



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB4422

by Rep. Charles E. Jefferson

#### SYNOPSIS AS INTRODUCED:

15 ILCS 335/4A  
625 ILCS 5/6-206  
625 ILCS 5/6-521

from Ch. 124, par. 24A  
from Ch. 95 1/2, par. 6-521

Amends the Illinois Identification Card Act. Expands the definition of disability to include oncological impairments. Amends the Illinois Vehicle Code. Provides that the Secretary of State may suspend or revoke the driving privileges of a person that has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States in another state for a traffic related offense that would be sufficient to merit suspension or revocation of driving privileges under the Illinois Vehicle Code. Removes the ability and requirement of the Secretary State to adopt rules for restricted commercial driver's licenses limited to operation of a school bus, which was replaced by the School Bus Driver's Permit. Effective January 1, 2015.

LRB098 19486 MLW 54658 b

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 Identification Card Act is amended  
5 by changing Section 4A as follows:

6 (15 ILCS 335/4A) (from Ch. 124, par. 24A)

7 Sec. 4A. (a) "Person with a disability" as used in this Act  
8 means any person who is, and who is expected to indefinitely  
9 continue to be, subject to any of the following five types of  
10 disabilities:

11 Type One: Physical disability. A physical disability is a  
12 physical impairment, disease, or loss, which is of a permanent  
13 nature, and which substantially limits physical ability or  
14 motor skills. The Secretary of State shall establish standards  
15 not inconsistent with this provision necessary to determine the  
16 presence of a physical disability.

17 Type Two: Developmental disability. Developmental  
18 disability means a disability that is attributable to: (i) an  
19 intellectual disability, cerebral palsy, epilepsy, or autism  
20 or (ii) any other condition that results in impairment similar  
21 to that caused by an intellectual disability and requires  
22 services similar to those required by persons with intellectual  
23 disabilities. Such a disability must originate before the age

1 of 18 years, be expected to continue indefinitely, and  
2 constitute a substantial handicap. The Secretary of State shall  
3 establish standards not inconsistent with this provision  
4 necessary to determine the presence of a developmental  
5 disability.

6       Type Three: Visual disability. A visual disability is  
7 blindness, and the term "blindness" means central vision acuity  
8 of 20/200 or less in the better eye with the use of a  
9 correcting lens. An eye that is accompanied by a limitation in  
10 the fields of vision so that the widest diameter of the visual  
11 field subtends an angle no greater than 20 degrees shall be  
12 considered as having a central vision acuity of 20/200 or less.  
13 The Secretary of State shall establish standards not  
14 inconsistent with this Section necessary to determine the  
15 presence of a visual disability.

16       Type Four: Hearing disability. A hearing disability is a  
17 disability resulting in complete absence of hearing, or hearing  
18 that with sound enhancing or magnifying equipment is so  
19 impaired as to require the use of sensory input other than  
20 hearing as the principal means of receiving spoken language.  
21 The Secretary of State shall establish standards not  
22 inconsistent with this Section necessary to determine the  
23 presence of a hearing disability.

24       Type Five: Mental Disability. A mental disability is a  
25 significant impairment of an individual's cognitive,  
26 affective, or relational abilities that may require

1 intervention and may be a recognized, medically diagnosable  
2 illness or disorder. The Secretary of State shall establish  
3 standards not inconsistent with this provision necessary to  
4 determine the presence of a mental disability.

5 (b) For purposes of this Act, a disability shall be  
6 classified as follows: Class 1 disability: A Class 1 disability  
7 is any type disability which does not render a person unable to  
8 engage in any substantial gainful activity or which does not  
9 impair his ability to live independently or to perform labor or  
10 services for which he is qualified. The Secretary of State  
11 shall establish standards not inconsistent with this Section  
12 necessary to determine the presence of a Class 1 disability.  
13 Class 1A disability: A Class 1A disability is a Class 1  
14 disability which renders a person unable to walk 200 feet or  
15 more unassisted by another person or without the aid of a  
16 walker, crutches, braces, prosthetic device or a wheelchair or  
17 without great difficulty or discomfort due to the following  
18 impairments: neurologic, orthopedic, oncological, respiratory,  
19 cardiac, arthritic disorder, blindness, or the loss of function  
20 or absence of a limb or limbs. The Secretary of State shall  
21 establish standards not inconsistent with this Section  
22 necessary to determine the presence of a Class 1A disability.  
23 Class 2 disability: A Class 2 disability is any type disability  
24 which renders a person unable to engage in any substantial  
25 gainful activity, which substantially impairs his ability to  
26 live independently without supervision or in-home support

1 services, or which substantially impairs his ability to perform  
2 labor or services for which he is qualified or significantly  
3 restricts the labor or services which he is able to perform.  
4 The Secretary of State shall establish standards not  
5 inconsistent with this Section necessary to determine the  
6 presence of a Class 2 disability. Class 2A disability: A Class  
7 2A disability is a Class 2 disability which renders a person  
8 unable to walk 200 feet or more unassisted by another person or  
9 without the aid of a walker, crutches, braces, prosthetic  
10 device or a wheelchair or without great difficulty or  
11 discomfort due to the following impairments: neurologic,  
12 orthopedic, oncological, respiratory, cardiac, arthritic  
13 disorder, blindness, or the loss of function or absence of a  
14 limb or limbs. The Secretary of State shall establish standards  
15 not inconsistent with this Section necessary to determine the  
16 presence of a Class 2A disability.

17 (Source: P.A. 97-227, eff. 1-1-12; 97-1064, eff. 1-1-13.)

18 Section 10. The Illinois Vehicle Code is amended by  
19 changing Sections 6-206 and 6-521 as follows:

20 (625 ILCS 5/6-206)

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

23 (a) The Secretary of State is authorized to suspend or  
24 revoke the driving privileges of any person without preliminary

1 hearing upon a showing of the person's records or other  
2 sufficient evidence that the person:

3 1. Has committed an offense for which mandatory  
4 revocation of a driver's license or permit is required upon  
5 conviction;

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

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

19 4. Has by the unlawful operation of a motor vehicle  
20 caused or contributed to an accident resulting in injury  
21 requiring immediate professional treatment in a medical  
22 facility or doctor's office to any person, except that any  
23 suspension or revocation imposed by the Secretary of State  
24 under the provisions of this subsection shall start no  
25 later than 6 months after being convicted of violating a  
26 law or ordinance regulating the movement of traffic, which

1 violation is related to the accident, or shall start not  
2 more than one year after the date of the accident,  
3 whichever date occurs later;

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

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

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

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

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

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

22 11. Has operated a motor vehicle upon a highway of this  
23 State when the person's driving privilege or privilege to  
24 obtain a driver's license or permit was revoked or  
25 suspended unless the operation was authorized by a  
26 monitoring device driving permit, judicial driving permit

1 issued prior to January 1, 2009, probationary license to  
2 drive, or a restricted driving permit issued under this  
3 Code;

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

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

12 14. Has committed a violation of Section 6-301,  
13 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
14 of the Illinois Identification Card Act;

15 15. Has been convicted of violating Section 21-2 of the  
16 Criminal Code of 1961 or the Criminal Code of 2012 relating  
17 to criminal trespass to vehicles in which case, the  
18 suspension shall be for one year;

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

21 17. Has refused to submit to a test, or tests, as  
22 required under Section 11-501.1 of this Code and the person  
23 has not sought a hearing as provided for in Section  
24 11-501.1;

25 18. Has, since issuance of a driver's license or  
26 permit, been adjudged to be afflicted with or suffering



1 from any mental disability or disease;

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

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

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

11 22. Has used a motor vehicle in violating paragraph  
12 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
13 the Criminal Code of 1961 or the Criminal Code of 2012  
14 relating to unlawful use of weapons, in which case the  
15 suspension shall be for one year;

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

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

26 25. Has permitted any form of identification to be used

1 by another in the application process in order to obtain or  
2 attempt to obtain a license, identification card, or  
3 permit;

4 26. Has altered or attempted to alter a license or has  
5 possessed an altered license, identification card, or  
6 permit;

7 27. Has violated Section 6-16 of the Liquor Control Act  
8 of 1934;

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

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

1 child, aggravated criminal sexual assault, criminal sexual  
2 abuse, aggravated criminal sexual abuse, juvenile pimping,  
3 soliciting for a juvenile prostitute, promoting juvenile  
4 prostitution as described in subdivision (a)(1), (a)(2),  
5 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961  
6 or the Criminal Code of 2012, and the manufacture, sale or  
7 delivery of controlled substances or instruments used for  
8 illegal drug use or abuse in which case the driver's  
9 driving privileges shall be suspended for one year;

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

14 31. Has refused to submit to a test as required by  
15 Section 11-501.6 of this Code or Section 5-16c of the Boat  
16 Registration and Safety Act or has submitted to a test  
17 resulting in an alcohol concentration of 0.08 or more or  
18 any amount of a drug, substance, or compound resulting from  
19 the unlawful use or consumption of cannabis as listed in  
20 the Cannabis Control Act, a controlled substance as listed  
21 in the Illinois Controlled Substances Act, an intoxicating  
22 compound as listed in the Use of Intoxicating Compounds  
23 Act, or methamphetamine as listed in the Methamphetamine  
24 Control and Community Protection Act, in which case the  
25 penalty shall be as prescribed in Section 6-208.1;

26 32. Has been convicted of Section 24-1.2 of the

1 Criminal Code of 1961 or the Criminal Code of 2012 relating  
2 to the aggravated discharge of a firearm if the offender  
3 was located in a motor vehicle at the time the firearm was  
4 discharged, in which case the suspension shall be for 3  
5 years;

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

10 34. Has committed a violation of Section 11-1301.5 of  
11 this Code or a similar provision of a local ordinance;

12 35. Has committed a violation of Section 11-1301.6 of  
13 this Code or a similar provision of a local ordinance;

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

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

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

26 39. Has committed a second or subsequent violation of

1 Section 11-1201 of this Code;

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

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

9 42. Has committed a violation of subsection (a-1) of  
10 Section 11-1301.3 of this Code or a similar provision of a  
11 local ordinance;

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

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

23 45. Has, in connection with or during the course of a  
24 formal hearing conducted under Section 2-118 of this Code:  
25 (i) committed perjury; (ii) submitted fraudulent or  
26 falsified documents; (iii) submitted documents that have

1           been materially altered; or (iv) submitted, as his or her  
2           own, documents that were in fact prepared or composed for  
3           another person;

4           46. Has committed a violation of subsection (j) of  
5           Section 3-413 of this Code; or

6           47. Has committed a violation of Section 11-502.1 of  
7           this Code.

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

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

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

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

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

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

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

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

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



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

17 (A) If a person's license or permit is revoked or  
18 suspended due to 2 or more convictions of violating  
19 Section 11-501 of this Code or a similar provision of a  
20 local ordinance or a similar out-of-state offense, or  
21 Section 9-3 of the Criminal Code of 1961 or the  
22 Criminal Code of 2012, where the use of alcohol or  
23 other drugs is recited as an element of the offense, or  
24 a similar out-of-state offense, or a combination of  
25 these offenses, arising out of separate occurrences,  
26 that person, if issued a restricted driving permit, may

1 not operate a vehicle unless it has been equipped with  
2 an ignition interlock device as defined in Section  
3 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 or the  
11 Criminal Code of 2012, where the use of alcohol or  
12 other drugs is recited as an element of the  
13 offense, or a similar out-of-state 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 or the Criminal Code of 2012, where the  
19 use of alcohol or other drugs is recited as an element  
20 of the offense, or any similar out-of-state offense, or  
21 any combination of those offenses, until the  
22 expiration of at least one year from the date of the  
23 revocation. A restricted driving permit issued under  
24 this Section shall be subject to cancellation,  
25 revocation, and suspension by the Secretary of State in  
26 like manner and for like cause as a driver's license

1 issued under this Code may be cancelled, revoked, or  
2 suspended; except that a conviction upon one or more  
3 offenses against laws or ordinances regulating the  
4 movement of traffic shall be deemed sufficient cause  
5 for the revocation, suspension, or cancellation of a  
6 restricted driving permit. The Secretary of State may,  
7 as a condition to the issuance of a restricted driving  
8 permit, require the applicant to participate in a  
9 designated driver remedial or rehabilitative program.  
10 The Secretary of State is authorized to cancel a  
11 restricted driving permit if the permit holder does not  
12 successfully 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. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11;  
24 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13;  
25 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff.  
26 1-1-14; 98-122, eff. 1-1-14; revised 9-19-13.)

1 (625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

2 Sec. 6-521. Rulemaking Authority.

3 (a) The Secretary of State, using the authority to license  
4 motor vehicle operators under this Code, may adopt such rules  
5 and regulations as may be necessary to establish standards,  
6 policies and procedures for the licensing and sanctioning of  
7 commercial motor vehicle drivers in order to meet the  
8 requirements of the Commercial Motor Vehicle Act of 1986  
9 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part 383  
10 or Part 1572; and administrative and policy decisions of the  
11 U.S. Secretary of Transportation and the Federal Motor Carrier  
12 Safety Administration. The Secretary may, as provided in the  
13 CMVSA, establish stricter requirements for the licensing of  
14 commercial motor vehicle drivers than those established by the  
15 federal government.

16 (b) By January 1, 1994, the Secretary of State shall  
17 establish rules and regulations for the issuance of a  
18 restricted commercial driver's license for farm-related  
19 service industries consistent with federal guidelines. The  
20 restricted license shall be available for a seasonal period or  
21 periods not to exceed a total of 180 days in any 12 month  
22 period.

23 (c) (Blank). ~~By July 1, 1995, the Secretary of State shall~~  
24 ~~establish rules and regulations, to be consistent with federal~~  
25 ~~guidelines, for the issuance and cancellation or withdrawal of~~

1 ~~a restricted commercial driver's license that is limited to the~~  
2 ~~operation of a school bus. A driver whose restricted commercial~~  
3 ~~driver's license has been cancelled or withdrawn may contest~~  
4 ~~the sanction by requesting a hearing pursuant to Section 2-118~~  
5 ~~of this Code. The cancellation or withdrawal of the restricted~~  
6 ~~commercial driver's license shall remain in effect pending the~~  
7 ~~outcome of that hearing.~~

8 (d) By July 1, 1995, the Secretary of State shall establish  
9 rules and regulations for the issuance and cancellation of a  
10 School Bus Driver's Permit. The permit shall be required for  
11 the operation of a school bus as provided in subsection (c), a  
12 non-restricted CDL with passenger endorsement, or a properly  
13 classified driver's license. The permit will establish that the  
14 school bus driver has met all the requirements of the  
15 application and screening process established by Section  
16 6-106.1 of this Code.

17 (Source: P.A. 95-382, eff. 8-23-07.)

18 Section 99. Effective date. This Act takes effect January  
19 1, 2015.