



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5895

by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-113

from Ch. 95 1/2, par. 6-113

Amends the Illinois Vehicle Code. Provides that persons using vision aid arrangements other than standard eyeglasses or contact lenses may apply for a special restricted training permit that will permit them to operate a motor vehicle between sunset and 10:00 p.m. for 6 months, provided they are accompanied by a person holding a valid driver's license without nighttime operation restrictions. Provides that persons applying for this permit must, at a minimum, (1) possess a valid driver's license and have operated a motor vehicle during daylight hours for a period of 6 months using vision aid arrangements other than standard eyeglasses or contact lenses and (2) have a driving record that does not include any traffic accidents that occurred during nighttime hours, for which the person has not been found to be at fault during the 6 months prior to application. Provides that the Secretary may adopt rules defining additional terms and conditions for the issuance and renewal of these permits.

LRB098 16859 MLW 51932 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 Vehicle Code is amended by changing
5 Section 6-113 as follows:

6 (625 ILCS 5/6-113) (from Ch. 95 1/2, par. 6-113)

7 Sec. 6-113. Restricted licenses and permits.

8 (a) The Secretary of State upon issuing a drivers license
9 or permit shall have the authority whenever good cause appears
10 to impose restrictions suitable to the licensee's driving
11 ability with respect to the type of, or special mechanical
12 control devices required on, a motor vehicle which the licensee
13 may operate or such other restrictions applicable to the
14 licensee as the Secretary of State may determine to be
15 appropriate to assure the safe operation of a motor vehicle by
16 the licensee.

17 (b) The Secretary of State may either issue a special
18 restricted license or permit or may set forth such restrictions
19 upon the usual license or permit form.

20 (c) The Secretary of State may issue a probationary license
21 to a person whose driving privileges have been suspended
22 pursuant to subsection (d) of this Section or subsection (a) (2)
23 of Section 6-206 of this Code. This subsection (c) does not

1 apply to any driver required to possess a CDL for the purpose
2 of operating a commercial motor vehicle. The Secretary of State
3 shall promulgate rules pursuant to the Illinois Administrative
4 Procedure Act, setting forth the conditions and criteria for
5 the issuance and cancellation of probationary licenses.

6 (d) The Secretary of State may upon receiving satisfactory
7 evidence of any violation of the restrictions of such license
8 or permit suspend, revoke or cancel the same without
9 preliminary hearing, but the licensee or permittee shall be
10 entitled to a hearing as in the case of a suspension or
11 revocation.

12 (e) It is unlawful for any person to operate a motor
13 vehicle in any manner in violation of the restrictions imposed
14 on a restricted license or permit issued to him.

15 (f) Whenever the holder of a restricted driving permit is
16 issued a citation for any of the following offenses including
17 similar local ordinances, the restricted driving permit is
18 immediately invalidated:

19 1. Reckless homicide resulting from the operation of a
20 motor vehicle;

21 2. Violation of Section 11-501 of this Act relating to
22 the operation of a motor vehicle while under the influence
23 of intoxicating liquor or narcotic drugs;

24 3. Violation of Section 11-401 of this Act relating to
25 the offense of leaving the scene of a traffic accident
26 involving death or injury;

1 4. Violation of Section 11-504 of this Act relating to
2 the offense of drag racing; or

3 5. Violation of Section 11-506 of this Act relating to
4 the offense of street racing.

5 The police officer issuing the citation shall confiscate
6 the restricted driving permit and forward it, along with the
7 citation, to the Clerk of the Circuit Court of the county in
8 which the citation was issued.

9 (g) The Secretary of State may issue a special restricted
10 license for a period of 12 months to individuals using vision
11 aid arrangements other than standard eyeglasses or contact
12 lenses, allowing the operation of a motor vehicle during
13 nighttime hours. The Secretary of State shall adopt rules
14 defining the terms and conditions by which the individual may
15 obtain and renew this special restricted license. At a minimum,
16 all drivers must meet the following requirements:

17 1. Possess a valid driver's license and have operated a
18 motor vehicle during daylight hours for a period of 12
19 months using vision aid arrangements other than standard
20 eyeglasses or contact lenses.

21 2. Have a driving record that does not include any
22 traffic accidents that occurred during nighttime hours,
23 for which the driver has been found to be at fault, during
24 the 12 months before he or she applied for the special
25 restricted license.

26 3. Successfully complete a road test administered

1 during nighttime hours.

2 At a minimum, all drivers renewing this license must meet
3 the following requirements:

4 1. Successfully complete a road test administered
5 during nighttime hours.

6 2. Have a driving record that does not include any
7 traffic accidents that occurred during nighttime hours,
8 for which the driver has been found to be at fault, during
9 the 12 months before he or she applied for the special
10 restricted license.

11 (h) Any driver issued a special restricted license as
12 defined in subsection (g) whose privilege to drive during
13 nighttime hours has been suspended due to an accident occurring
14 during nighttime hours may request a hearing as provided in
15 Section 2-118 of this Code to contest that suspension. If it is
16 determined that the accident for which the driver was at fault
17 was not influenced by the driver's use of vision aid
18 arrangements other than standard eyeglasses or contact lenses,
19 the Secretary may reinstate that driver's privilege to drive
20 during nighttime hours.

21 (i) The Secretary of State may issue a special restricted
22 training permit for a period of 6 months to individuals using
23 vision aid arrangements other than standard eyeglasses or
24 contact lenses, allowing the operation of a motor vehicle
25 between sunset and 10:00 p.m. provided the driver is
26 accompanied by a person holding a valid driver's license

1 without nighttime operation restrictions. The Secretary may
2 adopt rules defining the terms and conditions by which the
3 individual may obtain and renew this special restricted
4 training permit. At a minimum, all persons applying for a
5 special restricted training permit must meet the following
6 requirements:

7 1. Possess a valid driver's license and have operated a
8 motor vehicle during daylight hours for a period of 6
9 months using vision aid arrangements other than standard
10 eyeglasses or contact lenses.

11 2. Have a driving record that does not include any
12 traffic accidents that occurred during nighttime hours,
13 for which the person has not been found to be at fault,
14 during the 6 months before he or she applied for the
15 special restricted training permit.

16 (Source: P.A. 97-229, eff. 7-28-11.)