



Sen. Donne E. Trotter

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1 AMENDMENT TO SENATE BILL 3452

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3452 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 2-111, 3-400, 3-413, 6-205, 6-206, 11-204.1,  
6 11-1302, 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

1 grounds to believe that any item or items listed in this  
2 Section should be seized shall take possession of the items and  
3 return them or cause them to be returned to ~~request~~ the  
4 Secretary of State ~~to take possession of such item or items.~~

5 (b) The Secretary of State is authorized to confiscate any  
6 suspected fraudulent, fictitious, or altered documents  
7 submitted by an applicant in support of an application for a  
8 driver's license or permit.

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

10 (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

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

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

18 "Apportionable Vehicle" means any vehicle, except  
19 recreational vehicles, vehicles displaying restricted plates,  
20 city pickup and delivery vehicles, buses used in transportation  
21 of chartered parties, and government owned vehicles that are  
22 used or intended for use in 2 or more member jurisdictions that  
23 allocate or proportionally register vehicles, in a fleet which  
24 is used for the transportation of persons for hire or the  
25 transportation of property and which has a gross vehicle weight

1 in excess of 26,000 pounds; or has three or more axles  
2 regardless of weight; or is used in combination when the weight  
3 of such combination exceeds 26,000 pounds gross vehicle weight.  
4 Vehicles, or combinations having a gross vehicle weight of  
5 26,000 pounds or less and two-axle vehicles may be  
6 proportionally registered at the option of such owner.

7 "Base Jurisdiction" means, for purposes of fleet  
8 registration, the jurisdiction where the registrant has an  
9 established place of business, where operational records of the  
10 fleet are maintained and where mileage is accrued by the fleet.  
11 In case a registrant operates more than one fleet, and  
12 maintains records for each fleet in different places, the "base  
13 jurisdiction" for a fleet shall be the jurisdiction where an  
14 established place of business is maintained, where records of  
15 the operation of that fleet are maintained and where mileage is  
16 accrued by that fleet.

17 "Operational Records" means documents supporting miles  
18 traveled in each jurisdiction and total miles traveled, such as  
19 fuel reports, trip leases, and logs.

20 Owner. A person who holds legal title of a motor vehicle,  
21 or in the event a motor vehicle is the subject of an agreement  
22 for the conditional sale or lease thereof with the right of  
23 purchase upon performance of the conditions stated in the  
24 agreement and with an immediate right of possession vested in  
25 the conditional vendee or lessee with right of purchase, or in  
26 the event a mortgagor of such motor vehicle is entitled to

1 possession, or in the event a lessee of such motor vehicle is  
2 entitled to possession or control, then such conditional vendee  
3 or lessee with right of purchase or mortgagor or lessee is  
4 considered to be the owner for the purpose of this Act.

5 "Registration plate cover" means any tinted, colored,  
6 painted, marked, clear, or illuminated object that is designed  
7 to (i) cover any of the characters of a motor vehicle's  
8 registration plate; or (ii) distort a recorded image of any of  
9 the characters of a motor vehicle's registration plate recorded  
10 by an automated enforcement system as defined in Section  
11 11-208.6, 11-208.8, or 11-1201.1 of this Code or recorded by an  
12 automated traffic control system as defined in Section 15 of  
13 the Automated Traffic Control Systems in Highway Construction  
14 or Maintenance Zones Act.

15 "Rental Owner" means an owner principally engaged, with  
16 respect to one or more rental fleets, in renting to others or  
17 offering for rental the vehicles of such fleets, without  
18 drivers.

19 "Restricted Plates" shall include but are not limited to  
20 dealer, manufacturer, transporter, farm, reposessor, and  
21 permanently mounted type plates. Vehicles displaying any of  
22 these type plates from a foreign jurisdiction that is a member  
23 of the International Registration Plan shall be granted  
24 reciprocity but shall be subject to the same limitations as  
25 similar plated Illinois registered vehicles.

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

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

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

4 (a) Registration plates issued for a motor vehicle other  
5 than a motorcycle, trailer, semitrailer, truck-tractor,  
6 apportioned bus, or apportioned truck shall be attached  
7 thereto, one in the front and one in the rear. The registration  
8 plate issued for a motorcycle, trailer or semitrailer required  
9 to be registered hereunder and any apportionment plate issued  
10 to a bus under the provisions of this Code shall be attached to  
11 the rear thereof. The registration plate issued for a  
12 truck-tractor or an apportioned truck required to be registered  
13 hereunder shall be attached to the front thereof.

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

1 plates as required by the Secretary of State, and be clearly  
2 visible at all times.

3 (c) Every drive-away permit issued pursuant to this Code  
4 shall be firmly attached to the motor vehicle in the manner  
5 prescribed by the Secretary of State. If a drive-away permit is  
6 affixed to a motor vehicle in any other manner the permit shall  
7 be void and of no effect.

8 (d) The Illinois prorated decal issued to a foreign  
9 registered vehicle part of a fleet prorated or apportioned with  
10 Illinois, shall be displayed on a registration plate and  
11 displayed on the front of such vehicle in the same manner as an  
12 Illinois registration plate.

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

16 (f) No person shall operate a vehicle, nor permit the  
17 operation of a vehicle, upon which is displayed an Illinois  
18 registration plate, plates or registration stickers after the  
19 termination of the registration period for which issued or  
20 after the expiration date set pursuant to Sections 3-414 and  
21 3-414.1 of this Code.

22 (g) A person may not operate any motor vehicle that is  
23 equipped with registration plate covers. A violation of this  
24 subsection (g) or a similar provision of a local ordinance is  
25 an offense against laws and ordinances regulating the movement  
26 of traffic.

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

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

7       (j) A person may not modify the original manufacturer's  
8 mounting location of the rear registration plate on any vehicle  
9 so as to conceal the registration or to knowingly cause it to  
10 be obstructed in an effort to hinder a peace officer from  
11 obtaining the registration for the enforcement of a violation  
12 of this Code, Section 27.1 of the Toll Highway Act concerning  
13 toll evasion, or any municipal ordinance. Modifications  
14 prohibited by this subsection (j) include but are not limited  
15 to the use of an electronic device. A violation of this  
16 subsection (j) is a Class A misdemeanor.

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

18 (625 ILCS 5/6-206)

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

21 (a) The Secretary of State is authorized to suspend or  
22 revoke the driving privileges of any person without preliminary  
23 hearing upon a showing of the person's records or other  
24 sufficient evidence that the person:

25       1. Has committed an offense for which mandatory

1 revocation of a driver's license or permit is required upon  
2 conviction;

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

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

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



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

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

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

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

12          9. Has made a false statement or knowingly concealed a  
13 material fact or has used false information or  
14 identification in any application for a license,  
15 identification card, or permit;

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

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

1           12. Has submitted to any portion of the application  
2 process for another person or has obtained the services of  
3 another person to submit to any portion of the application  
4 process for the purpose of obtaining a license,  
5 identification card, or permit for some other person;

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

9           14. Has committed a violation of Section 6-301,  
10 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
11 of the Illinois Identification Card Act;

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

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

18           17. Has refused to submit to a test, or tests, as  
19 required under Section 11-501.1 of this Code and the person  
20 has not sought a hearing as provided for in Section  
21 11-501.1;

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

25           19. Has committed a violation of paragraph (a) or (b)  
26 of Section 6-101 relating to driving without a driver's

1 license;

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

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

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

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

17 24. Has been convicted by a court-martial or punished  
18 by non-judicial punishment by military authorities of the  
19 United States at a military installation in Illinois of or  
20 for a traffic related offense that is the same as or  
21 similar to an offense specified under Section 6-205 or  
22 6-206 of this Code;

23 25. Has permitted any form of identification to be used  
24 by another in the application process in order to obtain or  
25 attempt to obtain a license, identification card, or  
26 permit;

1           26. Has altered or attempted to alter a license or has  
2 possessed an altered license, identification card, or  
3 permit;

4           27. Has violated Section 6-16 of the Liquor Control Act  
5 of 1934;

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

1 order the clerk of the court to report the violation to the  
2 Secretary of State;

3 29. Has been convicted of the following offenses that  
4 were committed while the person was operating or in actual  
5 physical control, as a driver, of a motor vehicle: criminal  
6 sexual assault, predatory criminal sexual assault of a  
7 child, aggravated criminal sexual assault, criminal sexual  
8 abuse, aggravated criminal sexual abuse, juvenile pimping,  
9 soliciting for a juvenile prostitute, promoting juvenile  
10 prostitution as described in subdivision (a)(1), (a)(2),  
11 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961,  
12 and the manufacture, sale or delivery of controlled  
13 substances or instruments used for illegal drug use or  
14 abuse in which case the driver's driving privileges shall  
15 be suspended for one year;

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

20 31. Has refused to submit to a test as required by  
21 Section 11-501.6 or has submitted to a test resulting in an  
22 alcohol concentration of 0.08 or more or any amount of a  
23 drug, substance, or compound resulting from the unlawful  
24 use or consumption of cannabis as listed in the Cannabis  
25 Control Act, a controlled substance as listed in the  
26 Illinois Controlled Substances Act, an intoxicating

1 compound as listed in the Use of Intoxicating Compounds  
2 Act, or methamphetamine as listed in the Methamphetamine  
3 Control and Community Protection Act, in which case the  
4 penalty shall be as prescribed in Section 6-208.1;

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

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

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

16 35. Has committed a violation of Section 11-1301.6 of  
17 this Code;

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

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

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

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

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

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

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

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

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

26           45. Has, in connection with or during the course of a

1 formal hearing conducted under Section 2-118 of this Code:  
2 (i) committed perjury; (ii) submitted fraudulent or  
3 falsified documents; (iii) submitted documents that have  
4 been materially altered; or (iv) submitted, as his or her  
5 own, documents that were in fact prepared or composed for  
6 another person; or -

7 46. Has committed a violation of subsection (j) of  
8 Section 3-413 of this Code.

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

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

25 (c) 1. Upon suspending or revoking the driver's license or  
26 permit of any person as authorized in this Section, the



1 Secretary of State shall immediately notify the person in  
2 writing of the revocation or suspension. The notice to be  
3 deposited in the United States mail, postage prepaid, to the  
4 last known address of the person.

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

1 privilege to drive any motor vehicle shall be suspended as  
2 set forth in the notice that was mailed under this Section.  
3 If an affidavit is received subsequent to the effective  
4 date of this suspension, a permit may be issued for the  
5 remainder of the suspension period.

6 The provisions of this subparagraph shall not apply to  
7 any driver required to possess a CDL for the purpose of  
8 operating a commercial motor vehicle.

9 Any person who falsely states any fact in the affidavit  
10 required herein shall be guilty of perjury under Section  
11 6-302 and upon conviction thereof shall have all driving  
12 privileges revoked without further rights.

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

1 petitioner's household to a medical facility, to receive  
2 necessary medical care, to allow the petitioner to  
3 transport himself or herself to and from alcohol or drug  
4 remedial or rehabilitative activity recommended by a  
5 licensed service provider, or to allow the petitioner to  
6 transport himself or herself or a family member of the  
7 petitioner's household to classes, as a student, at an  
8 accredited educational institution, or to allow the  
9 petitioner to transport children, elderly persons, or  
10 disabled persons who do not hold driving privileges and are  
11 living in the petitioner's household to and from daycare.  
12 The petitioner must demonstrate that no alternative means  
13 of transportation is reasonably available and that the  
14 petitioner will not endanger the public safety or welfare.  
15 Those multiple offenders identified in subdivision (b)4 of  
16 Section 6-208 of this Code, however, shall not be eligible  
17 for the issuance of a restricted driving permit.

18 (A) If a person's license or permit is revoked or  
19 suspended due to 2 or more convictions of violating  
20 Section 11-501 of this Code or a similar provision of a  
21 local ordinance or a similar out-of-state offense, or  
22 Section 9-3 of the Criminal Code of 1961, where the use  
23 of alcohol or other drugs is recited as an element of  
24 the offense, or a similar out-of-state offense, or a  
25 combination of these offenses, arising out of separate  
26 occurrences, that person, if issued a restricted

1 driving permit, may not operate a vehicle unless it has  
2 been equipped with an ignition interlock device as  
3 defined in Section 1-129.1.

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

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

14 (ii) a statutory summary suspension or  
15 revocation under Section 11-501.1; or

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

21 (C) The person issued a permit conditioned upon the  
22 use of an ignition interlock device must pay to the  
23 Secretary of State DUI Administration Fund an amount  
24 not to exceed \$30 per month. The Secretary shall  
25 establish by rule the amount and the procedures, terms,  
26 and conditions relating to these fees.

1           (D) If the restricted driving permit is issued for  
2 employment purposes, then the prohibition against  
3 operating a motor vehicle that is not equipped with an  
4 ignition interlock device does not apply to the  
5 operation of an occupational vehicle owned or leased by  
6 that person's employer when used solely for employment  
7 purposes.

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

1 cancelled, revoked, or suspended; except that a  
2 conviction upon one or more offenses against laws or  
3 ordinances regulating the movement of traffic shall be  
4 deemed sufficient cause for the revocation,  
5 suspension, or cancellation of a restricted driving  
6 permit. The Secretary of State may, as a condition to  
7 the issuance of a restricted driving permit, require  
8 the applicant to participate in a designated driver  
9 remedial or rehabilitative program. The Secretary of  
10 State is authorized to cancel a restricted driving  
11 permit if the permit holder does not successfully  
12 complete the program.

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

26 (c-4) In the case of a suspension under paragraph 43 of

1 subsection (a), the Secretary of State shall notify the person  
2 by mail that his or her driving privileges and driver's license  
3 will be suspended one month after the date of the mailing of  
4 the notice.

5 (c-5) The Secretary of State may, as a condition of the  
6 reissuance of a driver's license or permit to an applicant  
7 whose driver's license or permit has been suspended before he  
8 or she reached the age of 21 years pursuant to any of the  
9 provisions of this Section, require the applicant to  
10 participate in a driver remedial education course and be  
11 retested under Section 6-109 of this Code.

12 (d) This Section is subject to the provisions of the  
13 Drivers License Compact.

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

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

23 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;  
24 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.  
25 7-1-11; 96-1551, eff. 7-1-11; 97-229, eff. 7-28-11; 97-333,  
26 eff. 8-12-11; revised 9-15-11.)

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

2 Sec. 11-204.1. Aggravated fleeing or attempting to elude a  
3 peace officer.

4 (a) The offense of aggravated fleeing or attempting to  
5 elude a peace officer is committed by any driver or operator of  
6 a motor vehicle who flees or attempts to elude a peace officer,  
7 after being given a visual or audible signal by a peace officer  
8 in the manner prescribed in subsection (a) of Section 11-204 of  
9 this Code, and such flight or attempt to elude:

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

12 (2) causes bodily injury to any individual;

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

14 (4) involves disobedience of 2 or more official traffic  
15 control devices; or -

16 (5) involves the concealing or altering of the  
17 vehicle's registration plate.

18 (b) Any person convicted of a first violation of this  
19 Section shall be guilty of a Class 4 felony. Upon notice of  
20 such a conviction the Secretary of State shall forthwith revoke  
21 the driver's license of the person so convicted, as provided in  
22 Section 6-205 of this Code. Any person convicted of a second or  
23 subsequent violation of this Section shall be guilty of a Class  
24 3 felony, and upon notice of such a conviction the Secretary of  
25 State shall forthwith revoke the driver's license of the person



1 convicted, as provided in Section 6-205 of the Code.

2 (c) The motor vehicle used in a violation of this Section  
3 is subject to seizure and forfeiture as provided in Sections  
4 36-1 and 36-2 of the Criminal Code of 1961.

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

6 (625 ILCS 5/11-1302) (from Ch. 95 1/2, par. 11-1302)

7 Sec. 11-1302. Officers authorized to remove vehicles. (a)  
8 Whenever any police officer finds a vehicle in violation of any  
9 of the provisions of Section 11-1301 such officer is hereby  
10 authorized to move such vehicle, or require the driver or other  
11 person in charge of the vehicle to move the same, to a position  
12 off the roadway.

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

18 Whenever the Department finds an abandoned or disabled  
19 vehicle standing upon the paved or main-traveled part of a  
20 highway, which vehicle is or may be expected to interrupt the  
21 free flow of traffic on the highway or interfere with the  
22 maintenance of the highway, the Department is authorized to  
23 move the vehicle to a position off the paved or improved or  
24 main-traveled part of the highway.

25 (c) Any police officer is hereby authorized to remove or

1 cause to be removed to the nearest garage or other place of  
2 safety any vehicle found upon a highway when:

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

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

7 3. When the person driving or in control of such vehicle is  
8 arrested for an alleged offense for which the officer is  
9 required by law to take the person arrested before a proper  
10 magistrate without unnecessary delay, or -

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

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

14 (625 ILCS 5/11-1403) (from Ch. 95 1/2, par. 11-1403)

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

24 (b) A person shall ride upon a motorcycle only while  
25 sitting astride the seat, facing forward, with one leg on each

1 side of the motorcycle.

2 (c) No person shall operate any motorcycle with handlebar  
3 grips ~~handlebars~~ higher than the height of the head ~~shoulders~~  
4 of the operator when the operator is seated in the normal  
5 driving position astride that portion of the seat or saddle  
6 occupied by the operator.

7 (d) The operator of any motorcycle shall keep at least one  
8 hand on a handlebar grip at all times the motorcycle is in  
9 motion.

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

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

12 Sec. 11-1403.2. Operating a motorcycle, motor driven  
13 cycle, or moped on one wheel; aggravated operating a  
14 motorcycle, motor driven cycle, or moped on one wheel.

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

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

1 misdemeanor.

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

3 (625 ILCS 5/12-208) (from Ch. 95 1/2, par. 12-208)

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

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

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

1           (b) Every motor vehicle other than an antique vehicle  
2 displaying an antique plate or an expanded-use antique vehicle  
3 displaying expanded-use antique vehicle plates shall be  
4 equipped with an electric turn signal device which shall  
5 indicate the intention of the driver to turn to the right or to  
6 the left in the form of flashing lights located at and showing  
7 to the front and rear of the vehicle on the side of the vehicle  
8 toward which the turn is to be made. The lamps showing to the  
9 front shall be mounted on the same level and as widely spaced  
10 laterally as practicable and, when signaling, shall emit a  
11 white or amber light, or any shade of light between white and  
12 amber. The lamps showing to the rear shall be mounted on the  
13 same level and as widely spaced laterally as practicable and,  
14 when signaling, shall emit a red or amber light. An antique  
15 vehicle or expanded-use antique vehicle shall be equipped with  
16 a turn signal device of the same type originally installed by  
17 the manufacturer as original equipment and in working order.

18           (c) Every trailer and semitrailer shall be equipped with an  
19 electric turn signal device which indicates the intention of  
20 the driver in the power unit to turn to the right or to the left  
21 in the form of flashing red or amber lights located at the rear  
22 of the vehicle on the side toward which the turn is to be made  
23 and mounted on the same level and as widely spaced laterally as  
24 practicable.

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

1 (e) Motorcycles and motor-driven cycles need not be  
2 equipped with electric turn signals. Antique vehicles and  
3 expanded-use antique vehicles need not be equipped with turn  
4 signals unless such were installed by the manufacturer as  
5 original equipment.

6 (f) (Blank).

7 (g) Motorcycles and motor-driven cycles may be equipped  
8 with a stop lamp or lamps on the rear of the vehicle that  
9 display a red or amber light, visible from a distance of not  
10 less than 500 feet to the rear in normal sunlight, that flashes  
11 and becomes steady only when the brake is actuated.

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

13 (625 ILCS 5/12-610.5 rep.)

14 Section 10. The Illinois Vehicle Code is amended by  
15 repealing Section 12-610.5."