



Sen. Pat McGuire

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LRB098 08452 MLW 42428 a

1 AMENDMENT TO SENATE BILL 1757

2 AMENDMENT NO. _____. Amend Senate Bill 1757 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 1-111.6, 1-115.3, 1-204.4, 2-119, 6-101,
6 6-118, 6-201, 6-204, 6-207, 6-500, 6-502, 6-503, 6-506, 6-507,
7 6-508, 6-508.1, 6-509, 6-510, 6-511, 6-512, 6-513, 6-514,
8 6-518, 6-523, and 6-704 and by adding Sections 1-110.1a,
9 1-111.7a, 1-148.5a, 6-507.5, and 6-512.5 as follows:

10 (625 ILCS 5/1-110.1a new)

11 Sec. 1-110.1a. CDL Driver. A person holding a CDL or a
12 person required to hold a CDL.

13 (625 ILCS 5/1-111.6)

14 Sec. 1-111.6. Commercial driver's license (CDL). A license
15 issued to an individual by a state or other jurisdiction of

1 domicile, in accordance with the standards contained in 49
2 C.F.R. Part 383, ~~to an individual~~ which authorizes the
3 individual to operate a class of a commercial motor vehicle.
4 (Source: P.A. 95-382, eff. 8-23-07.)

5 (625 ILCS 5/1-111.7a new)

6 Sec. 1-111.7a. Commercial Learner's Permit (CLP). A permit
7 issued to an individual by a state or other jurisdiction of
8 domicile, in accordance with the standards contained in 49
9 C.F.R. Part 383, which, when carried with a valid driver's
10 license issued by the same state or jurisdiction of domicile,
11 authorizes the individual to operate a class of commercial
12 motor vehicle when accompanied by a holder of a valid CDL for
13 purposes of behind-the-wheel training. When issued to a CDL
14 holder, a CLP serves as authorization for accompanied
15 behind-the-wheel training in a commercial motor vehicle for
16 which the holder's current CDL is not valid.

17 (625 ILCS 5/1-115.3)

18 Sec. 1-115.3. Disqualification. Disqualification means any
19 of the following 3 actions:

20 (a) The suspension, revocation, or cancellation of a CLP or
21 CDL by the State or jurisdiction of issuance.

22 (b) Any withdrawal of a person's privileges to drive a
23 commercial motor vehicle by a State or other jurisdiction as a
24 result of a violation of State or local law relating to motor

1 vehicle traffic control (other than parking, vehicle weight or
2 vehicle defect violations).

3 (c) A determination by the Federal Motor Carrier Safety
4 Administration that a person is not qualified to operate a
5 commercial motor vehicle under 49 C.F.R. Part 391.

6 (Source: P.A. 94-307, eff. 9-30-05.)

7 (625 ILCS 5/1-148.5a new)

8 Sec. 1-148.5a. Non-CDL. Any other type of motor vehicle
9 license, such as an automobile driver's license or a motorcycle
10 license.

11 (625 ILCS 5/1-204.4)

12 Sec. 1-204.4. Tank vehicle. Any commercial motor vehicle
13 that is designed to transport any liquid or gaseous material
14 within a tank or tanks having an individual rated capacity of
15 more than 119 gallons and an aggregate rated capacity of 1,000
16 gallons or more that is either permanently or temporarily
17 attached to the vehicle or the chassis. A commercial motor
18 vehicle transporting an empty storage container tank, not
19 designed for transportation, with a rated capacity of 1,000
20 gallons or more that is temporarily attached to a flatbed
21 trailer is not considered a tank vehicle. ~~These vehicles~~
22 ~~include, but are not limited to, cargo tanks and portable~~
23 ~~tanks, as defined in 49 C.F.R. Part 171. However, for the~~
24 ~~purposes of Article V of Chapter 6 of this Code, this~~

1 ~~definition does not include portable tanks having a rated~~
2 ~~capacity of less than 1,000 gallons.~~

3 (Source: P.A. 90-89, eff. 1-1-98.)

4 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

5 Sec. 2-119. Disposition of fees and taxes.

6 (a) All moneys received from Salvage Certificates shall be
7 deposited in the Common School Fund in the State Treasury.

8 (b) Beginning January 1, 1990 and concluding December 31,
9 1994, of the money collected for each certificate of title,
10 duplicate certificate of title and corrected certificate of
11 title, \$0.50 shall be deposited into the Used Tire Management
12 Fund. Beginning January 1, 1990 and concluding December 31,
13 1994, of the money collected for each certificate of title,
14 duplicate certificate of title and corrected certificate of
15 title, \$1.50 shall be deposited in the Park and Conservation
16 Fund.

17 Beginning January 1, 1995, of the money collected for each
18 certificate of title, duplicate certificate of title and
19 corrected certificate of title, \$3.25 shall be deposited in the
20 Park and Conservation Fund. The moneys deposited in the Park
21 and Conservation Fund pursuant to this Section shall be used
22 for the acquisition and development of bike paths as provided
23 for in Section 805-420 of the Department of Natural Resources
24 (Conservation) Law (20 ILCS 805/805-420). The monies deposited
25 into the Park and Conservation Fund under this subsection shall

1 not be subject to administrative charges or chargebacks unless
2 otherwise authorized by this Act.

3 Beginning January 1, 2000, of the moneys collected for each
4 certificate of title, duplicate certificate of title, and
5 corrected certificate of title, \$48 shall be deposited into the
6 Road Fund and \$4 shall be deposited into the Motor Vehicle
7 License Plate Fund, except that if the balance in the Motor
8 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
9 of a calendar month, then during the next calendar month the \$4
10 shall instead be deposited into the Road Fund.

11 Beginning January 1, 2005, of the moneys collected for each
12 delinquent vehicle registration renewal fee, \$20 shall be
13 deposited into the General Revenue Fund.

14 Except as otherwise provided in this Code, all remaining
15 moneys collected for certificates of title, and all moneys
16 collected for filing of security interests, shall be placed in
17 the General Revenue Fund in the State Treasury.

18 (c) All moneys collected for that portion of a driver's
19 license fee designated for driver education under Section 6-118
20 shall be placed in the Driver Education Fund in the State
21 Treasury.

22 (d) Beginning January 1, 1999, of the monies collected as a
23 registration fee for each motorcycle, motor driven cycle and
24 moped, 27% of each annual registration fee for such vehicle and
25 27% of each semiannual registration fee for such vehicle is
26 deposited in the Cycle Rider Safety Training Fund.

1 (e) Of the monies received by the Secretary of State as
2 registration fees or taxes or as payment of any other fee, as
3 provided in this Act, except fees received by the Secretary
4 under paragraph (7) of subsection (b) of Section 5-101 and
5 Section 5-109 of this Code, 37% shall be deposited into the
6 State Construction Fund.

7 (f) Of the total money collected for a commercial learner's
8 permit (CLP) ~~CDL instruction permit~~ or original or renewal
9 issuance of a commercial driver's license (CDL) pursuant to the
10 Uniform Commercial Driver's License Act (UCDLA): (i) \$6 of the
11 total fee for an original or renewal CDL, and \$6 of the total
12 CLP ~~CDL instruction permit~~ fee when such permit is issued to
13 any person holding a valid Illinois driver's license, shall be
14 paid into the CDLIS/AAMVANet Trust Fund (Commercial Driver's
15 License Information System/American Association of Motor
16 Vehicle Administrators network Trust Fund) and shall be used
17 for the purposes provided in Section 6z-23 of the State Finance
18 Act and (ii) \$20 of the total fee for an original or renewal
19 CDL or CLP ~~commercial driver instruction permit~~ shall be paid
20 into the Motor Carrier Safety Inspection Fund, which is hereby
21 created as a special fund in the State Treasury, to be used by
22 the Department of State Police, subject to appropriation, to
23 hire additional officers to conduct motor carrier safety
24 inspections pursuant to Chapter 18b of this Code.

25 (g) All remaining moneys received by the Secretary of State
26 as registration fees or taxes or as payment of any other fee,

1 as provided in this Act, except fees received by the Secretary
2 under paragraph (7) (A) of subsection (b) of Section 5-101 and
3 Section 5-109 of this Code, shall be deposited in the Road Fund
4 in the State Treasury. Moneys in the Road Fund shall be used
5 for the purposes provided in Section 8.3 of the State Finance
6 Act.

7 (h) (Blank).

8 (i) (Blank).

9 (j) (Blank).

10 (k) There is created in the State Treasury a special fund
11 to be known as the Secretary of State Special License Plate
12 Fund. Money deposited into the Fund shall, subject to
13 appropriation, be used by the Office of the Secretary of State
14 (i) to help defray plate manufacturing and plate processing
15 costs for the issuance and, when applicable, renewal of any new
16 or existing registration plates authorized under this Code and
17 (ii) for grants made by the Secretary of State to benefit
18 Illinois Veterans Home libraries.

19 On or before October 1, 1995, the Secretary of State shall
20 direct the State Comptroller and State Treasurer to transfer
21 any unexpended balance in the Special Environmental License
22 Plate Fund, the Special Korean War Veteran License Plate Fund,
23 and the Retired Congressional License Plate Fund to the
24 Secretary of State Special License Plate Fund.

25 (l) The Motor Vehicle Review Board Fund is created as a
26 special fund in the State Treasury. Moneys deposited into the

1 Fund under paragraph (7) of subsection (b) of Section 5-101 and
2 Section 5-109 shall, subject to appropriation, be used by the
3 Office of the Secretary of State to administer the Motor
4 Vehicle Review Board, including without limitation payment of
5 compensation and all necessary expenses incurred in
6 administering the Motor Vehicle Review Board under the Motor
7 Vehicle Franchise Act.

8 (m) Effective July 1, 1996, there is created in the State
9 Treasury a special fund to be known as the Family
10 Responsibility Fund. Moneys deposited into the Fund shall,
11 subject to appropriation, be used by the Office of the
12 Secretary of State for the purpose of enforcing the Family
13 Financial Responsibility Law.

14 (n) The Illinois Fire Fighters' Memorial Fund is created as
15 a special fund in the State Treasury. Moneys deposited into the
16 Fund shall, subject to appropriation, be used by the Office of
17 the State Fire Marshal for construction of the Illinois Fire
18 Fighters' Memorial to be located at the State Capitol grounds
19 in Springfield, Illinois. Upon the completion of the Memorial,
20 moneys in the Fund shall be used in accordance with Section
21 3-634.

22 (o) Of the money collected for each certificate of title
23 for all-terrain vehicles and off-highway motorcycles, \$17
24 shall be deposited into the Off-Highway Vehicle Trails Fund.

25 (p) For audits conducted on or after July 1, 2003 pursuant
26 to Section 2-124(d) of this Code, 50% of the money collected as

1 audit fees shall be deposited into the General Revenue Fund.

2 (Source: P.A. 96-554, eff. 1-1-10; 97-1136, eff. 1-1-13.)

3 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

4 Sec. 6-101. Drivers must have licenses or permits.

5 (a) No person, except those expressly exempted by Section
6 6-102, shall drive any motor vehicle upon a highway in this
7 State unless such person has a valid license or permit, or a
8 restricted driving permit, issued under the provisions of this
9 Act.

10 (b) No person shall drive a motor vehicle unless he holds a
11 valid license or permit, or a restricted driving permit issued
12 under the provisions of Section 6-205, 6-206, or 6-113 of this
13 Act. Any person to whom a license is issued under the
14 provisions of this Act must surrender to the Secretary of State
15 all valid licenses or permits, except that an applicant for a
16 non-domiciled commercial learner's permit or commercial
17 driver's license shall not be required to surrender a license
18 or permit issued by the applicant's state or country of
19 domicile. No drivers license or instruction permit shall be
20 issued to any person who holds a valid Foreign State license,
21 identification card, or permit unless such person first
22 surrenders to the Secretary of State any such valid Foreign
23 State license, identification card, or permit.

24 (b-5) Any person who commits a violation of subsection (a)
25 or (b) of this Section is guilty of a Class A misdemeanor, if

1 at the time of the violation the person's driver's license or
2 permit was cancelled under clause (a)9 of Section 6-201 of this
3 Code.

4 (c) Any person licensed as a driver hereunder shall not be
5 required by any city, village, incorporated town or other
6 municipal corporation to obtain any other license to exercise
7 the privilege thereby granted.

8 (d) In addition to other penalties imposed under this
9 Section, any person in violation of this Section who is also in
10 violation of Section 7-601 of this Code relating to mandatory
11 insurance requirements shall have his or her motor vehicle
12 immediately impounded by the arresting law enforcement
13 officer. The motor vehicle may be released to any licensed
14 driver upon a showing of proof of insurance for the motor
15 vehicle that was impounded and the notarized written consent
16 for the release by the vehicle owner.

17 (e) In addition to other penalties imposed under this
18 Section, the vehicle of any person in violation of this Section
19 who is also in violation of Section 7-601 of this Code relating
20 to mandatory insurance requirements and who, in violating this
21 Section, has caused death or personal injury to another person
22 is subject to forfeiture under Sections 36-1 and 36-2 of the
23 Criminal Code of 2012. For the purposes of this Section, a
24 personal injury shall include any type A injury as indicated on
25 the traffic accident report completed by a law enforcement
26 officer that requires immediate professional attention in

1 either a doctor's office or a medical facility. A type A injury
 2 shall include severely bleeding wounds, distorted extremities,
 3 and injuries that require the injured party to be carried from
 4 the scene.

5 (Source: P.A. 97-229, eff. 7-28-11; 97-1150, eff. 1-25-13.)

6 (625 ILCS 5/6-118)

7 Sec. 6-118. Fees.

8 (a) The fee for licenses and permits under this Article is
 9 as follows:

10	Original driver's license	\$30
11	Original or renewal driver's license	
12	issued to 18, 19 and 20 year olds	5
13	All driver's licenses for persons	
14	age 69 through age 80	5
15	All driver's licenses for persons	
16	age 81 through age 86	2
17	All driver's licenses for persons	
18	age 87 or older	0
19	Renewal driver's license (except for	
20	applicants ages 18, 19 and 20 or	
21	age 69 and older)	30
22	Original instruction permit issued to	
23	persons (except those age 69 and older)	
24	who do not hold or have not previously	
25	held an Illinois instruction permit or	

1 driver's license 20

2 Instruction permit issued to any person

3 holding an Illinois driver's license

4 who wishes a change in classifications,

5 other than at the time of renewal 5

6 Any instruction permit issued to a person

7 age 69 and older 5

8 Instruction permit issued to any person,

9 under age 69, not currently holding a

10 valid Illinois driver's license or

11 instruction permit but who has

12 previously been issued either document

13 in Illinois 10

14 Restricted driving permit 8

15 Monitoring device driving permit 8

16 Duplicate or corrected driver's license

17 or permit 5

18 Duplicate or corrected restricted

19 driving permit 5

20 Duplicate or corrected monitoring

21 device driving permit 5

22 Duplicate driver's license or permit issued to

23 an active-duty member of the

24 United States Armed Forces,

25 the member's spouse, or

26 the dependent children living

1 with the member 0
 2 Original or renewal M or L endorsement..... 5

3 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

4 The fees for commercial driver licenses and permits
 5 under Article V shall be as follows:

6 Commercial driver's license:

7 \$6 for the CDLIS/AAMVAnet Trust Fund
 8 (Commercial Driver's License Information
 9 System/American Association of Motor Vehicle
 10 Administrators network Trust Fund);
 11 \$20 for the Motor Carrier Safety Inspection Fund;
 12 \$10 for the driver's license;
 13 and \$24 for the CDL: \$60

14 Renewal commercial driver's license:

15 \$6 for the CDLIS/AAMVAnet Trust Fund;
 16 \$20 for the Motor Carrier Safety Inspection Fund;
 17 \$10 for the driver's license; and
 18 \$24 for the CDL: \$60

19 Commercial learner's ~~driver instruction~~ permit

20 issued to any person holding a valid
 21 Illinois driver's license for the
 22 purpose of changing to a
 23 CDL classification: \$6 for the
 24 CDLIS/AAMVAnet Trust Fund;
 25 \$20 for the Motor Carrier
 26 Safety Inspection Fund; and

1	\$24 for the CDL classification	\$50
2	Commercial <u>learner's</u> driver instruction permit	
3	issued to any person holding a valid	
4	Illinois CDL for the purpose of	
5	making a change in a classification,	
6	endorsement or restriction	\$5
7	CDL duplicate or corrected license	\$5

8 In order to ensure the proper implementation of the Uniform
9 Commercial Driver License Act, Article V of this Chapter, the
10 Secretary of State is empowered to pro-rate the \$24 fee for the
11 commercial driver's license proportionate to the expiration
12 date of the applicant's Illinois driver's license.

13 The fee for any duplicate license or permit shall be waived
14 for any person who presents the Secretary of State's office
15 with a police report showing that his license or permit was
16 stolen.

17 The fee for any duplicate license or permit shall be waived
18 for any person age 60 or older whose driver's license or permit
19 has been lost or stolen.

20 No additional fee shall be charged for a driver's license,
21 or for a commercial driver's license, when issued to the holder
22 of an instruction permit for the same classification or type of
23 license who becomes eligible for such license.

24 (b) Any person whose license or privilege to operate a
25 motor vehicle in this State has been suspended or revoked under
26 Section 3-707, any provision of Chapter 6, Chapter 11, or

1 Section 7-205, 7-303, or 7-702 of the Family Financial
2 Responsibility Law of this Code, shall in addition to any other
3 fees required by this Code, pay a reinstatement fee as follows:

4	Suspension under Section 3-707	\$100
5	Summary suspension under Section 11-501.1	\$250
6	Summary revocation under Section 11-501.1	\$500
7	Other suspension	\$70
8	Revocation	\$500

9 However, any person whose license or privilege to operate a
10 motor vehicle in this State has been suspended or revoked for a
11 second or subsequent time for a violation of Section 11-501 or
12 11-501.1 of this Code or a similar provision of a local
13 ordinance or a similar out-of-state offense or Section 9-3 of
14 the Criminal Code of 1961 or the Criminal Code of 2012 and each
15 suspension or revocation was for a violation of Section 11-501
16 or 11-501.1 of this Code or a similar provision of a local
17 ordinance or a similar out-of-state offense or Section 9-3 of
18 the Criminal Code of 1961 or the Criminal Code of 2012 shall
19 pay, in addition to any other fees required by this Code, a
20 reinstatement fee as follows:

21	Summary suspension under Section 11-501.1	\$500
22	Summary revocation under Section 11-501.1	\$500
23	Revocation	\$500

24 (c) All fees collected under the provisions of this Chapter
25 6 shall be paid into the Road Fund in the State Treasury except
26 as follows:

1 1. The following amounts shall be paid into the Driver
2 Education Fund:

3 (A) \$16 of the \$20 fee for an original driver's
4 instruction permit;

5 (B) \$5 of the \$30 fee for an original driver's
6 license;

7 (C) \$5 of the \$30 fee for a 4 year renewal driver's
8 license;

9 (D) \$4 of the \$8 fee for a restricted driving
10 permit; and

11 (E) \$4 of the \$8 fee for a monitoring device
12 driving permit.

13 2. \$30 of the \$250 fee for reinstatement of a license
14 summarily suspended under Section 11-501.1 shall be
15 deposited into the Drunk and Drugged Driving Prevention
16 Fund. However, for a person whose license or privilege to
17 operate a motor vehicle in this State has been suspended or
18 revoked for a second or subsequent time for a violation of
19 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
20 the Criminal Code of 1961 or the Criminal Code of 2012,
21 \$190 of the \$500 fee for reinstatement of a license
22 summarily suspended under Section 11-501.1, and \$190 of the
23 \$500 fee for reinstatement of a revoked license shall be
24 deposited into the Drunk and Drugged Driving Prevention
25 Fund. \$190 of the \$500 fee for reinstatement of a license
26 summarily revoked pursuant to Section 11-501.1 shall be

1 deposited into the Drunk and Drugged Driving Prevention
2 Fund.

3 3. \$6 of the ~~such~~ original or renewal fee for a
4 commercial driver's license and \$6 of the commercial
5 learner's ~~driver instruction~~ permit fee when the ~~such~~
6 permit is issued to any person holding a valid Illinois
7 driver's license, shall be paid into the CDLIS/AAMVAnet
8 Trust Fund.

9 4. \$30 of the \$70 fee for reinstatement of a license
10 suspended under the Family Financial Responsibility Law
11 shall be paid into the Family Responsibility Fund.

12 5. The \$5 fee for each original or renewal M or L
13 endorsement shall be deposited into the Cycle Rider Safety
14 Training Fund.

15 6. \$20 of any original or renewal fee for a commercial
16 driver's license or commercial learner's ~~driver~~
17 ~~instruction~~ permit shall be paid into the Motor Carrier
18 Safety Inspection Fund.

19 7. The following amounts shall be paid into the General
20 Revenue Fund:

21 (A) \$190 of the \$250 reinstatement fee for a
22 summary suspension under Section 11-501.1;

23 (B) \$40 of the \$70 reinstatement fee for any other
24 suspension provided in subsection (b) of this Section;
25 and

26 (C) \$440 of the \$500 reinstatement fee for a first

1 offense revocation and \$310 of the \$500 reinstatement
2 fee for a second or subsequent revocation.

3 (d) All of the proceeds of the additional fees imposed by
4 this amendatory Act of the 96th General Assembly shall be
5 deposited into the Capital Projects Fund.

6 (e) The additional fees imposed by this amendatory Act of
7 the 96th General Assembly shall become effective 90 days after
8 becoming law.

9 (f) As used in this Section, "active-duty member of the
10 United States Armed Forces" means a member of the Armed
11 Services or Reserve Forces of the United States or a member of
12 the Illinois National Guard who is called to active duty
13 pursuant to an executive order of the President of the United
14 States, an act of the Congress of the United States, or an
15 order of the Governor.

16 (Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09;
17 96-1231, eff. 7-23-10; 96-1344, eff. 7-1-11; 97-333, eff.
18 8-12-11; 97-1150, eff. 1-25-13.)

19 (625 ILCS 5/6-201)

20 Sec. 6-201. Authority to cancel licenses and permits.

21 (a) The Secretary of State is authorized to cancel any
22 license or permit upon determining that the holder thereof:

23 1. was not entitled to the issuance thereof hereunder;

24 or

25 2. failed to give the required or correct information

1 in his application; or

2 3. failed to pay any fees, civil penalties owed to the
3 Illinois Commerce Commission, or taxes due under this Act
4 and upon reasonable notice and demand; or

5 4. committed any fraud in the making of such
6 application; or

7 5. is ineligible therefor under the provisions of
8 Section 6-103 of this Act, as amended; or

9 6. has refused or neglected to submit an alcohol, drug,
10 and intoxicating compound evaluation or to submit to
11 examination or re-examination as required under this Act;
12 or

13 7. has been convicted of violating the Cannabis Control
14 Act, the Illinois Controlled Substances Act, the
15 Methamphetamine Control and Community Protection Act, or
16 the Use of Intoxicating Compounds Act while that individual
17 was in actual physical control of a motor vehicle. For
18 purposes of this Section, any person placed on probation
19 under Section 10 of the Cannabis Control Act, Section 410
20 of the Illinois Controlled Substances Act, or Section 70 of
21 the Methamphetamine Control and Community Protection Act
22 shall not be considered convicted. Any person found guilty
23 of this offense, while in actual physical control of a
24 motor vehicle, shall have an entry made in the court record
25 by the judge that this offense did occur while the person
26 was in actual physical control of a motor vehicle and order

1 the clerk of the court to report the violation to the
2 Secretary of State as such. After the cancellation, the
3 Secretary of State shall not issue a new license or permit
4 for a period of one year after the date of cancellation.
5 However, upon application, the Secretary of State may, if
6 satisfied that the person applying will not endanger the
7 public safety, or welfare, issue a restricted driving
8 permit granting the privilege of driving a motor vehicle
9 between the petitioner's residence and petitioner's place
10 of employment or within the scope of the petitioner's
11 employment related duties, or to allow transportation for
12 the petitioner or a household member of the petitioner's
13 family for the receipt of necessary medical care, or
14 provide transportation for the petitioner to and from
15 alcohol or drug remedial or rehabilitative activity
16 recommended by a licensed service provider, or for the
17 petitioner to attend classes, as a student, in an
18 accredited educational institution. The petitioner must
19 demonstrate that no alternative means of transportation is
20 reasonably available; provided that the Secretary's
21 discretion shall be limited to cases where undue hardship,
22 as defined by the rules of the Secretary of State, would
23 result from a failure to issue such restricted driving
24 permit. In each case the Secretary of State may issue such
25 restricted driving permit for such period as he deems
26 appropriate, except that such permit shall expire within

1 one year from the date of issuance. A restricted driving
2 permit issued hereunder shall be subject to cancellation,
3 revocation and suspension by the Secretary of State in like
4 manner and for like cause as a driver's license issued
5 hereunder may be cancelled, revoked or suspended; except
6 that a conviction upon one or more offenses against laws or
7 ordinances regulating the movement of traffic shall be
8 deemed sufficient cause for the revocation, suspension or
9 cancellation of a restricted driving permit. The Secretary
10 of State may, as a condition to the issuance of a
11 restricted driving permit, require the applicant to
12 participate in a driver remedial or rehabilitative
13 program. In accordance with 49 C.F.R. 384, the Secretary of
14 State may not issue a restricted driving permit for the
15 operation of a commercial motor vehicle to a person holding
16 a CDL whose driving privileges have been revoked,
17 suspended, cancelled, or disqualified under this Code; or

18 8. failed to submit a report as required by Section
19 6-116.5 of this Code; or

20 9. has been convicted of a sex offense as defined in
21 the Sex Offender Registration Act. The driver's license
22 shall remain cancelled until the driver registers as a sex
23 offender as required by the Sex Offender Registration Act,
24 proof of the registration is furnished to the Secretary of
25 State and the sex offender provides proof of current
26 address to the Secretary; or

1 10. is ineligible for a license or permit under Section
2 6-107, 6-107.1, or 6-108 of this Code; or

3 11. refused or neglected to appear at a Driver Services
4 facility to have the license or permit corrected and a new
5 license or permit issued or to present documentation for
6 verification of identity; or

7 12. failed to submit a medical examiner's certificate
8 or medical variance as required by 49 C.F.R. 383.71 or
9 submitted a fraudulent medical examiner's certificate or
10 medical variance; or

11 13. has had his or her medical examiner's certificate,
12 medical variance, or both removed or rescinded by the
13 Federal Motor Carrier Safety Administration; or

14 14. failed to self-certify as to the type of driving in
15 which the CDL driver engages or expects to engage; or

16 15. was convicted of fraud relating to the testing or
17 issuance of a CDL or CLP, in which case only the CDL or CLP
18 shall be cancelled. After cancellation, the Secretary
19 shall not issue a CLP or CDL for a period of one year from
20 the date of cancellation.

21 (b) Upon such cancellation the licensee or permittee must
22 surrender the license or permit so cancelled to the Secretary
23 of State.

24 (c) Except as provided in Sections 6-206.1 and 7-702.1, the
25 Secretary of State shall have exclusive authority to grant,
26 issue, deny, cancel, suspend and revoke driving privileges,

1 drivers' licenses and restricted driving permits.

2 (d) The Secretary of State may adopt rules to implement
3 this Section.

4 (Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11;
5 97-813, eff. 7-13-12; 97-835, eff. 7-20-12.)

6 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)
7 Sec. 6-204. When Court to forward License and Reports.

8 (a) For the purpose of providing to the Secretary of State
9 the records essential to the performance of the Secretary's
10 duties under this Code to cancel, revoke or suspend the
11 driver's license and privilege to drive motor vehicles of
12 certain minors adjudicated truant minors in need of
13 supervision, addicted, or delinquent and of persons found
14 guilty of the criminal offenses or traffic violations which
15 this Code recognizes as evidence relating to unfitness to
16 safely operate motor vehicles, the following duties are imposed
17 upon public officials:

18 (1) Whenever any person is convicted of any offense for
19 which this Code makes mandatory the cancellation or
20 revocation of the driver's license or permit of such person
21 by the Secretary of State, the judge of the court in which
22 such conviction is had shall require the surrender to the
23 clerk of the court of all driver's licenses or permits then
24 held by the person so convicted, and the clerk of the court
25 shall, within 5 days thereafter, forward the same, together

1 with a report of such conviction, to the Secretary.

2 (2) Whenever any person is convicted of any offense
3 under this Code or similar offenses under a municipal
4 ordinance, other than regulations governing standing,
5 parking or weights of vehicles, and excepting the following
6 enumerated Sections of this Code: Sections 11-1406
7 (obstruction to driver's view or control), 11-1407
8 (improper opening of door into traffic), 11-1410 (coasting
9 on downgrade), 11-1411 (following fire apparatus),
10 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving
11 vehicle which is in unsafe condition or improperly
12 equipped), 12-201(a) (daytime lights on motorcycles),
13 12-202 (clearance, identification and side marker lamps),
14 12-204 (lamp or flag on projecting load), 12-205 (failure
15 to display the safety lights required), 12-401
16 (restrictions as to tire equipment), 12-502 (mirrors),
17 12-503 (windshields must be unobstructed and equipped with
18 wipers), 12-601 (horns and warning devices), 12-602
19 (mufflers, prevention of noise or smoke), 12-603 (seat
20 safety belts), 12-702 (certain vehicles to carry flares or
21 other warning devices), 12-703 (vehicles for oiling roads
22 operated on highways), 12-710 (splash guards and
23 replacements), 13-101 (safety tests), 15-101 (size, weight
24 and load), 15-102 (width), 15-103 (height), 15-104 (name
25 and address on second division vehicles), 15-107 (length of
26 vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights),

1 15-112 (weights), 15-301 (weights), 15-316 (weights),
2 15-318 (weights), and also excepting the following
3 enumerated Sections of the Chicago Municipal Code:
4 Sections 27-245 (following fire apparatus), 27-254
5 (obstruction of traffic), 27-258 (driving vehicle which is
6 in unsafe condition), 27-259 (coasting on downgrade),
7 27-264 (use of horns and signal devices), 27-265
8 (obstruction to driver's view or driver mechanism), 27-267
9 (dimming of headlights), 27-268 (unattended motor
10 vehicle), 27-272 (illegal funeral procession), 27-273
11 (funeral procession on boulevard), 27-275 (driving freight
12 hauling vehicles on boulevard), 27-276 (stopping and
13 standing of buses or taxicabs), 27-277 (cruising of public
14 passenger vehicles), 27-305 (parallel parking), 27-306
15 (diagonal parking), 27-307 (parking not to obstruct
16 traffic), 27-308 (stopping, standing or parking
17 regulated), 27-311 (parking regulations), 27-312 (parking
18 regulations), 27-313 (parking regulations), 27-314
19 (parking regulations), 27-315 (parking regulations),
20 27-316 (parking regulations), 27-317 (parking
21 regulations), 27-318 (parking regulations), 27-319
22 (parking regulations), 27-320 (parking regulations),
23 27-321 (parking regulations), 27-322 (parking
24 regulations), 27-324 (loading and unloading at an angle),
25 27-333 (wheel and axle loads), 27-334 (load restrictions in
26 the downtown district), 27-335 (load restrictions in

1 residential areas), 27-338 (width of vehicles), 27-339
2 (height of vehicles), 27-340 (length of vehicles), 27-352
3 (reflectors on trailers), 27-353 (mufflers), 27-354
4 (display of plates), 27-355 (display of city vehicle tax
5 sticker), 27-357 (identification of vehicles), 27-358
6 (projecting of loads), and also excepting the following
7 enumerated paragraphs of Section 2-201 of the Rules and
8 Regulations of the Illinois State Toll Highway Authority:
9 (l) (driving unsafe vehicle on tollway), (m) (vehicles
10 transporting dangerous cargo not properly indicated), it
11 shall be the duty of the clerk of the court in which such
12 conviction is had within 5 days thereafter to forward to
13 the Secretary of State a report of the conviction and the
14 court may recommend the suspension of the driver's license
15 or permit of the person so convicted.

16 The reporting requirements of this subsection shall apply
17 to all violations stated in paragraphs (1) and (2) of this
18 subsection when the individual has been adjudicated under the
19 Juvenile Court Act or the Juvenile Court Act of 1987. Such
20 reporting requirements shall also apply to individuals
21 adjudicated under the Juvenile Court Act or the Juvenile Court
22 Act of 1987 who have committed a violation of Section 11-501 of
23 this Code, or similar provision of a local ordinance, or
24 Section 9-3 of the Criminal Code of 1961 or the Criminal Code
25 of 2012, relating to the offense of reckless homicide. These
26 reporting requirements also apply to individuals adjudicated

1 under the Juvenile Court Act of 1987 based on any offense
2 determined to have been committed in furtherance of the
3 criminal activities of an organized gang, as provided in
4 Section 5-710 of that Act, and that involved the operation or
5 use of a motor vehicle or the use of a driver's license or
6 permit. The reporting requirements of this subsection shall
7 also apply to a truant minor in need of supervision, an
8 addicted minor, or a delinquent minor and whose driver's
9 license and privilege to drive a motor vehicle has been ordered
10 suspended for such times as determined by the Court, but only
11 until he or she attains 18 years of age. It shall be the duty of
12 the clerk of the court in which adjudication is had within 5
13 days thereafter to forward to the Secretary of State a report
14 of the adjudication and the court order requiring the Secretary
15 of State to suspend the minor's driver's license and driving
16 privilege for such time as determined by the Court, but only
17 until he or she attains the age of 18 years. All juvenile court
18 dispositions reported to the Secretary of State under this
19 provision shall be processed by the Secretary of State as if
20 the cases had been adjudicated in traffic or criminal court.
21 However, information reported relative to the offense of
22 reckless homicide, or Section 11-501 of this Code, or a similar
23 provision of a local ordinance, shall be privileged and
24 available only to the Secretary of State, courts, and police
25 officers.

26 The reporting requirements of this subsection (a)

1 apply to all violations listed in paragraphs (1) and (2) of
2 this subsection (a), excluding parking violations, when
3 the driver holds a CLP or CDL, regardless of the type of
4 vehicle in which the violation occurred, or when any driver
5 committed the violation in a commercial motor vehicle as
6 defined in Section 6-500 of this Code.

7 (3) Whenever an order is entered vacating the
8 forfeiture of any bail, security or bond given to secure
9 appearance for any offense under this Code or similar
10 offenses under municipal ordinance, it shall be the duty of
11 the clerk of the court in which such vacation was had or
12 the judge of such court if such court has no clerk, within
13 5 days thereafter to forward to the Secretary of State a
14 report of the vacation.

15 (4) A report of any disposition of court supervision
16 for a violation of Sections 6-303, 11-401, 11-501 or a
17 similar provision of a local ordinance, 11-503, 11-504, and
18 11-506 shall be forwarded to the Secretary of State. A
19 report of any disposition of court supervision for a
20 violation of an offense defined as a serious traffic
21 violation in this Code or a similar provision of a local
22 ordinance committed by a person under the age of 21 years
23 shall be forwarded to the Secretary of State.

24 (5) Reports of conviction under this Code and
25 sentencing hearings under the Juvenile Court Act of 1987 in
26 an electronic format or a computer processible medium shall

1 be forwarded to the Secretary of State via the Supreme
2 Court in the form and format required by the Illinois
3 Supreme Court and established by a written agreement
4 between the Supreme Court and the Secretary of State. In
5 counties with a population over 300,000, instead of
6 forwarding reports to the Supreme Court, reports of
7 conviction under this Code and sentencing hearings under
8 the Juvenile Court Act of 1987 in an electronic format or a
9 computer processible medium may be forwarded to the
10 Secretary of State by the Circuit Court Clerk in a form and
11 format required by the Secretary of State and established
12 by written agreement between the Circuit Court Clerk and
13 the Secretary of State. Failure to forward the reports of
14 conviction or sentencing hearing under the Juvenile Court
15 Act of 1987 as required by this Section shall be deemed an
16 omission of duty and it shall be the duty of the several
17 State's Attorneys to enforce the requirements of this
18 Section.

19 (b) Whenever a restricted driving permit is forwarded to a
20 court, as a result of confiscation by a police officer pursuant
21 to the authority in Section 6-113(f), it shall be the duty of
22 the clerk, or judge, if the court has no clerk, to forward such
23 restricted driving permit and a facsimile of the officer's
24 citation to the Secretary of State as expeditiously as
25 practicable.

26 (c) For the purposes of this Code, a forfeiture of bail or

1 collateral deposited to secure a defendant's appearance in
2 court when forfeiture has not been vacated, or the failure of a
3 defendant to appear for trial after depositing his driver's
4 license in lieu of other bail, shall be equivalent to a
5 conviction.

6 (d) For the purpose of providing the Secretary of State
7 with records necessary to properly monitor and assess driver
8 performance and assist the courts in the proper disposition of
9 repeat traffic law offenders, the clerk of the court shall
10 forward to the Secretary of State, on a form prescribed by the
11 Secretary, records of a driver's participation in a driver
12 remedial or rehabilitative program which was required, through
13 a court order or court supervision, in relation to the driver's
14 arrest for a violation of Section 11-501 of this Code or a
15 similar provision of a local ordinance. The clerk of the court
16 shall also forward to the Secretary, either on paper or in an
17 electronic format or a computer processible medium as required
18 under paragraph (5) of subsection (a) of this Section, any
19 disposition of court supervision for any traffic violation,
20 excluding those offenses listed in paragraph (2) of subsection
21 (a) of this Section. These reports shall be sent within 5 days
22 after disposition, or, if the driver is referred to a driver
23 remedial or rehabilitative program, within 5 days of the
24 driver's referral to that program. These reports received by
25 the Secretary of State, including those required to be
26 forwarded under paragraph (a)(4), shall be privileged

1 information, available only (i) to the affected driver, (ii) to
2 the parent or guardian of a person under the age of 18 years
3 holding an instruction permit or a graduated driver's license,
4 and (iii) for use by the courts, police officers, prosecuting
5 authorities, the Secretary of State, and the driver licensing
6 administrator of any other state. In accordance with 49 C.F.R.
7 Part 384, all reports of court supervision, except violations
8 related to parking, shall be forwarded to the Secretary of
9 State for all holders of a CLP or CDL or any driver who commits
10 an offense while driving a commercial motor vehicle. These
11 reports shall be recorded to the driver's record as a
12 conviction for use in the disqualification of the driver's
13 commercial motor vehicle privileges and shall not be privileged
14 information.

15 (Source: P.A. 97-1150, eff. 1-25-13.)

16 (625 ILCS 5/6-207) (from Ch. 95 1/2, par. 6-207)

17 Sec. 6-207. Secretary of State may require reexamination or
18 reissuance of a license.

19 (a) The Secretary of State, having good cause to believe
20 that a licensed driver or person holding a permit or applying
21 for a license or license renewal is incompetent or otherwise
22 not qualified to hold a license or permit, may upon written
23 notice of at least 5 days to the person require the person to
24 submit to an examination as prescribed by the Secretary.

25 Refusal or neglect of the person to submit an alcohol,

1 drug, or intoxicating compound evaluation or submit to or
2 failure to successfully complete the examination is grounds for
3 suspension of the person's license or permit under Section
4 6-206 of this Act or cancellation of his license or permit
5 under Section 6-201 of this Act.

6 (b) The Secretary of State, having issued a driver's
7 license or permit in error, may upon written notice of at least
8 5 days to the person, require the person to appear at a Driver
9 Services facility to have the license or permit error corrected
10 and a new license or permit issued.

11 Refusal or neglect of the person to appear is grounds for
12 cancellation of the person's license or permit under Section
13 6-201 of this Act.

14 (c) The Secretary of State, having issued a driver's
15 license or permit to a person who subsequently becomes
16 ineligible to retain that license or permit as currently
17 issued, may, upon written notice of at least 5 days to the
18 person, require the person to appear at a Driver Services
19 facility to have the license or permit corrected and a new
20 license or permit issued.

21 (d) The Secretary of State, having good cause to believe
22 that a driver's license or permit was issued based on invalid,
23 fictitious, or fraudulent documents, may upon written notice of
24 at least 5 days require the person to appear at a Driver
25 Services facility to present valid documents for verification
26 of identity. Refusal or neglect of the person to appear shall

1 result in cancellation of the person's license or permit.

2 (e) Under 49 C.F.R. 383.73, if the Secretary of State
3 receives credible information that a CLP or CDL was issued and
4 fraud was committed relating to the issuance of the CLP or CDL,
5 the Secretary shall require the CLP or CDL holder to re-submit
6 to all testing required for the issuance of the CLP or CDL
7 (written, pre-trip, skills, and road exams). Upon written
8 notification by the Secretary, the holder shall have 5 days to
9 submit to re-examination. Failure to appear or successfully
10 complete the examination shall result in the cancellation of
11 the CLP or CDL under Section 6-201 of this Act.

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

13 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

14 Sec. 6-500. Definitions of words and phrases.
15 Notwithstanding the definitions set forth elsewhere in this
16 Code, for purposes of the Uniform Commercial Driver's License
17 Act (UCDLA), the words and phrases listed below have the
18 meanings ascribed to them as follows:

19 (1) Alcohol. "Alcohol" means any substance containing any
20 form of alcohol, including but not limited to ethanol,
21 methanol, propanol, and isopropanol.

22 (2) Alcohol concentration. "Alcohol concentration" means:

23 (A) the number of grams of alcohol per 210 liters of
24 breath; or

25 (B) the number of grams of alcohol per 100 milliliters

1 of blood; or

2 (C) the number of grams of alcohol per 67 milliliters
3 of urine.

4 Alcohol tests administered within 2 hours of the driver
5 being "stopped or detained" shall be considered that driver's
6 "alcohol concentration" for the purposes of enforcing this
7 UCCLA.

8 (3) (Blank).

9 (4) (Blank).

10 (5) (Blank).

11 (5.3) CDLIS driver record. "CDLIS driver record" means the
12 electronic record of the individual CDL driver's status and
13 history stored by the State-of-Record as part of the Commercial
14 Driver's License Information System, or CDLIS, established
15 under 49 U.S.C. 31309.

16 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
17 record" or "CDLIS MVR" means a report generated from the CDLIS
18 driver record meeting the requirements for access to CDLIS
19 information and provided by states to users authorized in 49
20 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the
21 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

22 (5.7) Commercial driver's license downgrade. "Commercial
23 driver's license downgrade" or "CDL downgrade" means either:

24 (A) a state allows the driver to change his or her
25 self-certification to interstate, but operating
26 exclusively in transportation or operation excepted from

1 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),
2 391.2, 391.68, or 398.3;

3 (B) a state allows the driver to change his or her
4 self-certification to intrastate only, if the driver
5 qualifies under that state's physical qualification
6 requirements for intrastate only;

7 (C) a state allows the driver to change his or her
8 certification to intrastate, but operating exclusively in
9 transportation or operations excepted from all or part of
10 the state driver qualification requirements; or

11 (D) a state removes the CDL privilege from the driver
12 license.

13 (6) Commercial Motor Vehicle.

14 (A) "Commercial motor vehicle" or "CMV" means a motor
15 vehicle or combination of motor vehicles used in commerce,
16 except those referred to in subdivision (B), designed to
17 transport passengers or property if the motor vehicle:

18 (i) has a gross combination weight rating or gross
19 combination weight of 11,794 kilograms or more (26,001
20 pounds or more), whichever is greater, inclusive of any
21 towed unit with a gross vehicle weight rating or gross
22 vehicle weight of more than 4,536 kilograms (10,000
23 pounds), whichever is greater ~~the vehicle has a GVWR of~~
24 ~~26,001 pounds or more or such a lesser GVWR as~~
25 ~~subsequently determined by federal regulations or the~~
26 ~~Secretary of State; or any combination of vehicles with~~

1 ~~a GCWR of 26,001 pounds or more, provided the GVWR of~~
2 ~~any vehicle or vehicles being towed is 10,001 pounds or~~
3 ~~more; or~~

4 (i-5) has a gross vehicle weight rating or gross
5 vehicle weight of 11,794 or more kilograms (26,001
6 pounds or more), whichever is greater; or

7 (ii) ~~the vehicle~~ is designed to transport 16 or
8 more persons, including the driver; or

9 (iii) ~~the vehicle~~ is of any size and is used in
10 transporting hazardous materials as defined in 49
11 C.F.R. 383.5 and is required to be placarded in
12 accordance with 49 C.F.R. Part 172, subpart F.

13 (B) Pursuant to the interpretation of the Commercial
14 Motor Vehicle Safety Act of 1986 by the Federal Highway
15 Administration, the definition of "commercial motor
16 vehicle" does not include:

17 (i) recreational vehicles, when operated primarily
18 for personal use;

19 (ii) vehicles owned by or operated under the
20 direction of the United States Department of Defense or
21 the United States Coast Guard only when operated by
22 non-civilian personnel. This includes any operator on
23 active military duty; members of the Reserves;
24 National Guard; personnel on part-time training; and
25 National Guard military technicians (civilians who are
26 required to wear military uniforms and are subject to

1 the Code of Military Justice); or

2 (iii) firefighting, police, and other emergency
3 equipment (including, without limitation, equipment
4 owned or operated by a HazMat or technical rescue team
5 authorized by a county board under Section 5-1127 of
6 the Counties Code), with audible and visual signals,
7 owned or operated by or for a governmental entity,
8 which is necessary to the preservation of life or
9 property or the execution of emergency governmental
10 functions which are normally not subject to general
11 traffic rules and regulations.

12 (7) Controlled Substance. "Controlled substance" shall
13 have the same meaning as defined in Section 102 of the Illinois
14 Controlled Substances Act, and shall also include cannabis as
15 defined in Section 3 of the Cannabis Control Act and
16 methamphetamine as defined in Section 10 of the Methamphetamine
17 Control and Community Protection Act.

18 (8) Conviction. "Conviction" means an unvacated
19 adjudication of guilt or a determination that a person has
20 violated or failed to comply with the law in a court of
21 original jurisdiction or by an authorized administrative
22 tribunal; an unvacated forfeiture of bail or collateral
23 deposited to secure the person's appearance in court; a plea of
24 guilty or nolo contendere accepted by the court; the payment of
25 a fine or court cost regardless of whether the imposition of
26 sentence is deferred and ultimately a judgment dismissing the

1 underlying charge is entered; or a violation of a condition of
2 release without bail, regardless of whether or not the penalty
3 is rebated, suspended or probated.

4 (8.5) Day. "Day" means calendar day.

5 (9) (Blank).

6 (10) (Blank).

7 (11) (Blank).

8 (12) (Blank).

9 (13) Driver. "Driver" means any person who drives,
10 operates, or is in physical control of a commercial motor
11 vehicle, any person who is required to hold a CDL, or any
12 person who is a holder of a CDL while operating a
13 non-commercial motor vehicle.

14 (13.5) Driver applicant. "Driver applicant" means an
15 individual who applies to a state or other jurisdiction to
16 obtain, transfer, upgrade, or renew a CDL or to obtain or renew
17 a CLP.

18 (13.8) Electronic device. "Electronic device" includes,
19 but is not limited to, a cellular telephone, personal digital
20 assistant, pager, computer, or any other device used to input,
21 write, send, receive, or read text.

22 (14) Employee. "Employee" means a person who is employed as
23 a commercial motor vehicle driver. A person who is
24 self-employed as a commercial motor vehicle driver must comply
25 with the requirements of this UCCLA pertaining to employees. An
26 owner-operator on a long-term lease shall be considered an

1 employee.

2 (15) Employer. "Employer" means a person (including the
3 United States, a State or a local authority) who owns or leases
4 a commercial motor vehicle or assigns employees to operate such
5 a vehicle. A person who is self-employed as a commercial motor
6 vehicle driver must comply with the requirements of this UCCLA.

7 (15.1) Endorsement. "Endorsement" means an authorization
8 to an individual's CLP or CDL required to permit the individual
9 to operate certain types of commercial motor vehicles.

10 (15.3) Excepted interstate. "Excepted interstate" means a
11 person who operates or expects to operate in interstate
12 commerce, but engages exclusively in transportation or
13 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or
14 398.3 from all or part of the qualification requirements of 49
15 C.F.R. Part 391 and is not required to obtain a medical
16 examiner's certificate by 49 C.F.R. 391.45.

17 (15.5) Excepted intrastate. "Excepted intrastate" means a
18 person who operates in intrastate commerce but engages
19 exclusively in transportation or operations excepted from all
20 or parts of the state driver qualification requirements.

21 (16) (Blank).

22 (16.5) Fatality. "Fatality" means the death of a person as
23 a result of a motor vehicle accident.

24 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
25 sovereign jurisdiction that does not fall within the definition
26 of "State".

1 (18) (Blank).

2 (19) (Blank).

3 (20) Hazardous materials. "Hazardous Material" means any
4 material that has been designated under 49 U.S.C. 5103 and is
5 required to be placarded under subpart F of 49 C.F.R. part 172
6 or any quantity of a material listed as a select agent or toxin
7 in 42 C.F.R. part 73.

8 (20.5) Imminent Hazard. "Imminent hazard" means the
9 existence of a condition relating to hazardous material that
10 presents a substantial likelihood that death, serious illness,
11 severe personal injury, or a substantial endangerment to
12 health, property, or the environment may occur before the
13 reasonably foreseeable completion date of a formal proceeding
14 begun to lessen the risk of that death, illness, injury or
15 endangerment.

16 (20.6) Issuance. "Issuance" means initial issuance,
17 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled
18 CLP or CDL.

19 (20.7) Issue. "Issue" means initial issuance, transfer,
20 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or
21 non-domiciled CDL.

22 (21) Long-term lease. "Long-term lease" means a lease of a
23 commercial motor vehicle by the owner-lessor to a lessee, for a
24 period of more than 29 days.

25 (21.01) Manual transmission. "Manual transmission" means a
26 transmission utilizing a driver-operated clutch that is

1 activated by a pedal or lever and a gear-shift mechanism
2 operated either by hand or foot including those known as a
3 stick shift, stick, straight drive, or standard transmission.
4 All other transmissions, whether semi-automatic or automatic,
5 shall be considered automatic for the purposes of the
6 standardized restriction code.

7 (21.1) Medical examiner. "Medical examiner" means a person
8 who is licensed, certified, or registered in accordance with
9 applicable state laws and regulations to perform physical
10 examinations. The term includes but is not limited to doctors
11 of medicine, doctors of osteopathy, physician assistants,
12 advanced practice nurses, and doctors of chiropractic.

13 (21.2) Medical examiner's certificate. "Medical examiner's
14 certificate" means a document prescribed or approved by the
15 Secretary of State that is issued by a medical examiner to a
16 driver to medically qualify him or her to drive.

17 (21.5) Medical variance. "Medical variance" means a driver
18 has received one of the following from the Federal Motor
19 Carrier Safety Administration which allows the driver to be
20 issued a medical certificate: (1) an exemption letter
21 permitting operation of a commercial motor vehicle pursuant to
22 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
23 skill performance evaluation (SPE) certificate permitting
24 operation of a commercial motor vehicle pursuant to 49 C.F.R.
25 391.49.

26 (21.7) Mobile telephone. "Mobile telephone" means a mobile

1 communication device that falls under or uses any commercial
2 mobile radio service, as defined in regulations of the Federal
3 Communications Commission, 47 CFR 20.3. It does not include
4 two-way or citizens band radio services.

5 (22) Motor Vehicle. "Motor vehicle" means every vehicle
6 which is self-propelled, and every vehicle which is propelled
7 by electric power obtained from over head trolley wires but not
8 operated upon rails, except vehicles moved solely by human
9 power and motorized wheel chairs.

10 (22.2) Motor vehicle record. "Motor vehicle record" means a
11 report of the driving status and history of a driver generated
12 from the driver record provided to users, such as drivers or
13 employers, and is subject to the provisions of the Driver
14 Privacy Protection Act, 18 U.S.C. 2721-2725.

15 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
16 combination of motor vehicles not defined by the term
17 "commercial motor vehicle" or "CMV" in this Section.

18 (22.7) Non-excepted interstate. "Non-excepted interstate"
19 means a person who operates or expects to operate in interstate
20 commerce, is subject to and meets the qualification
21 requirements under 49 C.F.R. Part 391, and is required to
22 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

23 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
24 means a person who operates only in intrastate commerce and is
25 subject to State driver qualification requirements.

26 (23) Non-domiciled CLP or Non-domiciled ~~Non-resident~~ CDL.

1 "Non-domiciled CLP" or "Non-domiciled ~~Non-resident~~ CDL" means
2 a CLP or CDL, respectively, ~~commercial driver's license~~ issued
3 by a state or other jurisdiction under either of the following
4 two conditions:

5 (i) to an individual domiciled in a foreign country
6 meeting the requirements of Part 383.23(b) (1) of 49 C.F.R.
7 of the Federal Motor Carrier Safety Administration.

8 (ii) to an individual domiciled in another state
9 meeting the requirements of Part 383.23(b) (2) of 49 C.F.R.
10 of the Federal Motor Carrier Safety Administration.

11 (24) (Blank).

12 (25) (Blank).

13 (25.5) Railroad-Highway Grade Crossing Violation.

14 "Railroad-highway grade crossing violation" means a violation,
15 while operating a commercial motor vehicle, of any of the
16 following:

17 (A) Section 11-1201, 11-1202, or 11-1425 of this
18 Code.

19 (B) Any other similar law or local ordinance of any
20 state relating to railroad-highway grade crossing.

21 (25.7) School Bus. "School bus" means a commercial motor
22 vehicle used to transport pre-primary, primary, or secondary
23 school students from home to school, from school to home, or to
24 and from school-sponsored events. "School bus" does not include
25 a bus used as a common carrier.

26 (26) Serious Traffic Violation. "Serious traffic

1 violation" means:

2 (A) a conviction when operating a commercial motor
3 vehicle, or when operating a non-CMV while holding a CLP or
4 CDL, of:

5 (i) a violation relating to excessive speeding,
6 involving a single speeding charge of 15 miles per hour
7 or more above the legal speed limit; or

8 (ii) a violation relating to reckless driving; or

9 (iii) a violation of any State law or local
10 ordinance relating to motor vehicle traffic control
11 (other than parking violations) arising in connection
12 with a fatal traffic accident; or

13 (iv) a violation of Section 6-501, relating to
14 having multiple driver's licenses; or

15 (v) a violation of paragraph (a) of Section 6-507,
16 relating to the requirement to have a valid CDL; or

17 (vi) a violation relating to improper or erratic
18 traffic lane changes; or

19 (vii) a violation relating to following another
20 vehicle too closely; or

21 (viii) a violation relating to texting while
22 driving; or

23 (ix) a violation relating to the use of a hand-held
24 mobile telephone while driving; or

25 (B) any other similar violation of a law or local
26 ordinance of any state relating to motor vehicle traffic

1 control, other than a parking violation, which the
2 Secretary of State determines by administrative rule to be
3 serious.

4 (27) State. "State" means a state of the United States, the
5 District of Columbia and any province or territory of Canada.

6 (28) (Blank).

7 (29) (Blank).

8 (30) (Blank).

9 (31) (Blank).

10 (32) Texting. "Texting" means manually entering
11 alphanumeric text into, or reading text from, an electronic
12 device.

13 (1) Texting includes, but is not limited to, short
14 message service, emailing, instant messaging, a command or
15 request to access a World Wide Web page, pressing more than
16 a single button to initiate or terminate a voice
17 communication using a mobile telephone, or engaging in any
18 other form of electronic text retrieval or entry for
19 present or future communication.

20 (2) Texting does not include:

21 (i) inputting, selecting, or reading information
22 on a global positioning system or navigation system; or

23 (ii) pressing a single button to initiate or
24 terminate a voice communication using a mobile
25 telephone; or

26 (iii) using a device capable of performing

1 multiple functions (for example, a fleet management
2 system, dispatching device, smart phone, citizens band
3 radio, or music player) for a purpose that is not
4 otherwise prohibited by Part 392 of the Federal Motor
5 Carrier Safety Regulations.

6 (32.3) Third party skills test examiner. "Third party
7 skills test examiner" means a person employed by a third party
8 tester who is authorized by the State to administer the CDL
9 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

10 (32.5) Third party tester. "Third party tester" means a
11 person (including, but not limited to, another state, a motor
12 carrier, a private driver training facility or other private
13 institution, or a department, agency, or instrumentality of a
14 local government) authorized by the State to employ skills test
15 examiners to administer the CDL skills tests specified in 49
16 C.F.R. Part 383, subparts G and H.

17 (32.7) United States. "United States" means the 50 states
18 and the District of Columbia.

19 (33) Use a hand-held mobile telephone. "Use a hand-held
20 mobile telephone" means:

21 (1) using at least one hand to hold a mobile telephone
22 to conduct a voice communication;

23 (2) dialing or answering a mobile telephone by pressing
24 more than a single button; or

25 (3) reaching for a mobile telephone in a manner that
26 requires a driver to maneuver so that he or she is no

1 longer in a seated driving position, restrained by a seat
2 belt that is installed in accordance with 49 CFR 393.93 and
3 adjusted in accordance with the vehicle manufacturer's
4 instructions.

5 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,
6 eff. 1-1-13; revised 8-3-12.)

7 (625 ILCS 5/6-502) (from Ch. 95 1/2, par. 6-502)

8 Sec. 6-502. Commercial motor vehicle drivers - reporting of
9 traffic violations to the Secretary of State. When required by
10 the Commercial Motor Vehicle Safety Act of 1986, every person
11 who has been issued an Illinois non-domiciled ~~non-resident~~ CLP
12 or non-domiciled CDL or who is a domiciliary of this State and
13 drives a commercial motor vehicle in violation of a law or
14 local ordinance of any State relating to motor vehicle traffic
15 control (other than parking violations) in any other state,
16 shall notify the Secretary of State, on a form and in a manner
17 prescribed by the Secretary, of such violation within 30 days
18 after the date such person has been convicted of such offense.

19 (Source: P.A. 86-845.)

20 (625 ILCS 5/6-503) (from Ch. 95 1/2, par. 6-503)

21 Sec. 6-503. Commercial motor vehicle drivers - reporting of
22 traffic violations to employer. Every person who is a
23 domiciliary of this State or who has been issued an Illinois
24 non-domiciled ~~non-resident~~ CLP or non-domiciled CDL and drives

1 a commercial motor vehicle in violation of a law or local
2 ordinance of any State relating to motor vehicle traffic
3 control (other than parking violations) in this or any other
4 state, shall notify such person's employer of such violation
5 within 30 days after the date such person is convicted of such
6 offense.

7 In the event such person is a "common carrier of property
8 by motor vehicle", as defined in Section 18c-1104 of this Code,
9 such person shall notify the principal lessor of such within 30
10 days after the date such person is convicted of the violation.
11 However, if such person is an independent contractor or owner
12 operator, such report shall be kept at the principal place of
13 business and available during normal office hours for
14 inspection and auditing purposes by an authorized agency.

15 (Source: P.A. 86-845.)

16 (625 ILCS 5/6-506) (from Ch. 95 1/2, par. 6-506)

17 Sec. 6-506. Commercial motor vehicle driver -
18 employer/owner responsibilities.

19 (a) No employer or commercial motor vehicle owner shall
20 knowingly allow, permit, authorize, or require an employee to
21 drive a commercial motor vehicle on the highways during any
22 period in which such employee:

23 (1) has a driver's license suspended, revoked or
24 cancelled by any state; or

25 (2) has lost the privilege to drive a commercial motor

1 vehicle in any state; or

2 (3) has been disqualified from driving a commercial
3 motor vehicle; or

4 (4) has more than one CLP or CDL ~~driver's license~~,
5 except as provided by this UCCLA; or

6 (5) is subject to or in violation of an
7 "out-of-service" order; or

8 (6) does not have a current CLP or CDL or a CLP or CDL
9 with the proper class or endorsements. An employer may not
10 use a driver to operate a CMV who violates any restriction
11 on the driver's CLP or CDL.

12 (b) No employer or commercial motor vehicle owner shall
13 knowingly allow, permit, authorize, or require a driver to
14 operate a commercial motor vehicle in violation of any law or
15 regulation pertaining to railroad-highway grade crossings.

16 (b-3) No employer or commercial motor vehicle owner shall
17 knowingly allow, permit, authorize, or require a driver to
18 operate a commercial motor vehicle during any period in which
19 the commercial motor vehicle is subject to an "out-of-service"
20 order.

21 (b-5) No employer or commercial motor vehicle owner shall
22 knowingly allow, permit, authorize, or require a driver to
23 operate a commercial motor vehicle during any period in which
24 the motor carrier operation is subject to an "out-of-service"
25 order.

26 (c) Any employer convicted of violating subsection (a),

1 (b-3), or (b-5) of this Section, whether individually or in
2 connection with one or more other persons, or as principal
3 agent, or accessory, shall be guilty of a Class A misdemeanor.
4 (Source: P.A. 95-382, eff. 8-23-07.)

5 (625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)
6 Sec. 6-507. Commercial Driver's License (CDL) or
7 Commercial Learner's Permit (CLP) Required.

8 (a) Except as expressly permitted by this UCDLA, or when
9 driving pursuant to the issuance of a commercial learner's
10 ~~driver-instruction~~ permit and accompanied by the holder of a
11 CDL valid for the vehicle being driven; no person shall drive a
12 commercial motor vehicle on the highways without:

13 (1) a CDL in the driver's possession;

14 (2) having obtained a CLP or CDL;

15 (3) the proper class of CLP or CDL or endorsements or
16 both for the specific vehicle group being operated or for
17 the passengers or type of cargo being transported; or

18 (4) a copy of a medical variance document, if one
19 exists, such as an exemption letter or a skill performance
20 evaluation certificate.

21 (a-5) A CLP or CDL holder whose CLP or CDL is held by this
22 State or any other state in the course of enforcement of a
23 motor vehicle traffic code and who has not been convicted of a
24 disqualifying offense under 49 C.F.R. 383.51 based on this
25 enforcement, may drive a CMV while holding a dated receipt for

1 the CLP or CDL.

2 (b) Except as otherwise provided by this Code, no person
3 may drive a commercial motor vehicle on the highways while such
4 person's driving privilege, license, or permit is:

5 (1) Suspended, revoked, cancelled, or subject to
6 disqualification. Any person convicted of violating this
7 provision or a similar provision of this or any other state
8 shall have their driving privileges revoked under
9 paragraph 12 of subsection (a) of Section 6-205 of this
10 Code.

11 (2) Subject to or in violation of an "out-of-service"
12 order. Any person who has been issued a CLP or CDL and is
13 convicted of violating this provision or a similar
14 provision of any other state shall be disqualified from
15 operating a commercial motor vehicle under subsection (i)
16 of Section 6-514 of this Code.

17 (3) Subject to or in violation of a driver or vehicle
18 "out of service" order while operating a vehicle designed
19 to transport 16 or more passengers, including the driver,
20 or transporting hazardous materials required to be
21 placarded. Any person who has been issued a CLP or CDL and
22 is convicted of violating this provision or a similar
23 provision of this or any other state shall be disqualified
24 from operating a commercial motor vehicle under subsection
25 (i) of Section 6-514 of this Code.

26 (b-3) Except as otherwise provided by this Code, no person

1 may drive a commercial motor vehicle on the highways during a
2 period which the commercial motor vehicle or the motor carrier
3 operation is subject to an "out-of-service" order. Any person
4 who is convicted of violating this provision or a similar
5 provision of any other state shall be disqualified from
6 operating a commercial motor vehicle under subsection (i) of
7 Section 6-514 of this Code.

8 (b-5) Except as otherwise provided by this Code, no person
9 may operate a vehicle designed to transport 16 or more
10 passengers including the driver or hazardous materials of a
11 type or quantity that requires the vehicle to be placarded
12 during a period in which the commercial motor vehicle or the
13 motor carrier operation is subject to an "out-of-service"
14 order. Any person who is convicted of violating this provision
15 or a similar provision of any other state shall be disqualified
16 from operating a commercial motor vehicle under subsection (i)
17 of Section 6-514 of this Code.

18 (c) Pursuant to the options provided to the States by FHWA
19 Docket No. MC-88-8, the driver of any motor vehicle controlled
20 or operated by or for a farmer is waived from the requirements
21 of this Section, when such motor vehicle is being used to
22 transport: agricultural products; implements of husbandry; or
23 farm supplies; to and from a farm, as long as such movement is
24 not over 150 air miles from the originating farm. This waiver
25 does not apply to the driver of any motor vehicle being used in
26 a common or contract carrier type operation. However, for those

1 drivers of any truck-tractor semitrailer combination or
2 combinations registered under subsection (c) of Section 3-815
3 of this Code, this waiver shall apply only when the driver is a
4 farmer or a member of the farmer's family and the driver is 21
5 years of age or more and has successfully completed any tests
6 the Secretary of State deems necessary.

7 In addition, the farmer or a member of the farmer's family
8 who operates a truck-tractor semitrailer combination or
9 combinations pursuant to this waiver shall be granted all of
10 the rights and shall be subject to all of the duties and
11 restrictions with respect to Sections 6-514 and 6-515 of this
12 Code applicable to the driver who possesses a commercial
13 driver's license issued under this Code, except that the driver
14 shall not be subject to any additional duties or restrictions
15 contained in Part 382 of the Federal Motor Carrier Safety
16 Regulations that are not otherwise imposed under Section 6-514
17 or 6-515 of this Code.

18 For purposes of this subsection (c), a member of the
19 farmer's family is a natural or in-law spouse, child, parent,
20 or sibling.

21 (c-5) An employee of a township or road district with a
22 population of less than 3,000 operating a vehicle within the
23 boundaries of the township or road district for the purpose of
24 removing snow or ice from a roadway by plowing, sanding, or
25 salting is waived from the requirements of this Section when
26 the employee is needed to operate the vehicle because the

1 employee of the township or road district who ordinarily
2 operates the vehicle and who has a commercial driver's license
3 is unable to operate the vehicle or is in need of additional
4 assistance due to a snow emergency.

5 (c-10) A driver of a commercial motor vehicle used
6 primarily in the transportation of propane winter heating fuel
7 or a driver of a motor vehicle used to respond to a pipeline
8 emergency is waived from the requirements of this Section if
9 such requirements would prevent the driver from responding to
10 an emergency condition requiring immediate response as defined
11 in 49 C.F.R. Part 390.5.

12 (d) Any person convicted of violating this Section, shall
13 be guilty of a Class A misdemeanor.

14 (e) Any person convicted of violating paragraph (1) of
15 subsection (b) of this Section, shall have all driving
16 privileges revoked by the Secretary of State.

17 (f) This Section shall not apply to:

18 (1) A person who currently holds a valid Illinois
19 driver's license, for the type of vehicle being operated,
20 until the expiration of such license or April 1, 1992,
21 whichever is earlier; or

22 (2) A non-Illinois domiciliary who is properly
23 licensed in another State, until April 1, 1992. A
24 non-Illinois domiciliary, if such domiciliary is properly
25 licensed in another State or foreign jurisdiction, until
26 April 1, 1992.

1 (Source: P.A. 96-544, eff. 1-1-10; 97-208, eff. 1-1-12; 97-229,
2 eff. 7-28-11; 97-813, eff. 7-13-12.)

3 (625 ILCS 5/6-507.5 new)

4 Sec. 6-507.5. Application for Commercial Learner's Permit
5 (CLP).

6 (a) The application for a CLP must include, but is not
7 limited to, the following:

8 (1) the driver applicant's full legal name and current
9 Illinois domiciliary address, unless the driver applicant
10 is from a foreign country and is applying for a
11 non-domiciled CLP in which case the driver applicant shall
12 submit proof of Illinois residency or the driver applicant
13 is from another state and is applying for a non-domiciled
14 CLP in which case the driver applicant shall submit proof
15 of domicile in the state which issued the driver
16 applicant's Non-CDL;

17 (2) a physical description of the driver applicant
18 including gender, height, weight, color of eyes, and hair
19 color;

20 (3) date of birth;

21 (4) the driver applicant's social security number;

22 (5) the driver applicant's signature;

23 (6) the names of all states where the driver applicant
24 has previously been licensed to drive any type of motor
25 vehicle during the previous 10 years under 49 C.F.R. Part

1 383;

2 (7) proof of citizenship or lawful permanent residency
3 as set forth in Table 1 of 49 C.F.R. 383.71, unless the
4 driver applicant is from a foreign country and is applying
5 for a non-domiciled CLP, in which case the applicant must
6 provide an unexpired employment authorization document
7 (EAD) issued by USCIS or an unexpired foreign passport
8 accompanied by an approved I-94 form documenting the
9 applicant's most recent admittance into the United States;
10 and

11 (8) any other information required by the Secretary of
12 State.

13 (b) No CLP shall be issued to a driver applicant unless the
14 applicant has taken and passed a general knowledge test that
15 meets the federal standards contained in 49 C.F.R. Part 383,
16 subparts F, G, and H for the commercial motor vehicle the
17 applicant expects to operate.

18 (c) No CLP shall be issued to a driver applicant unless the
19 applicant possesses a valid Illinois driver's license or if the
20 applicant is applying for a non-domiciled CLP under subsection
21 (b) of Section 6-509 of this Code, in which case the driver
22 applicant must possess a valid driver's license from his or her
23 state of domicile.

24 (d) No CLP shall be issued to a person under 18 years of
25 age.

26 (e) No person shall be issued a CLP unless the person

1 certifies to the Secretary one of the following types of
2 driving operations in which he or she will be engaged:

3 (1) non-excepted interstate;

4 (2) non-excepted intrastate;

5 (3) excepted interstate; or

6 (4) excepted intrastate.

7 (f) No person shall be issued a CLP unless the person
8 certifies to the Secretary that he or she is not subject to any
9 disqualification under 49 C.F.R. 383.51, or any license
10 disqualification under State law, and that he or she does not
11 have a driver's license from more than one state or
12 jurisdiction.

13 (g) No CLP shall be issued to a person while the person is
14 subject to a disqualification from driving a commercial motor
15 vehicle, unless otherwise permitted by this Code, while the
16 person's driver's license is suspended, revoked, or cancelled
17 in any state, or any territory or province of Canada; nor may a
18 CLP be issued to a person who has a CLP or CDL issued by any
19 other state or foreign jurisdiction, unless the person
20 surrenders all of these licenses. No CLP shall be issued to or
21 renewed for a person who does not meet the requirement of 49
22 C.F.R. 391.41(b)(11). The requirement may be met with the aid
23 of a hearing aid.

24 (h) No CLP with a Passenger, School Bus or Tank Vehicle
25 endorsement shall be issued to a person unless the driver
26 applicant has taken and passed the knowledge test for each

1 endorsement.

2 (1) A CLP holder with a Passenger (P) endorsement is
3 prohibited from operating a CMV carrying passengers, other
4 than federal or State auditors and inspectors, test
5 examiners, or other trainees, and the CDL holder
6 accompanying the CLP holder as prescribed by subsection (a)
7 of Section 6-507 of this Code. The P endorsement must be
8 class specific.

9 (2) A CLP holder with a School Bus (S) endorsement is
10 prohibited from operating a school bus with passengers
11 other than federal or State auditors and inspectors, test
12 examiners, or other trainees, and the CDL holder
13 accompanying the CLP holder as prescribed by subsection (a)
14 of Section 6-507 of this Code.

15 (3) A CLP holder with a Tank Vehicle (N) endorsement
16 may only operate an empty tank vehicle and is prohibited
17 from operating any tank vehicle that previously contained
18 hazardous material that has not been purged of all residue.

19 (4) All other federal endorsements are prohibited on a
20 CLP.

21 (i) No CLP holder may operate a commercial motor vehicle
22 transporting hazardous material as defined in paragraph (20) of
23 Section 6-500 of this Code.

24 (j) The CLP holder must be accompanied by the holder of a
25 valid CDL who has the proper CDL group and endorsement
26 necessary to operate the CMV. The CDL holder must at all times

1 be physically present in the front seat of the vehicle next to
2 the CLP holder or, in the case of a passenger vehicle, directly
3 behind or in the first row behind the driver and must have the
4 CLP holder under observation and direct supervision.

5 (k) A CLP is valid for 180 days from the date of issuance.
6 A CLP may be renewed for an additional 180 days without
7 requiring the CLP holder to retake the general and endorsement
8 knowledge tests.

9 (l) A CLP issued prior to July 1, 2014 for a limited time
10 period according to state requirements, shall be considered a
11 valid commercial driver's license for purposes of
12 behind-the-wheel training on public roads or highways.

13 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)
14 Sec. 6-508. Commercial Driver's License (CDL) -
15 qualification standards.

16 (a) Testing.

17 (1) General. No person shall be issued an original or
18 renewal CDL unless that person is domiciled in this State
19 or is applying for a non-domiciled CDL under Sections 6-509
20 and 6-510 of this Code. The Secretary shall cause to be
21 administered such tests as the Secretary deems necessary to
22 meet the requirements of 49 C.F.R. Part 383, subparts F, G,
23 H, and J.

24 (1.5) Effective July 1, 2014, no person shall be issued
25 an original CDL or an upgraded CDL that requires a skills

1 test unless that person has held a CLP, for a minimum of 14
2 calendar days, for the classification of vehicle and
3 endorsement, if any, for which the person is seeking a CDL.

4 (2) Third party testing. The Secretary of state may
5 authorize a "third party tester", pursuant to 49 C.F.R.
6 Part 383.75 and 49 C.F.R. 384.228 and 384.229, to
7 administer the skills test or tests specified by Federal
8 Motor Carrier Safety Administration pursuant to the
9 Commercial Motor Vehicle Safety Act of 1986 and any
10 appropriate federal rule.

11 (b) Waiver of Skills Test. The Secretary of State may waive
12 the skills test specified in this Section for a driver
13 applicant for a commercial driver license who meets the
14 requirements of 49 C.F.R. Part 383.77 ~~and Part 383.123~~.

15 (b-1) No person shall be issued a ~~commercial driver~~
16 ~~instruction permit or~~ CDL unless the person certifies to the
17 Secretary one of the following types of driving operations in
18 which he or she will be engaged:

19 (1) non-excepted interstate;

20 (2) non-excepted intrastate;

21 (3) excepted interstate; or

22 (4) excepted intrastate.

23 (b-2) (Blank). ~~Persons who hold a commercial driver~~
24 ~~instruction permit or CDL on January 30, 2012 must certify to~~
25 ~~the Secretary no later than January 30, 2014 one of the~~
26 ~~following applicable self certifications:~~

1 ~~(1) non-excepted interstate;~~

2 ~~(2) non-excepted intrastate;~~

3 ~~(3) excepted interstate; or~~

4 ~~(4) excepted intrastate.~~

5 (c) Limitations on issuance of a CDL. A CDL, ~~or a~~
6 ~~commercial driver instruction permit,~~ shall not be issued to a
7 person while the person is subject to a disqualification from
8 driving a commercial motor vehicle, or unless otherwise
9 permitted by this Code, while the person's driver's license is
10 suspended, revoked or cancelled in any state, or any territory
11 or province of Canada; nor may a CLP or CDL be issued to a
12 person who has a CLP or CDL issued by any other state, or
13 foreign jurisdiction, nor may a CDL be issued to a person who
14 has an Illinois CLP unless the person first surrenders all of
15 these such licenses or permits. However, a person may hold an
16 Illinois CLP and an Illinois CDL providing the CLP is necessary
17 to train or practice for an endorsement or vehicle
18 classification not present on the current CDL. No CDL shall be
19 issued to or renewed for a person who does not meet the
20 requirement of 49 CFR 391.41(b)(11). The requirement may be met
21 with the aid of a hearing aid.

22 (c-1) The Secretary may issue a CDL with a school bus
23 driver endorsement to allow a person to drive the type of bus
24 described in subsection (d-5) of Section 6-104 of this Code.
25 The CDL with a school bus driver endorsement may be issued only
26 to a person meeting the following requirements:

1 (1) the person has submitted his or her fingerprints to
2 the Department of State Police in the form and manner
3 prescribed by the Department of State Police. These
4 fingerprints shall be checked against the fingerprint
5 records now and hereafter filed in the Department of State
6 Police and Federal Bureau of Investigation criminal
7 history records databases;

8 (2) the person has passed a written test, administered
9 by the Secretary of State, on charter bus operation,
10 charter bus safety, and certain special traffic laws
11 relating to school buses determined by the Secretary of
12 State to be relevant to charter buses, and submitted to a
13 review of the driver applicant's driving habits by the
14 Secretary of State at the time the written test is given;

15 (3) the person has demonstrated physical fitness to
16 operate school buses by submitting the results of a medical
17 examination, including tests for drug use; and

18 (4) the person has not been convicted of committing or
19 attempting to commit any one or more of the following
20 offenses: (i) those offenses defined in Sections 8-1.2,
21 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,
22 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,
23 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,
24 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,
25 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,
26 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,

1 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,
2 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2,
3 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9,
4 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,
5 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2,
6 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30,
7 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6,
8 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,
9 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8,
10 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection
11 (b) of Section 8-1, and in subdivisions (a) (1), (a) (2),
12 (b) (1), (e) (1), (e) (2), (e) (3), (e) (4), and (f) (1) of
13 Section 12-3.05, and in subsection (a) and subsection (b),
14 clause (1), of Section 12-4, and in subsection (A), clauses
15 (a) and (b), of Section 24-3, and those offenses contained
16 in Article 29D of the Criminal Code of 1961 or the Criminal
17 Code of 2012; (ii) those offenses defined in the Cannabis
18 Control Act except those offenses defined in subsections
19 (a) and (b) of Section 4, and subsection (a) of Section 5
20 of the Cannabis Control Act; (iii) those offenses defined
21 in the Illinois Controlled Substances Act; (iv) those
22 offenses defined in the Methamphetamine Control and
23 Community Protection Act; (v) any offense committed or
24 attempted in any other state or against the laws of the
25 United States, which if committed or attempted in this
26 State would be punishable as one or more of the foregoing

1 offenses; (vi) the offenses defined in Sections 4.1 and 5.1
2 of the Wrongs to Children Act or Section 11-9.1A of the
3 Criminal Code of 1961 or the Criminal Code of 2012; (vii)
4 those offenses defined in Section 6-16 of the Liquor
5 Control Act of 1934; and (viii) those offenses defined in
6 the Methamphetamine Precursor Control Act.

7 The Department of State Police shall charge a fee for
8 conducting the criminal history records check, which shall be
9 deposited into the State Police Services Fund and may not
10 exceed the actual cost of the records check.

11 (c-2) The Secretary shall issue a CDL with a school bus
12 endorsement to allow a person to drive a school bus as defined
13 in this Section. The CDL shall be issued according to the
14 requirements outlined in 49 C.F.R. 383. A person may not
15 operate a school bus as defined in this Section without a
16 school bus endorsement. The Secretary of State may adopt rules
17 consistent with Federal guidelines to implement this
18 subsection (c-2).

19 (d) (Blank). ~~Commercial driver instruction permit. A~~
20 ~~commercial driver instruction permit may be issued to any~~
21 ~~person holding a valid Illinois driver's license if such person~~
22 ~~successfully passes such tests as the Secretary determines to~~
23 ~~be necessary. A commercial driver instruction permit shall not~~
24 ~~be issued to a person who does not meet the requirements of 49~~
25 ~~CFR 391.41 (b) (11), except for the renewal of a commercial~~
26 ~~driver instruction permit for a person who possesses a~~

1 ~~commercial instruction permit prior to the effective date of~~
2 ~~this amendatory Act of 1999.~~

3 (Source: P.A. 96-1182, eff. 7-22-10; 96-1551, Article 1,
4 Section 95, eff. 7-1-11; 96-1551, Article 2, Section 1025, eff.
5 7-1-11; 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109,
6 eff. 1-1-13; 97-1150, eff. 1-25-13.)

7 (625 ILCS 5/6-508.1)

8 Sec. 6-508.1. Medical Examiner's Certificate.

9 (a) It shall be unlawful for any person to drive a CMV in
10 non-excepted interstate commerce unless the person holds a CLP
11 or CDL and is medically certified as physically qualified to do
12 so.

13 (b) No person who has certified to non-excepted interstate
14 driving as provided in Sections 6-507.5 and Section 6-508 of
15 this Code shall be issued a commercial learner's driver
16 ~~instruction~~ permit or CDL unless that person presents to the
17 Secretary a medical examiner's certificate or has a current
18 medical examiner's certificate on the CDLIS driver record.

19 (c) Persons who hold a commercial driver instruction permit
20 or CDL on January 30, 2012 who have certified as non-excepted
21 interstate as provided in Section 6-508 of this Code must
22 provide to the Secretary a medical examiner's certificate no
23 later than January 30, 2014.

24 (d) On and after ~~As of~~ January 30, 2014, all persons who
25 hold a commercial driver instruction permit or CDL who have

1 certified as non-excepted interstate shall maintain a current
2 medical examiner's certificate on file with the Secretary. On
3 and after July 1, 2014, all persons issued a CLP who have
4 certified as non-excepted interstate shall maintain a current
5 medical examiner's certificate on file with the Secretary.

6 (e) Within 10 calendar days of receipt of a medical
7 examiner's certificate of a driver who has certified as
8 non-excepted interstate, the Secretary shall post the
9 following to the CDLIS driver record:

10 (1) the medical examiner's name;

11 (2) the medical examiner's telephone number;

12 (3) the date of issuance of the medical examiner's
13 certificate;

14 (4) the medical examiner's license number and the state
15 that issued it;

16 (5) the medical certification status;

17 (6) the expiration date of the medical examiner's
18 certificate;

19 (7) the existence of any medical variance on the
20 medical examiner's certificate or grandfather provisions;

21 (8) any restrictions noted on the medical examiner's
22 certificate; and

23 (9) the date the medical examiner's certificate
24 information was posted to the CDLIS driver record.

25 (f) Within 10 calendar days of the expiration or rescission
26 of the driver's medical examiner's certificate or medical

1 variance or both, the Secretary shall update the medical
2 certification status to "not certified".

3 (g) Within 10 calendar days of receipt of information from
4 the Federal Motor Carrier Safety Administration regarding
5 issuance or renewal of a medical variance, the Secretary shall
6 update the CDLIS driver record to include the medical variance
7 information provided by the Federal Motor Carrier Safety
8 Administration.

9 (h) The Secretary shall notify the driver of his or her
10 non-certified status and that his or her CDL will be canceled
11 unless the driver submits a current medical examiner's
12 certificate or medical variance or changes his or her
13 self-certification to driving only in excepted or intrastate
14 commerce.

15 (i) Within 60 calendar days of a driver's medical
16 certification status becoming non-certified, the Secretary
17 shall cancel the CDL.

18 (Source: P.A. 97-208, eff. 1-1-12.)

19 (625 ILCS 5/6-509) (from Ch. 95 1/2, par. 6-509)

20 Sec. 6-509. Non-domiciled commercial learner's permit and
21 non-domiciled ~~Non-resident~~ commercial driver's license.

22 (a) The Secretary of State may issue a non-domiciled CLP or
23 non-domiciled ~~non-resident~~ CDL to a domiciliary of a foreign
24 jurisdiction if the United States Secretary of Transportation
25 has determined that the commercial motor vehicle testing and

1 licensing standards, in that foreign jurisdiction, do not meet
2 the testing standards established in 49 C.F.R. Part 383. ~~The~~
3 ~~Secretary of State may also issue a non-resident CDL to an~~
4 ~~individual domiciled in another state while that state is~~
5 ~~prohibited from issuing CDLs in accordance with 49 C.F.R. Part~~
6 ~~384.~~ A non-domiciled CLP or non-domiciled ~~non-resident~~ CDL
7 shall be issued in accordance with the testing and licensing
8 standards contained in subparts F, G, and H of 49 C.F.R. Part
9 383. The word "Non-domiciled" ~~"Non-resident"~~ must appear on the
10 face of the non-domiciled CLP or non-domiciled ~~non-resident~~
11 CDL. A driver applicant must surrender any non-domiciled CLP or
12 non-domiciled ~~non-resident~~ CDL, license or permit issued by any
13 other state.

14 (b) If an individual is domiciled in a state while that
15 state is prohibited from issuing CDLs in accordance with 49
16 C.F.R. Part 384.405, that individual is eligible to obtain a
17 non-domiciled CLP or non-domiciled ~~non-resident~~ CDL from any
18 state that elects to issue a non-domiciled CLP or non-domiciled
19 ~~non-resident~~ CDL and which complies with the testing and
20 licensing standards contained in subparts F, G, and H of 49
21 C.F.R. Part 383.23. "Non-domiciled" must appear on the face of
22 the non-domiciled CLP or non-domiciled CDL. A driver applicant
23 must surrender any non-domiciled CLP or non-domiciled CDL
24 issued in any other state.

25 (Source: P.A. 94-307, eff. 9-30-05; 95-382, eff. 8-23-07.)

1 (625 ILCS 5/6-510) (from Ch. 95 1/2, par. 6-510)

2 Sec. 6-510. Application for Commercial Driver's License
3 (CDL). The application for a CDL ~~or commercial driver~~
4 ~~instruction permit~~, must include, but is not ~~necessarily be~~
5 limited to, the following:

6 (1) the driver applicant's full legal name and current
7 Illinois domiciliary address, ~~unless the driver applicant~~
8 ~~is from a foreign country and is applying~~ application is
9 for a non-domiciled Non-resident CDL ~~in which case the~~
10 driver applicant shall submit proof of Illinois residency
11 or the driver applicant is from another state and is
12 applying for a non-domiciled CDL in which case the driver
13 applicant shall submit proof of domicile in the state which
14 issued the driver applicant's Non-CDL ~~of the driver~~
15 ~~applicant;~~

16 (2) a physical description of the driver applicant
17 including gender ~~sex~~, height, weight, color of eyes, and
18 hair color;

19 (3) date of birth;

20 (4) the driver applicant's social security number;

21 (5) the driver applicant's signature;

22 (6) certifications required by 49 C.F.R. Part 383.71;

23 (6.1) the names of all states where the driver
24 applicant has previously been licensed to drive any type of
25 motor vehicle during the previous 10 years pursuant to 49
26 C.F.R. Part 383; ~~and~~

1 (6.2) proof of citizenship or lawful permanent
2 residency as set forth in Table 1 of 49 C.F.R. 383.71,
3 unless the driver applicant is from a foreign country and
4 is applying for a non-domiciled CDL, in which case the
5 applicant must provide an unexpired employment
6 authorization document (EAD) issued by USCIS or an
7 unexpired foreign passport accompanied by an approved I-94
8 form documenting the applicant's most recent admittance
9 into the United States; and

10 (7) any other information required by the Secretary of
11 State.

12 (Source: P.A. 97-263, eff. 8-5-11.)

13 (625 ILCS 5/6-511) (from Ch. 95 1/2, par. 6-511)

14 Sec. 6-511. Change of legal name or domiciliary address.

15 (a) All persons to whom a CLP or CDL has been issued, shall
16 notify the Driver Services Department of the Secretary of
17 State's Office within 10 days of any change in domiciliary
18 address. In addition, the ~~such~~ person shall make application
19 for a corrected CLP or CDL within 30 days after the ~~of any such~~
20 change.

21 (b) Any person to whom a CLP or CDL has been issued whose
22 legal name has changed from the name on the previously-issued
23 CLP or CDL shall apply for a corrected card within 30 days
24 after the change.

25 (Source: P.A. 93-895, eff. 1-1-05.)

1 (625 ILCS 5/6-512) (from Ch. 95 1/2, par. 6-512)

2 Sec. 6-512. Unlawful operation of a commercial motor
3 vehicle pursuant to a non-Illinois issued CLP or CDL. No
4 person, after becoming a domiciliary of this State for 30 days
5 or more, shall drive a commercial motor vehicle on the highways
6 of this State pursuant to the authority of a CLP or CDL issued
7 by any other State or foreign jurisdiction.

8 (Source: P.A. 86-845.)

9 (625 ILCS 5/6-512.5 new)

10 Sec. 6-512.5. Commercial Learner's Permit or CLP.

11 (a) The content of the CLP shall include, but is not
12 limited to, the following:

13 (1) A CLP shall be distinctly marked "Commercial
14 Learner's Permit" or "CLP" and that it is invalid unless
15 accompanied by the underlying driver's license issued by
16 the State of Illinois;

17 (2) the full legal name and the Illinois domiciliary
18 address (unless it is a non-domiciled CLP) of the person to
19 whom the CLP is issued;

20 (3) a physical description of the person including
21 gender, height, weight, color of eyes, and hair color;

22 (4) date of birth;

23 (5) the Illinois driver's license number assigned by
24 the Secretary of State;

1 (6) the person's signature;

2 (7) an indicator showing that the CLP was issued by the
3 State of Illinois;

4 (8) the date of issuance and the date of expiration of
5 the CLP;

6 (9) the class or type of commercial vehicle or vehicles
7 which the person is authorized to drive together with any
8 endorsement or restriction.

9 (b) If the CLP is a non-domiciled CLP, it must contain the
10 prominent statement that the permit is a "Non-domiciled
11 Commercial Learner's Permit" or "Non-domiciled CLP".

12 (c) Applicant Record Check. Prior to issuing, renewing,
13 upgrading, or transferring a CLP, the Secretary of State shall
14 obtain, review, and maintain upon issuance, renewal, upgrade,
15 or transfer the driver applicant's driving record as required
16 by 49 C.F.R. Parts 383 and 384 and the United States Secretary
17 of Transportation.

18 (d) Notification of Commercial Learner's Permit (CLP)
19 Issuance and Self-Certification. Within 10 days after issuing a
20 CLP, the Secretary of State must notify the Commercial Driver
21 License Information System of that fact, and provide all
22 information required to ensure identification of the person.
23 The Secretary shall also post the driver's self-certification
24 for the type of driving operations to the CDLIS driver record.

1 Sec. 6-513. Commercial Driver's License or CDL. The content
2 of the CDL shall include, but is not ~~necessarily be~~ limited to
3 the following:

4 (a) A CDL shall be distinctly marked "Commercial Driver's
5 License" or "CDL". It must include, but is not ~~necessarily be~~
6 limited to, the following information:

7 (1) the full legal name and the Illinois domiciliary
8 address (unless it is a non-domiciled ~~Non-resident~~ CDL) of
9 the person to whom the CDL is issued;

10 (2) ~~a the person's~~ color photograph of the person;

11 (3) a physical description of the person including
12 gender ~~sex~~, height, ~~and may include~~ weight, color of eyes,
13 and hair color;

14 (4) date of birth;

15 (5) a CDL or file number assigned by the Secretary of
16 State;

17 (6) the person's signature;

18 (7) the class or type of commercial vehicle or vehicles
19 which the person is authorized to drive together with any
20 endorsements or restrictions;

21 (8) the name of the issuing state;

22 (9) the issuance and expiration dates of the CDL; and

23 (10) the restriction code "V" if the driver has been
24 issued a medical variance.

25 (a-5) If the CDL is a non-domiciled CDL it must contain the
26 prominent statement that the license is a "Non-domiciled

1 Commercial Driver's License" or "Non-domiciled CDL".

2 (b) Applicant Record Check.

3 Prior to issuing, renewing, upgrading, or transferring a
4 CDL, the Secretary of State shall obtain, review, and maintain
5 upon issuance, renewal, upgrade, or transfer the driver
6 applicant's driving record as required by 49 C.F.R. Part 383
7 and Part 384 and the United States Secretary of Transportation.

8 (c) Notification of Commercial Driver's License (CDL)
9 Issuance and Self-Certification.

10 Within 10 days after issuing a CDL, the Secretary of State
11 must notify the Commercial Driver License Information System of
12 that fact, and provide all information required to ensure
13 identification of the person. The Secretary shall also post the
14 driver's self-certification for the type of driving operations
15 to the CDLIS driver record.

16 (c-5) Change in driver identification information.

17 Within 10 days of any change of driver identification
18 information on any CDL holder, the Secretary of State must
19 notify the Commercial Driver License Information System of the
20 change.

21 (d) Renewal.

22 Every person applying for a renewal of a CDL must complete
23 the appropriate application form required by this Code and any
24 other test deemed necessary by the Secretary.

25 (Source: P.A. 97-208, eff. 1-1-12.)

1 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

2 Sec. 6-514. Commercial Driver's License (CDL) -
3 Disqualifications.

4 (a) A person shall be disqualified from driving a
5 commercial motor vehicle for a period of not less than 12
6 months for the first violation of:

7 (1) Refusing to submit to or failure to complete a test
8 or tests to determine the driver's blood concentration of
9 alcohol, other drug, or both, while driving a commercial
10 motor vehicle or, if the driver is a CLP or CDL holder,
11 while driving a non-CMV; or

12 (2) Operating a commercial motor vehicle while the
13 alcohol concentration of the person's blood, breath or
14 urine is at least 0.04, or any amount of a drug, substance,
15 or compound in the person's blood or urine resulting from
16 the unlawful use or consumption of cannabis listed in the
17 Cannabis Control Act, a controlled substance listed in the
18 Illinois Controlled Substances Act, or methamphetamine as
19 listed in the Methamphetamine Control and Community
20 Protection Act as indicated by a police officer's sworn
21 report or other verified evidence; or operating a
22 non-commercial motor vehicle while the alcohol
23 concentration of the person's blood, breath, or urine was
24 above the legal limit defined in Section 11-501.1 or
25 11-501.8 or any amount of a drug, substance, or compound in
26 the person's blood or urine resulting from the unlawful use

1 or consumption of cannabis listed in the Cannabis Control
2 Act, a controlled substance listed in the Illinois
3 Controlled Substances Act, or methamphetamine as listed in
4 the Methamphetamine Control and Community Protection Act
5 as indicated by a police officer's sworn report or other
6 verified evidence while holding a CLP or CDL ~~commercial~~
7 ~~driver's license~~; or

8 (3) Conviction for a first violation of:

9 (i) Driving a commercial motor vehicle or, if the
10 driver is a CLP or CDL holder, driving a non-CMV while
11 under the influence of alcohol, or any other drug, or
12 combination of drugs to a degree which renders such
13 person incapable of safely driving; or

14 (ii) Knowingly leaving the scene of an accident
15 while operating a commercial motor vehicle or, if the
16 driver is a CLP or CDL holder, while driving a non-CMV;
17 or

18 (iii) Driving a commercial motor vehicle or, if the
19 driver is a CLP or CDL holder, driving a non-CMV while
20 committing any felony; or

21 (iv) Driving a commercial motor vehicle while the
22 person's driving privileges or driver's license or
23 permit is revoked, suspended, or cancelled or the
24 driver is disqualified from operating a commercial
25 motor vehicle; or

26 (v) Causing a fatality through the negligent

1 operation of a commercial motor vehicle, including but
2 not limited to the crimes of motor vehicle
3 manslaughter, homicide by a motor vehicle, and
4 negligent homicide.

5 As used in this subdivision (a)(3)(v), "motor
6 vehicle manslaughter" means the offense of involuntary
7 manslaughter if committed by means of a vehicle;
8 "homicide by a motor vehicle" means the offense of
9 first degree murder or second degree murder, if either
10 offense is committed by means of a vehicle; and
11 "negligent homicide" means reckless homicide under
12 Section 9-3 of the Criminal Code of 1961 or the
13 Criminal Code of 2012 and aggravated driving under the
14 influence of alcohol, other drug or drugs,
15 intoxicating compound or compounds, or any combination
16 thereof under subdivision (d)(1)(F) of Section 11-501
17 of this Code.

18 If any of the above violations or refusals occurred
19 while transporting hazardous material(s) required to be
20 placarded, the person shall be disqualified for a period of
21 not less than 3 years.

22 (b) A person is disqualified for life for a second
23 conviction of any of the offenses specified in paragraph (a),
24 or any combination of those offenses, arising from 2 or more
25 separate incidents.

26 (c) A person is disqualified from driving a commercial

1 motor vehicle for life if the person either (i) uses a
2 commercial motor vehicle in the commission of any felony
3 involving the manufacture, distribution, or dispensing of a
4 controlled substance, or possession with intent to
5 manufacture, distribute or dispense a controlled substance or
6 (ii) if the person is a CLP or CDL holder, uses a non-CMV in the
7 commission of a felony involving any of those activities.

8 (d) The Secretary of State may, when the United States
9 Secretary of Transportation so authorizes, issue regulations
10 in which a disqualification for life under paragraph (b) may be
11 reduced to a period of not less than 10 years. If a reinstated
12 driver is subsequently convicted of another disqualifying
13 offense, as specified in subsection (a) of this Section, he or
14 she shall be permanently disqualified for life and shall be
15 ineligible to again apply for a reduction of the lifetime
16 disqualification.

17 (e) A person is disqualified from driving a commercial
18 motor vehicle for a period of not less than 2 months if
19 convicted of 2 serious traffic violations, committed in a
20 commercial motor vehicle, non-CMV while holding a CLP or CDL,
21 or any combination thereof, arising from separate incidents,
22 occurring within a 3 year period, provided the serious traffic
23 violation committed in a non-CMV would result in the suspension
24 or revocation of the CLP or CDL holder's non-CMV privileges.
25 However, a person will be disqualified from driving a
26 commercial motor vehicle for a period of not less than 4 months

1 if convicted of 3 serious traffic violations, committed in a
2 commercial motor vehicle, non-CMV while holding a CLP or CDL,
3 or any combination thereof, arising from separate incidents,
4 occurring within a 3 year period, provided the serious traffic
5 violation committed in a non-CMV would result in the suspension
6 or revocation of the CLP or CDL holder's non-CMV privileges. If
7 all the convictions occurred in a non-CMV, the disqualification
8 shall be entered only if the convictions would result in the
9 suspension or revocation of the CLP or CDL holder's non-CMV
10 privileges.

11 (e-1) (Blank).

12 (f) Notwithstanding any other provision of this Code, any
13 driver disqualified from operating a commercial motor vehicle,
14 pursuant to this UCDLA, shall not be eligible for restoration
15 of commercial driving privileges during any such period of
16 disqualification.

17 (g) After suspending, revoking, or cancelling a CLP or CDL
18 ~~commercial driver's license~~, the Secretary of State must update
19 the driver's records to reflect such action within 10 days.
20 After suspending or revoking the driving privilege of any
21 person who has been issued a CLP or CDL ~~or commercial driver~~
22 ~~instruction permit~~ from another jurisdiction, the Secretary
23 shall originate notification to such issuing jurisdiction
24 within 10 days.

25 (h) The "disqualifications" referred to in this Section
26 shall not be imposed upon any commercial motor vehicle driver,

1 by the Secretary of State, unless the prohibited action(s)
2 occurred after March 31, 1992.

3 (i) A person is disqualified from driving a commercial
4 motor vehicle in accordance with the following:

5 (1) For 6 months upon a first conviction of paragraph
6 (2) of subsection (b) or subsection (b-3) of Section 6-507
7 of this Code.

8 (2) For 2 years upon a second conviction of paragraph
9 (2) of subsection (b) or subsection (b-3) or any
10 combination of paragraphs (2) or (3) of subsection (b) or
11 subsections (b-3) or (b-5) of Section 6-507 of this Code
12 within a 10-year period if the second conviction is a
13 violation of paragraph (2) of subsection (b) or subsection
14 (b-3).

15 (3) For 3 years upon a third or subsequent conviction
16 of paragraph (2) of subsection (b) or subsection (b-3) or
17 any combination of paragraphs (2) or (3) of subsection (b)
18 or subsections (b-3) or (b-5) of Section 6-507 of this Code
19 within a 10-year period if the third or subsequent
20 conviction is a violation of paragraph (2) of subsection
21 (b) or subsection (b-3).

22 (4) For one year upon a first conviction of paragraph
23 (3) of subsection (b) or subsection (b-5) of Section 6-507
24 of this Code.

25 (5) For 3 years upon a second conviction of paragraph
26 (3) of subsection (b) or subsection (b-5) or any

1 combination of paragraphs (2) or (3) of subsection (b) or
2 subsections (b-3) or (b-5) of Section 6-507 of this Code
3 within a 10-year period if the second conviction is a
4 violation of paragraph (3) of subsection (b) or (b-5).

5 (6) For 5 years upon a third or subsequent conviction
6 of paragraph (3) of subsection (b) or subsection (b-5) or
7 any combination of paragraphs (2) or (3) of subsection (b)
8 or subsections (b-3) or (b-5) of Section 6-507 of this Code
9 within a 10-year period if the third or subsequent
10 conviction is a violation of paragraph (3) of subsection
11 (b) or (b-5).

12 (j) Disqualification for railroad-highway grade crossing
13 violation.

14 (1) General rule. A driver who is convicted of a
15 violation of a federal, State, or local law or regulation
16 pertaining to one of the following 6 offenses at a
17 railroad-highway grade crossing must be disqualified from
18 operating a commercial motor vehicle for the period of time
19 specified in paragraph (2) of this subsection (j) if the
20 offense was committed while operating a commercial motor
21 vehicle:

22 (i) For drivers who are not required to always
23 stop, failing to slow down and check that the tracks
24 are clear of an approaching train or railroad track
25 equipment, as described in subsection (a-5) of Section
26 11-1201 of this Code;

1 (ii) For drivers who are not required to always
2 stop, failing to stop before reaching the crossing, if
3 the tracks are not clear, as described in subsection
4 (a) of Section 11-1201 of this Code;

5 (iii) For drivers who are always required to stop,
6 failing to stop before driving onto the crossing, as
7 described in Section 11-1202 of this Code;

8 (iv) For all drivers, failing to have sufficient
9 space to drive completely through the crossing without
10 stopping, as described in subsection (b) of Section
11 11-1425 of this Code;

12 (v) For all drivers, failing to obey a traffic
13 control device or the directions of an enforcement
14 official at the crossing, as described in subdivision
15 (a)2 of Section 11-1201 of this Code;

16 (vi) For all drivers, failing to negotiate a
17 crossing because of insufficient undercarriage
18 clearance, as described in subsection (d-1) of Section
19 11-1201 of this Code.

20 (2) Duration of disqualification for railroad-highway
21 grade crossing violation.

22 (i) First violation. A driver must be disqualified
23 from operating a commercial motor vehicle for not less
24 than 60 days if the driver is convicted of a violation
25 described in paragraph (1) of this subsection (j) and,
26 in the three-year period preceding the conviction, the

1 driver had no convictions for a violation described in
2 paragraph (1) of this subsection (j).

3 (ii) Second violation. A driver must be
4 disqualified from operating a commercial motor vehicle
5 for not less than 120 days if the driver is convicted
6 of a violation described in paragraph (1) of this
7 subsection (j) and, in the three-year period preceding
8 the conviction, the driver had one other conviction for
9 a violation described in paragraph (1) of this
10 subsection (j) that was committed in a separate
11 incident.

12 (iii) Third or subsequent violation. A driver must
13 be disqualified from operating a commercial motor
14 vehicle for not less than one year if the driver is
15 convicted of a violation described in paragraph (1) of
16 this subsection (j) and, in the three-year period
17 preceding the conviction, the driver had 2 or more
18 other convictions for violations described in
19 paragraph (1) of this subsection (j) that were
20 committed in separate incidents.

21 (k) Upon notification of a disqualification of a driver's
22 commercial motor vehicle privileges imposed by the U.S.
23 Department of Transportation, Federal Motor Carrier Safety
24 Administration, in accordance with 49 C.F.R. 383.52, the
25 Secretary of State shall immediately record to the driving
26 record the notice of disqualification and confirm to the driver

1 the action that has been taken.

2 (Source: P.A. 96-544, eff. 1-1-10; 96-1080, eff. 7-16-10;
3 96-1244, eff. 1-1-11; 97-333, eff. 8-12-11; 97-1150, eff.
4 1-25-13.)

5 (625 ILCS 5/6-518) (from Ch. 95 1/2, par. 6-518)

6 Sec. 6-518. Notification of Traffic Convictions.

7 (a) Within 5 days after receiving a report of an Illinois
8 conviction, or other verified evidence, of any driver who has
9 been issued a CLP or CDL by another State, for a violation of
10 any law or local ordinance of this State, relating to motor
11 vehicle traffic control, other than parking violations,
12 committed in any motor vehicle, the Secretary of State must
13 notify the driver licensing authority which issued such CLP or
14 CDL of said conviction.

15 (b) Within 5 days after receiving a report of an Illinois
16 conviction, or other verified evidence, of any driver from
17 another state, for a violation of any law or local ordinance of
18 this State, relating to motor vehicle traffic control, other
19 than parking violations, committed in a commercial motor
20 vehicle, the Secretary of State must notify the driver
21 licensing authority which issued the person's driver's license
22 of the conviction.

23 (Source: P.A. 96-1080, eff. 7-16-10.)

24 (625 ILCS 5/6-523) (from Ch. 95 1/2, par. 6-523)

1 Sec. 6-523. Reciprocity.

2 (a) Notwithstanding any law to the contrary, a person may
3 drive a commercial motor vehicle in this State if ~~the~~ ~~such~~
4 person has a valid CDL, non-domiciled CDL, CLP, or
5 non-domiciled CLP ~~commercial driver's license or CDL~~
6 ~~instruction permit~~ issued by another State or foreign
7 jurisdiction as long as ~~that~~ ~~such~~ person has not been an
8 established domiciliary of this State for 30 days or more.

9 (b) The Secretary of State shall give out of state
10 convictions full faith and credit and treat them for
11 sanctioning purposes, under this UCDLA, just as if they
12 occurred in this State.

13 (c) A CLP or CDL issued by this State or any other state
14 before the date on and after which the state is prohibited from
15 issuing CLPs or CDLs under 49 C.F.R. Part 384, remains valid
16 until its stated expiration date.

17 (Source: P.A. 94-307, eff. 9-30-05.)

18 (625 ILCS 5/6-704) (from Ch. 95 1/2, par. 6-704)

19 Sec. 6-704. Applications for New Licenses.

20 Upon application for a license to drive, the licensing
21 authority in a party state shall ascertain whether the
22 applicant has ever held, or is the holder of a license to drive
23 issued by any other party state. The licensing authority in the
24 state where application is made shall not issue a license to
25 drive to the applicant if:

1 1. The applicant has held such a license, but the same has
2 been suspended by reason, in whole or in part, of a violation
3 and if such suspension period has not terminated.

4 2. The applicant has held such a license, but the same has
5 been revoked by reason, in whole or in part, of a violation and
6 if such revocation has not terminated, except that after the
7 expiration of one year from the date the license was revoked,
8 such person may make application for a new license if permitted
9 by law. The licensing authority may refuse to issue a license
10 to any such applicant if, after investigation, the licensing
11 authority determines that it will not be safe to grant to such
12 person the privilege of driving a motor vehicle on the public
13 highways.

14 3. The applicant is the holder of a license to drive issued
15 by another party state and currently in force unless the
16 applicant surrenders this ~~such~~ license, except that if an
17 applicant is applying only for a non-domiciled commercial
18 learner's permit or non-domiciled commercial driver's license,
19 the applicant is not required to surrender the license issued
20 by the applicant's state or country of domicile.

21 (Source: P.A. 76-1615.)

22 (625 ILCS 5/1-111.5 rep.)

23 Section 10. The Illinois Vehicle Code is amended by
24 repealing Section 1-111.5.

1 Section 99. Effective date. This Act takes effect July 1,
2 2014.".