



Rep. John D'Amico

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LRB098 03611 MLW 43201 a

1 AMENDMENT TO HOUSE BILL 772

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 772 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-103 and by adding Section 6-107.5 as  
6 follows:

7 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

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

12 1. To any person, as a driver, who is under the age of  
13 18 years except as provided in Section 6-107, and except  
14 that an instruction permit may be issued under Section  
15 6-107.1 to a child who is not less than 15 years of age if  
16 the child is enrolled in an approved driver education

1 course as defined in Section 1-103 of this Code and  
2 requires an instruction permit to participate therein,  
3 except that an instruction permit may be issued under the  
4 provisions of Section 6-107.1 to a child who is 17 years  
5 and 3 months of age without the child having enrolled in an  
6 approved driver education course and except that an  
7 instruction permit may be issued to a child who is at least  
8 15 years and 3 months of age, is enrolled in school, meets  
9 the educational requirements of the Driver Education Act,  
10 and has passed examinations the Secretary of State in his  
11 or her discretion may prescribe;

12 1.5. To any person at least 18 years of age but less  
13 than 21 years of age unless the person has, in addition to  
14 any other requirements of this Code, successfully  
15 completed an adult driver education course as provided in  
16 Section 6-107.5 of this Code.

17 2. To any person who is under the age of 18 as an  
18 operator of a motorcycle other than a motor driven cycle  
19 unless the person has, in addition to meeting the  
20 provisions of Section 6-107 of this Code, successfully  
21 completed a motorcycle training course approved by the  
22 Illinois Department of Transportation and successfully  
23 completes the required Secretary of State's motorcycle  
24 driver's examination;

25 3. To any person, as a driver, whose driver's license  
26 or permit has been suspended, during the suspension, nor to

1 any person whose driver's license or permit has been  
2 revoked, except as provided in Sections 6-205, 6-206, and  
3 6-208;

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

7 5. To any person, as a driver, who has previously been  
8 adjudged to be afflicted with or suffering from any mental  
9 or physical disability or disease and who has not at the  
10 time of application been restored to competency by the  
11 methods provided by law;

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

17 7. To any person who is required under the provisions  
18 of the laws of this State to deposit security or proof of  
19 financial responsibility and who has not deposited the  
20 security or proof;

21 8. To any person when the Secretary of State has good  
22 cause to believe that the person by reason of physical or  
23 mental disability would not be able to safely operate a  
24 motor vehicle upon the highways, unless the person shall  
25 furnish to the Secretary of State a verified written  
26 statement, acceptable to the Secretary of State, from a

1           competent medical specialist, a licensed physician  
2           assistant who has been delegated the performance of medical  
3           examinations by his or her supervising physician, or a  
4           licensed advanced practice nurse who has a written  
5           collaborative agreement with a collaborating physician  
6           which authorizes him or her to perform medical  
7           examinations, to the effect that the operation of a motor  
8           vehicle by the person would not be inimical to the public  
9           safety;

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

13           10. To any person convicted, within 12 months of  
14           application for a license, of any of the sexual offenses  
15           enumerated in paragraph 2 of subsection (b) of Section  
16           6-205;

17           11. To any person who is under the age of 21 years with  
18           a classification prohibited in paragraph (b) of Section  
19           6-104 and to any person who is under the age of 18 years  
20           with a classification prohibited in paragraph (c) of  
21           Section 6-104;

22           12. To any person who has been either convicted of or  
23           adjudicated under the Juvenile Court Act of 1987 based upon  
24           a violation of the Cannabis Control Act, the Illinois  
25           Controlled Substances Act, or the Methamphetamine Control  
26           and Community Protection Act while that person was in

1 actual physical control of a motor vehicle. For purposes of  
2 this Section, any person placed on probation under Section  
3 10 of the Cannabis Control Act, Section 410 of the Illinois  
4 Controlled Substances Act, or Section 70 of the  
5 Methamphetamine Control and Community Protection Act shall  
6 not be considered convicted. Any person found guilty of  
7 this offense, while in actual physical control of a motor  
8 vehicle, shall have an entry made in the court record by  
9 the judge that this offense did occur while the person was  
10 in actual physical control of a motor vehicle and order the  
11 clerk of the court to report the violation to the Secretary  
12 of State as such. The Secretary of State shall not issue a  
13 new license or permit for a period of one year;

14 13. To any person who is under the age of 18 years and  
15 who has committed the offense of operating a motor vehicle  
16 without a valid license or permit in violation of Section  
17 6-101 or a similar out of state offense;

18 14. To any person who is 90 days or more delinquent in  
19 court ordered child support payments or has been  
20 adjudicated in arrears in an amount equal to 90 days'  
21 obligation or more and who has been found in contempt of  
22 court for failure to pay the support, subject to the  
23 requirements and procedures of Article VII of Chapter 7 of  
24 the Illinois Vehicle Code;

25 14.5. To any person certified by the Illinois  
26 Department of Healthcare and Family Services as being 90

1 days or more delinquent in payment of support under an  
2 order of support entered by a court or administrative body  
3 of this or any other State, subject to the requirements and  
4 procedures of Article VII of Chapter 7 of this Code  
5 regarding those certifications;

6 15. To any person released from a term of imprisonment  
7 for violating Section 9-3 of the Criminal Code of 1961 or  
8 the Criminal Code of 2012, or a similar provision of a law  
9 of another state relating to reckless homicide or for  
10 violating subparagraph (F) of paragraph (1) of subsection  
11 (d) of Section 11-501 of this Code relating to aggravated  
12 driving under the influence of alcohol, other drug or  
13 drugs, intoxicating compound or compounds, or any  
14 combination thereof, if the violation was the proximate  
15 cause of a death, within 24 months of release from a term  
16 of imprisonment;

17 16. To any person who, with intent to influence any act  
18 related to the issuance of any driver's license or permit,  
19 by an employee of the Secretary of State's Office, or the  
20 owner or employee of any commercial driver training school  
21 licensed by the Secretary of State, or any other individual  
22 authorized by the laws of this State to give driving  
23 instructions or administer all or part of a driver's  
24 license examination, promises or tenders to that person any  
25 property or personal advantage which that person is not  
26 authorized by law to accept. Any persons promising or

1 tendering such property or personal advantage shall be  
2 disqualified from holding any class of driver's license or  
3 permit for 120 consecutive days. The Secretary of State  
4 shall establish by rule the procedures for implementing  
5 this period of disqualification and the procedures by which  
6 persons so disqualified may obtain administrative review  
7 of the decision to disqualify;

8 17. To any person for whom the Secretary of State  
9 cannot verify the accuracy of any information or  
10 documentation submitted in application for a driver's  
11 license; or

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

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

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

1 (625 ILCS 5/6-107.5 new)

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

3 (a) The Secretary shall establish by rule the curriculum  
4 and designate the materials to be used in an adult driver  
5 education course. The course shall be at least 6 hours in  
6 length and shall include instruction on traffic laws; highway  
7 signs, signals, and markings that regulate, warn, or direct  
8 traffic; and issues commonly associated with motor vehicle  
9 accidents including poor decision-making, risk taking,  
10 impaired driving, distraction, speed, failure to use a safety  
11 belt, driving at night, failure to yield the right-of-way,  
12 texting while driving, using wireless communication devices,  
13 and alcohol and drug awareness.

14 (b) The Secretary shall certify course providers. The  
15 requirements to be a certified course provider, the process for  
16 applying for certification, and the procedure for decertifying  
17 a course provider shall be established by rule.

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

21 (1) the identity of the person taking the course  
22 online; and

23 (2) the person completes the entire course.

24 (d) The Secretary shall establish a method of electronic  
25 verification of a student's successful completion of the  
26 course.



1       (e) The fee charged by the course provider must bear a  
2 reasonable relationship to the cost of the course. The  
3 Secretary shall post on the Secretary of State's website a list  
4 of approved course providers, the fees charged by the  
5 providers, and contact information for each provider.

6       (f) In addition to any other fee charged by the course  
7 provider, the course provider shall collect a fee of \$5 from  
8 each student to offset the costs incurred by the Secretary in  
9 administering this program. The \$5 shall be submitted to the  
10 Secretary within 14 days of the day on which it was collected.  
11 All such fees received by the Secretary shall be deposited in  
12 the Secretary of State Drivers Administration Fund.

13  
14       Section 99. Effective date. This Act takes effect July 1,  
15 2014.".