



Rep. Jim Durkin

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09800HB3153ham001

LRB098 08571 MLW 42831 a

1 AMENDMENT TO HOUSE BILL 3153

2 AMENDMENT NO. _____. Amend House Bill 3153 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-105.1 as follows:

6 (625 ILCS 5/6-105.1)

7 (Text of Section before amendment by P.A. 97-1157)

8 Sec. 6-105.1. Temporary visitor's driver's license.

9 (a) The Secretary of State may issue a temporary visitor's
10 driver's license to a foreign national who (i) resides in this
11 State, (ii) is ineligible to obtain a social security number,
12 and (iii) presents to the Secretary documentation, issued by
13 United States Citizenship and Immigration Services,
14 authorizing the person's presence in this country.

15 (b) A temporary visitor's driver's license is valid for 3
16 years, or for the period of time the individual is authorized

1 to remain in this country, whichever ends sooner.

2 (c) The Secretary shall adopt rules for implementing this
3 Section, including rules regarding the design and content of
4 the temporary visitor's driver's license.

5 (Source: P.A. 93-752, eff. 1-1-05.)

6 (Text of Section after amendment by P.A. 97-1157)

7 Sec. 6-105.1. Temporary visitor's driver's license.

8 (a) The Secretary of State may issue a temporary visitor's
9 driver's license to a foreign national who (i) resides in this
10 State, (ii) is ineligible to obtain a social security number,
11 and (iii) presents to the Secretary documentation, issued by
12 United States Citizenship and Immigration Services,
13 authorizing the person's presence in this country.

14 (a-5) The Secretary of State may issue a temporary
15 visitor's driver's license to an applicant who (i) has resided
16 in this State for a period in excess of one year, (ii) is
17 ineligible to obtain a social security number, and (iii) is
18 unable to present documentation issued by the United States
19 Citizenship and Immigration Services authorizing the person's
20 presence in this country. The applicant shall submit a valid
21 unexpired passport from the applicant's country of citizenship
22 or a valid unexpired consular identification document issued by
23 a consulate of that country as defined in Section 5 of the
24 Consular Identification Document Act (5 ILCS 230/5).

25 (a-10) Applicants for a temporary visitor's driver's

1 license who are under 18 years of age at the time of
2 application shall be subject to the provisions of Sections
3 6-107 and 6-108 of this Code.

4 (a-15) The Secretary of State shall require that each
5 applicant, as part of the application process for a temporary
6 visitor's driver's license, submit his or her fingerprints to
7 the Department of State Police in the form and manner
8 prescribed by the Department of State Police. The fingerprints
9 will be searched against the Illinois State Police and Federal
10 Bureau of Investigation criminal history records databases.
11 The applicant shall be required to pay all related
12 fingerprinting fees as established by rule including, but not
13 limited to, the amounts established by the Department of State
14 Police and the Federal Bureau of Investigation to process
15 fingerprint based criminal background investigations. All fees
16 paid for fingerprint processing services under this Section
17 shall be deposited into the State Police Services Fund for
18 costs incurred in processing the fingerprint based criminal
19 background investigation. The Department of State Police shall
20 provide all conviction information authorized by law or federal
21 statute, now and hereafter filed against the applicant, to the
22 Secretary of State.

23 (b) A temporary visitor's driver's license issued under
24 subsection (a) is valid for 3 years, or for the period of time
25 the individual is authorized to remain in this country,
26 whichever ends sooner. A temporary visitor's driver's license

1 issued under subsection (a-5) shall be valid for a period of 3
2 years.

3 (b-5) A temporary visitor's driver's license issued under
4 this Section may not be accepted for proof of the holder's
5 identity. A temporary visitor's driver's license issued under
6 this Section shall contain a notice on its face, in capitalized
7 letters, stating that the temporary visitor's driver's license
8 may not be accepted for proof of identity.

9 (c) The Secretary shall adopt rules for implementing this
10 Section, including rules:

11 (1) regarding the design and content of the temporary
12 visitor's driver's license;

13 (2) establishing criteria for proof of identification
14 and residency of an individual applying under subsection
15 (a-5);

16 (3) designating acceptable evidence that an applicant
17 is not eligible for a social security number; and

18 (4) regarding the issuance of temporary visitor's
19 instruction permits.

20 (d) Any person to whom the Secretary of State may issue a
21 temporary visitor's driver's license shall be subject to any
22 and all provisions of this Code and any and all implementing
23 regulations issued by the Secretary of State to the same extent
24 as any person issued a driver's license, unless otherwise
25 provided in this Code or by administrative rule, including but
26 not limited to the examination requirements in Section 6-109 as

1 well as the mandatory insurance requirements and penalties set
2 forth in Article VI of Chapter 7 of this Code.

3 (d-5) A temporary visitor's driver's license is invalid if
4 the holder is unable to provide proof of liability insurance as
5 required by Section 7-601 of this Code upon the request of a
6 law enforcement officer, in which case the holder commits a
7 violation of Section 6-101 of this Code.

8 (e) Temporary visitor's driver's licenses shall be issued
9 from a central location after the Secretary of State has
10 verified the information provided by the applicant.

11 (f) There is created in the State treasury a special fund
12 to be known as the Driver Services Administration Fund. All
13 fees collected for the issuance of temporary visitor's driver's
14 licenses shall be deposited into the Fund. These funds shall,
15 subject to appropriation, be used by the Office of the
16 Secretary of State for costs related to the issuance of
17 temporary visitor's driver's licenses, and other operational
18 costs, including personnel, facilities, computer programming,
19 and data transmission.

20 (Source: P.A. 97-1157, eff. 11-28-13.)

21 Section 95. No acceleration or delay. Where this Act makes
22 changes in a statute that is represented in this Act by text
23 that is not yet or no longer in effect (for example, a Section
24 represented by multiple versions), the use of that text does
25 not accelerate or delay the taking effect of (i) the changes

1 made by this Act or (ii) provisions derived from any other
2 Public Act.

3 Section 99. Effective date. This Act takes effect January
4 1, 2014.".