

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 Section 6-103 and by adding Section 6-107.5 as follows:

6 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

7 Sec. 6-103. What persons shall not be licensed as drivers
8 or granted permits. The Secretary of State shall not issue,
9 renew, or allow the retention of any driver's license nor issue
10 any permit under this Code:

11 1. To any person, as a driver, who is under the age of
12 18 years except as provided in Section 6-107, and except
13 that an instruction permit may be issued under Section
14 6-107.1 to a child who is not less than 15 years of age if
15 the child is enrolled in an approved driver education
16 course as defined in Section 1-103 of this Code and
17 requires an instruction permit to participate therein,
18 except that an instruction permit may be issued under the
19 provisions of Section 6-107.1 to a child who is 17 years
20 and 3 months of age without the child having enrolled in an
21 approved driver education course and except that an
22 instruction permit may be issued to a child who is at least
23 15 years and 3 months of age, is enrolled in school, meets

1 the educational requirements of the Driver Education Act,
2 and has passed examinations the Secretary of State in his
3 or her discretion may prescribe;

4 1.5. To any person at least 18 years of age but less
5 than 21 years of age unless the person has, in addition to
6 any other requirements of this Code, successfully
7 completed an adult driver education course as provided in
8 Section 6-107.5 of this Code.

9 2. To any person who is under the age of 18 as an
10 operator of a motorcycle other than a motor driven cycle
11 unless the person has, in addition to meeting the
12 provisions of Section 6-107 of this Code, successfully
13 completed a motorcycle training course approved by the
14 Illinois Department of Transportation and successfully
15 completes the required Secretary of State's motorcycle
16 driver's examination;

17 3. To any person, as a driver, whose driver's license
18 or permit has been suspended, during the suspension, nor to
19 any person whose driver's license or permit has been
20 revoked, except as provided in Sections 6-205, 6-206, and
21 6-208;

22 4. To any person, as a driver, who is a user of alcohol
23 or any other drug to a degree that renders the person
24 incapable of safely driving a motor vehicle;

25 5. To any person, as a driver, who has previously been
26 adjudged to be afflicted with or suffering from any mental

1 or physical disability or disease and who has not at the
2 time of application been restored to competency by the
3 methods provided by law;

4 6. To any person, as a driver, who is required by the
5 Secretary of State to submit an alcohol and drug evaluation
6 or take an examination provided for in this Code unless the
7 person has successfully passed the examination and
8 submitted any required evaluation;

9 7. To any person who is required under the provisions
10 of the laws of this State to deposit security or proof of
11 financial responsibility and who has not deposited the
12 security or proof;

13 8. To any person when the Secretary of State has good
14 cause to believe that the person by reason of physical or
15 mental disability would not be able to safely operate a
16 motor vehicle upon the highways, unless the person shall
17 furnish to the Secretary of State a verified written
18 statement, acceptable to the Secretary of State, from a
19 competent medical specialist, a licensed physician
20 assistant who has been delegated the performance of medical
21 examinations by his or her supervising physician, or a
22 licensed advanced practice nurse who has a written
23 collaborative agreement with a collaborating physician
24 which authorizes him or her to perform medical
25 examinations, to the effect that the operation of a motor
26 vehicle by the person would not be inimical to the public

1 safety;

2 9. To any person, as a driver, who is 69 years of age
3 or older, unless the person has successfully complied with
4 the provisions of Section 6-109;

5 10. To any person convicted, within 12 months of
6 application for a license, of any of the sexual offenses
7 enumerated in paragraph 2 of subsection (b) of Section
8 6-205;

9 11. To any person who is under the age of 21 years with
10 a classification prohibited in paragraph (b) of Section
11 6-104 and to any person who is under the age of 18 years
12 with a classification prohibited in paragraph (c) of
13 Section 6-104;

14 12. To any person who has been either convicted of or
15 adjudicated under the Juvenile Court Act of 1987 based upon
16 a violation of the Cannabis Control Act, the Illinois
17 Controlled Substances Act, or the Methamphetamine Control
18 and Community Protection Act while that person was in
19 actual physical control of a motor vehicle. For purposes of
20 this Section, any person placed on probation under Section
21 10 of the Cannabis Control Act, Section 410 of the Illinois
22 Controlled Substances Act, or Section 70 of the
23 Methamphetamine Control and Community Protection Act shall
24 not be considered convicted. Any person found guilty of
25 this offense, while in actual physical control of a motor
26 vehicle, shall have an entry made in the court record by

1 the judge that this offense did occur while the person was
2 in actual physical control of a motor vehicle and order the
3 clerk of the court to report the violation to the Secretary
4 of State as such. The Secretary of State shall not issue a
5 new license or permit for a period of one year;

6 13. To any person who is under the age of 18 years and
7 who has committed the offense of operating a motor vehicle
8 without a valid license or permit in violation of Section
9 6-101 or a similar out of state offense;

10 14. To any person who is 90 days or more delinquent in
11 court ordered child support payments or has been
12 adjudicated in arrears in an amount equal to 90 days'
13 obligation or more and who has been found in contempt of
14 court for failure to pay the support, subject to the
15 requirements and procedures of Article VII of Chapter 7 of
16 the Illinois Vehicle Code;

17 14.5. To any person certified by the Illinois
18 Department of Healthcare and Family Services as being 90
19 days or more delinquent in payment of support under an
20 order of support entered by a court or administrative body
21 of this or any other State, subject to the requirements and
22 procedures of Article VII of Chapter 7 of this Code
23 regarding those certifications;

24 15. To any person released from a term of imprisonment
25 for violating Section 9-3 of the Criminal Code of 1961 or
26 the Criminal Code of 2012, or a similar provision of a law

1 of another state relating to reckless homicide or for
2 violating subparagraph (F) of paragraph (1) of subsection
3 (d) of Section 11-501 of this Code relating to aggravated
4 driving under the influence of alcohol, other drug or
5 drugs, intoxicating compound or compounds, or any
6 combination thereof, if the violation was the proximate
7 cause of a death, within 24 months of release from a term
8 of imprisonment;

9 16. To any person who, with intent to influence any act
10 related to the issuance of any driver's license or permit,
11 by an employee of the Secretary of State's Office, or the
12 owner or employee of any commercial driver training school
13 licensed by the Secretary of State, or any other individual
14 authorized by the laws of this State to give driving
15 instructions or administer all or part of a driver's
16 license examination, promises or tenders to that person any
17 property or personal advantage which that person is not
18 authorized by law to accept. Any persons promising or
19 tendering such property or personal advantage shall be
20 disqualified from holding any class of driver's license or
21 permit for 120 consecutive days. The Secretary of State
22 shall establish by rule the procedures for implementing
23 this period of disqualification and the procedures by which
24 persons so disqualified may obtain administrative review
25 of the decision to disqualify;

26 17. To any person for whom the Secretary of State

1 cannot verify the accuracy of any information or
2 documentation submitted in application for a driver's
3 license; or

4 18. To any person who has been adjudicated under the
5 Juvenile Court Act of 1987 based upon an offense that is
6 determined by the court to have been committed in
7 furtherance of the criminal activities of an organized
8 gang, as provided in Section 5-710 of that Act, and that
9 involved the operation or use of a motor vehicle or the use
10 of a driver's license or permit. The person shall be denied
11 a license or permit for the period determined by the court.

12 The Secretary of State shall retain all conviction
13 information, if the information is required to be held
14 confidential under the Juvenile Court Act of 1987.

15 (Source: P.A. 96-607, eff. 8-24-09; 96-740, eff. 1-1-10;
16 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-185, eff.
17 7-22-11; 97-1150, eff. 1-25-13.)

18 (625 ILCS 5/6-107.5 new)

19 Sec. 6-107.5. Adult Driver Education Course.

20 (a) The Secretary shall establish by rule the curriculum
21 and designate the materials to be used in an adult driver
22 education course. The course shall be at least 6 hours in
23 length and shall include instruction on traffic laws; highway
24 signs, signals, and markings that regulate, warn, or direct
25 traffic; and issues commonly associated with motor vehicle

1 accidents including poor decision-making, risk taking,
2 impaired driving, distraction, speed, failure to use a safety
3 belt, driving at night, failure to yield the right-of-way,
4 texting while driving, using wireless communication devices,
5 and alcohol and drug awareness. The curriculum shall not
6 require the operation of a motor vehicle.

7 (b) The Secretary shall certify course providers. The
8 requirements to be a certified course provider, the process for
9 applying for certification, and the procedure for decertifying
10 a course provider shall be established by rule.

11 (c) The Secretary may permit a course provider to offer the
12 course online, if the Secretary is satisfied the course
13 provider has established adequate procedures for verifying:

14 (1) the identity of the person taking the course
15 online; and

16 (2) the person completes the entire course.

17 (d) The Secretary shall establish a method of electronic
18 verification of a student's successful completion of the
19 course.

20 (e) The fee charged by the course provider must bear a
21 reasonable relationship to the cost of the course. The
22 Secretary shall post on the Secretary of State's website a list
23 of approved course providers, the fees charged by the
24 providers, and contact information for each provider.

25 (f) In addition to any other fee charged by the course
26 provider, the course provider shall collect a fee of \$5 from

1 each student to offset the costs incurred by the Secretary in
2 administering this program. The \$5 shall be submitted to the
3 Secretary within 14 days of the day on which it was collected.
4 All such fees received by the Secretary shall be deposited in
5 the Secretary of State Driver Services Administration Fund.

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7 Section 99. Effective date. This Act takes effect July 1,
8 2014.