ A registration plate on a
17 motorcycle may be mounted vertically as long as it is otherwise
18 clearly visible. Registration stickers issued as evidence of
19 renewed annual registration shall be attached to registration
20 plates as required by the Secretary of State, and be clearly
21 visible at all times.

22 (c) Every drive-away permit issued pursuant to this Code
23 shall be firmly attached to the motor vehicle in the manner
24 prescribed by the Secretary of State. If a drive-away permit is
25 affixed to a motor vehicle in any other manner the permit shall
26 be void and of no effect.

1 (d) The Illinois prorated decal issued to a foreign
2 registered vehicle part of a fleet prorated or apportioned with
3 Illinois, shall be displayed on a registration plate and
4 displayed on the front of such vehicle in the same manner as an
5 Illinois registration plate.

6 (e) The registration plate issued for a camper body mounted
7 on a truck displaying registration plates shall be attached to
8 the rear of the camper body.

9 (f) No person shall operate a vehicle, nor permit the
10 operation of a vehicle, upon which is displayed an Illinois
11 registration plate, plates or registration stickers after the
12 termination of the registration period for which issued or
13 after the expiration date set pursuant to Sections 3-414 and
14 3-414.1 of this Code.

15 (g) A person may not operate any motor vehicle that is
16 equipped with registration plate covers. A violation of this
17 subsection (g) or a similar provision of a local ordinance is
18 an offense against laws and ordinances regulating the movement
19 of traffic.

20 (h) A person may not sell or offer for sale a registration
21 plate cover. A violation of this subsection (h) is a business
22 offense.

23 (i) A person may not advertise for the purpose of promoting
24 the sale of registration plate covers. A violation of this
25 subsection (i) is a business offense.

26 (j) A person may not modify the original manufacturer's

1 mounting location of the rear registration plate on any vehicle
2 so as to conceal the registration or to knowingly cause it to
3 be obstructed in an effort to hinder a peace officer from
4 obtaining the registration for the enforcement of a violation
5 of this Code, Section 27.1 of the Toll Highway Act concerning
6 toll evasion, or any municipal ordinance. Modifications
7 prohibited by this subsection (j) include but are not limited
8 to the use of an electronic device. A violation of this
9 subsection (j) is a Class A misdemeanor.

10 (Source: P.A. 95-29, eff. 6-1-08; 95-331, eff. 8-21-07.)

11 (625 ILCS 5/6-206)

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

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

18 1. Has committed an offense for which mandatory
19 revocation of a driver's license or permit is required upon
20 conviction;

21 2. Has been convicted of not less than 3 offenses
22 against traffic regulations governing the movement of
23 vehicles committed within any 12 month period. No
24 revocation or suspension shall be entered more than 6
25 months after the date of last conviction;

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

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

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

22 6. Has been lawfully convicted of an offense or
23 offenses in another state, including the authorization
24 contained in Section 6-203.1, which if committed within
25 this State would be grounds for suspension or revocation;

26 7. Has refused or failed to submit to an examination

1 provided for by Section 6-207 or has failed to pass the
2 examination;

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

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

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

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

20 12. Has submitted to any portion of the application
21 process for another person or has obtained the services of
22 another person to submit to any portion of the application
23 process for the purpose of obtaining a license,
24 identification card, or permit for some other person;

25 13. Has operated a motor vehicle upon a highway of this
26 State when the person's driver's license or permit was

1 invalid under the provisions of Sections 6-107.1 and 6-110;

2 14. Has committed a violation of Section 6-301,
3 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B
4 of the Illinois Identification Card Act;

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

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

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

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

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

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

23 21. Has been convicted of violating Section 11-402 of
24 this Code relating to leaving the scene of an accident
25 resulting in damage to a vehicle in excess of \$1,000, in
26 which case the suspension shall be for one year;

1 22. Has used a motor vehicle in violating paragraph
2 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
3 the Criminal Code of 1961 relating to unlawful use of
4 weapons, in which case the suspension shall be for one
5 year;

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

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

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

20 26. Has altered or attempted to alter a license or has
21 possessed an altered license, identification card, or
22 permit;

23 27. Has violated Section 6-16 of the Liquor Control Act
24 of 1934;

25 28. Has been convicted of the illegal possession, while
26 operating or in actual physical control, as a driver, of a

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

22 29. Has been convicted of the following offenses that
23 were committed while the person was operating or in actual
24 physical control, as a driver, of a motor vehicle: criminal
25 sexual assault, predatory criminal sexual assault of a
26 child, aggravated criminal sexual assault, criminal sexual

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

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

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

24 32. Has been convicted of Section 24-1.2 of the
25 Criminal Code of 1961 relating to the aggravated discharge
26 of a firearm if the offender was located in a motor vehicle

1 at the time the firearm was discharged, in which case the
2 suspension shall be for 3 years;

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

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

9 35. Has committed a violation of Section 11-1301.6 of
10 this Code;

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

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

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

23 39. Has committed a second or subsequent violation of
24 Section 11-1201 of this Code;

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

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

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

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

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

19 45. Has, in connection with or during the course of a
20 formal hearing conducted under Section 2-118 of this Code:
21 (i) committed perjury; (ii) submitted fraudulent or
22 falsified documents; (iii) submitted documents that have
23 been materially altered; or (iv) submitted, as his or her
24 own, documents that were in fact prepared or composed for
25 another person; or ~~or~~

26 46. Has committed a violation of subsection (j) of

1 Section 3-413 of this Code.

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

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

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

24 2. If the Secretary of State suspends the driver's
25 license of a person under subsection 2 of paragraph (a) of
26 this Section, a person's privilege to operate a vehicle as

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

25 The provisions of this subparagraph shall not apply to
26 any driver required to possess a CDL for the purpose of

1 operating a commercial motor vehicle.

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

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

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

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

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

26 (i) a single conviction of violating Section

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

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

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

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

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

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

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

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

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

24 (c-5) The Secretary of State may, as a condition of the
25 reissuance of a driver's license or permit to an applicant
26 whose driver's license or permit has been suspended before he

1 or she reached the age of 21 years pursuant to any of the
2 provisions of this Section, require the applicant to
3 participate in a driver remedial education course and be
4 retested under Section 6-109 of this Code.

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

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

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

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

20 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)

21 Sec. 11-204.1. Aggravated fleeing or attempting to elude a
22 peace officer.

23 (a) The offense of aggravated fleeing or attempting to
24 elude a peace officer is committed by any driver or operator of
25 a motor vehicle who flees or attempts to elude a peace officer,

1 after being given a visual or audible signal by a peace officer
2 in the manner prescribed in subsection (a) of Section 11-204 of
3 this Code, and such flight or attempt to elude:

4 (1) is at a rate of speed at least 21 miles per hour
5 over the legal speed limit;

6 (2) causes bodily injury to any individual;

7 (3) causes damage in excess of \$300 to property; ~~or~~

8 (4) involves disobedience of 2 or more official traffic
9 control devices; or ~~or~~

10 (5) involves the concealing or altering of the
11 vehicle's registration plate.

12 (b) Any person convicted of a first violation of this
13 Section shall be guilty of a Class 4 felony. Upon notice of
14 such a conviction the Secretary of State shall forthwith revoke
15 the driver's license of the person so convicted, as provided in
16 Section 6-205 of this Code. Any person convicted of a second or
17 subsequent violation of this Section shall be guilty of a Class
18 3 felony, and upon notice of such a conviction the Secretary of
19 State shall forthwith revoke the driver's license of the person
20 convicted, as provided in Section 6-205 of the Code.

21 (c) The motor vehicle used in a violation of this Section
22 is subject to seizure and forfeiture as provided in Sections
23 36-1 and 36-2 of the Criminal Code of 1961.

24 (Source: P.A. 96-328, eff. 8-11-09.)

25 (625 ILCS 5/11-1302) (from Ch. 95 1/2, par. 11-1302)

1 Sec. 11-1302. Officers authorized to remove vehicles. (a)
2 Whenever any police officer finds a vehicle in violation of any
3 of the provisions of Section 11-1301 such officer is hereby
4 authorized to move such vehicle, or require the driver or other
5 person in charge of the vehicle to move the same, to a position
6 off the roadway.

7 (b) Any police officer is hereby authorized to remove or
8 cause to be removed to a place of safety any unattended vehicle
9 illegally left standing upon any highway, bridge, causeway, or
10 in a tunnel, in such a position or under such circumstances as
11 to obstruct the normal movement of traffic.

12 Whenever the Department finds an abandoned or disabled
13 vehicle standing upon the paved or main-traveled part of a
14 highway, which vehicle is or may be expected to interrupt the
15 free flow of traffic on the highway or interfere with the
16 maintenance of the highway, the Department is authorized to
17 move the vehicle to a position off the paved or improved or
18 main-traveled part of the highway.

19 (c) Any police officer is hereby authorized to remove or
20 cause to be removed to the nearest garage or other place of
21 safety any vehicle found upon a highway when:

22 1. Report has been made that such vehicle has been stolen
23 or taken without the consent of its owner, or

24 2. The person or persons in charge of such vehicle are
25 unable to provide for its custody or removal, or

26 3. When the person driving or in control of such vehicle is

1 arrested for an alleged offense for which the officer is
2 required by law to take the person arrested before a proper
3 magistrate without unnecessary delay, or -

4 4. When the registration of the vehicle has been suspended,
5 cancelled, or revoked.

6 (Source: P.A. 79-1069.)

7 (625 ILCS 5/11-1403) (from Ch. 95 1/2, par. 11-1403)

8 Sec. 11-1403. Riding on motorcycles. (a) A person operating
9 a motorcycle shall ride only upon the permanent and regular
10 seat attached thereto, and such operator shall not carry any
11 other person nor shall any other person ride on a motorcycle
12 unless such motorcycle is designed to carry more than one
13 person, in which event a passenger may ride upon the permanent
14 and regular seat if designed for 2 persons, or upon another
15 seat firmly attached to the motorcycle at the rear or side of
16 the operator.

17 (b) A person shall ride upon a motorcycle only while
18 sitting astride the seat, facing forward, with one leg on each
19 side of the motorcycle.

20 (c) No person shall operate any motorcycle with handlebar
21 grips ~~handlebars~~ higher than the height of the head ~~shoulders~~
22 of the operator when the operator is seated in the normal
23 driving position astride that portion of the seat or saddle
24 occupied by the operator.

25 (d) The operator of any motorcycle shall keep at least one

1 hand on a handlebar grip at all times the motorcycle is in
2 motion.

3 (Source: P.A. 84-602.)

4 (625 ILCS 5/11-1403.2) (from Ch. 95 1/2, par. 11-1403.2)

5 Sec. 11-1403.2. Operating a motorcycle, motor driven
6 cycle, or moped on one wheel; aggravated operating a
7 motorcycle, motor driven cycle, or moped on one wheel.

8 (a) No person shall operate a motorcycle, motor driven
9 cycle, or moped on one wheel.

10 (b) Aggravated operating a motorcycle, motor driven cycle,
11 or moped on one wheel. A person commits aggravated operating a
12 motorcycle, motor driven cycle, or moped on one wheel when he
13 or she violates subsection (a) of this Section while committing
14 a violation of subsection (b) of Section 11-601 of this Code. A
15 violation of this subsection is a petty offense with a minimum
16 fine of \$100, except a second conviction of a violation of this
17 subsection is a Class B misdemeanor and a third or subsequent
18 conviction of a violation of this subsection is a Class A
19 misdemeanor.

20 (Source: P.A. 96-554, eff. 1-1-10.)

21 (625 ILCS 5/12-208) (from Ch. 95 1/2, par. 12-208)

22 Sec. 12-208. Signal lamps and signal devices.

23 (a) Every vehicle other than an antique vehicle displaying
24 an antique plate or an expanded-use antique vehicle displaying

1 expanded-use antique vehicle plates operated in this State
2 shall be equipped with a stop lamp or lamps on the rear of the
3 vehicle which shall display a red or amber light visible from a
4 distance of not less than 500 feet to the rear in normal
5 sunlight and which shall be actuated upon application of the
6 service (foot) brake, and which may but need not be
7 incorporated with other rear lamps. During times when lighted
8 lamps are not required, an antique vehicle or an expanded-use
9 antique vehicle may be equipped with a stop lamp or lamps on
10 the rear of such vehicle of the same type originally installed
11 by the manufacturer as original equipment and in working order.
12 However, at all other times, except as provided in subsection
13 (a-1), such antique vehicle or expanded-use antique vehicle
14 must be equipped with stop lamps meeting the requirements of
15 Section 12-208 of this Act.

16 (a-1) An antique vehicle or an expanded-use antique
17 vehicle, including an antique motorcycle, may display a blue
18 light or lights of up to one inch in diameter as part of the
19 vehicle's rear stop lamp or lamps.

20 (b) Every motor vehicle other than an antique vehicle
21 displaying an antique plate or an expanded-use antique vehicle
22 displaying expanded-use antique vehicle plates shall be
23 equipped with an electric turn signal device which shall
24 indicate the intention of the driver to turn to the right or to
25 the left in the form of flashing lights located at and showing
26 to the front and rear of the vehicle on the side of the vehicle

1 toward which the turn is to be made. The lamps showing to the
2 front shall be mounted on the same level and as widely spaced
3 laterally as practicable and, when signaling, shall emit a
4 white or amber light, or any shade of light between white and
5 amber. The lamps showing to the rear shall be mounted on the
6 same level and as widely spaced laterally as practicable and,
7 when signaling, shall emit a red or amber light. An antique
8 vehicle or expanded-use antique vehicle shall be equipped with
9 a turn signal device of the same type originally installed by
10 the manufacturer as original equipment and in working order.

11 (c) Every trailer and semitrailer shall be equipped with an
12 electric turn signal device which indicates the intention of
13 the driver in the power unit to turn to the right or to the left
14 in the form of flashing red or amber lights located at the rear
15 of the vehicle on the side toward which the turn is to be made
16 and mounted on the same level and as widely spaced laterally as
17 practicable.

18 (d) Turn signal lamps must be visible from a distance of
19 not less than 300 feet in normal sunlight.

20 (e) Motorcycles and motor-driven cycles need not be
21 equipped with electric turn signals. Antique vehicles and
22 expanded-use antique vehicles need not be equipped with turn
23 signals unless such were installed by the manufacturer as
24 original equipment.

25 (f) (Blank).

26 (g) Motorcycles and motor-driven cycles may be equipped

1 with a stop lamp or lamps on the rear of the vehicle that
2 display a red or amber light, visible from a distance of not
3 less than 500 feet to the rear in normal sunlight, that flashes
4 and becomes steady only when the brake is actuated.

5 (Source: P.A. 96-487, eff. 1-1-10; 97-412, eff. 1-1-12.)

6 (625 ILCS 5/12-610.5 rep.)

7 Section 10. The Illinois Vehicle Code is amended by
8 repealing Section 12-610.5.