



Rep. John D'Amico

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LRB098 12120 MLW 58860 a

1 AMENDMENT TO SENATE BILL 2583

2 AMENDMENT NO. _____. Amend Senate Bill 2583 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 3-711 and 6-601 and adding Section 6-308 as
6 follows:

7 (625 ILCS 5/3-711) (from Ch. 95 1/2, par. 3-711)

8 Sec. 3-711. Whenever a court convicts a person of a
9 violation of Section 3-707, 3-708 or 3-710 of this Code, or
10 enters an order placing on supervision the person charged with
11 the violation, the clerk of the court within 5 ~~10~~ days shall
12 forward a report of the conviction or order of supervision to
13 the Secretary of State in a form prescribed by the Secretary.
14 In any case where the person charged with the violation fails
15 to appear in court, the procedures provided in Section ~~6-306.3~~
16 ~~or~~ 6-306.4 or 6-308 of this Code, whichever is applicable shall

1 apply.

2 The Secretary shall keep records of such reports. However,
3 reports of orders of supervision shall not be released to any
4 outside source, except the affected driver and law enforcement
5 agencies, and shall be used only to inform the Secretary and
6 the courts that such driver previously has been assigned court
7 supervision.

8 (Source: P.A. 86-149.)

9 (625 ILCS 5/6-308 new)

10 Sec. 6-308. Procedures for traffic violations.

11 (a) Any person cited for violating this Code or a similar
12 provision of a local ordinance for which a violation is a petty
13 offense as defined by Section 5-1-17 of the Unified Code of
14 Corrections, excluding business offenses as defined by Section
15 5-1-2 of the Unified Code of Corrections or a violation of
16 Section 15-111 of this Code, shall not be required to post
17 bond. When required by Illinois Supreme Court Rule, the person
18 shall sign the citation. All other provisions of this Code or
19 similar provisions of local ordinances shall be governed by the
20 bail provisions of the Illinois Supreme Court Rules when it is
21 not practical or feasible to take the person before a judge to
22 have bail set or to avoid undue delay because of the hour or
23 circumstances.

24 (b) Whenever a person fails to appear in court, the court
25 may continue the case for a minimum of 30 days and the clerk of

1 the court shall send notice of the continued court date to the
2 person's last known address. If the person does not appear in
3 court on or before the continued court date or satisfy the
4 court that the person's appearance in and surrender to the
5 court is impossible for no fault of the person, the court shall
6 enter an order of failure to appear. The clerk of the court
7 shall notify the Secretary of State of the court's order. The
8 Secretary, when notified by the clerk of the court that an
9 order of failure to appear has been entered, shall immediately
10 suspend the person's driver's license, which shall be
11 designated by the Secretary as a Failure to Appear suspension.
12 The Secretary shall not remove the suspension, nor issue any
13 permit or privileges to the person whose license has been
14 suspended, until notified by the ordering court that the person
15 has appeared and resolved the violation. Upon compliance, the
16 clerk of the court shall present the person with a notice of
17 compliance containing the seal of the court, and shall notify
18 the Secretary that the person has appeared and resolved the
19 violation.

20 (625 ILCS 5/6-601) (from Ch. 95 1/2, par. 6-601)

21 Sec. 6-601. Penalties.

22 (a) It is a petty offense for any person to violate any of
23 the provisions of this Chapter unless such violation is by this
24 Code or other law of this State declared to be a misdemeanor or
25 a felony.

1 (b) General penalties. Unless another penalty is in this
2 Code or other laws of this State, every person convicted of a
3 petty offense for the violation of any provision of this
4 Chapter shall be punished by a fine of not more than \$500.

5 (c) Unlicensed driving. Except as hereinafter provided a
6 violation of Section 6-101 shall be:

7 1. A Class A misdemeanor if the person failed to obtain
8 a driver's license or permit after expiration of a period
9 of revocation.

10 2. A Class B misdemeanor if the person has been issued
11 a driver's license or permit, which has expired, and if the
12 period of expiration is greater than one year; or if the
13 person has never been issued a driver's license or permit,
14 or is not qualified to obtain a driver's license or permit
15 because of his age.

16 3. A petty offense if the person has been issued a
17 temporary visitor's driver's license or permit and is
18 unable to provide proof of liability insurance as provided
19 in subsection (d-5) of Section 6-105.1.

20 If a licensee under this Code is convicted of violating
21 Section 6-303 for operating a motor vehicle during a time when
22 such licensee's driver's license was suspended under the
23 provisions of Section 6-306.3 or 6-308, then such act shall be
24 a petty offense (provided the licensee has answered the charge
25 which was the basis of the suspension under Section 6-306.3 or
26 6-308), and there shall be imposed no additional like period of

1 suspension as provided in paragraph (b) of Section 6-303.

2 (Source: P.A. 96-607, eff. 8-24-09; 97-1157, eff. 11-28-13.)

3 (625 ILCS 5/6-306.3 rep.)

4 Section 10. The Illinois Vehicle Code is amended by
5 repealing Section 6-306.3.

6 Section 15. The Code of Criminal Procedure of 1963 is
7 amended by changing Section 110-15 as follows:

8 (725 ILCS 5/110-15) (from Ch. 38, par. 110-15)

9 Sec. 110-15. Applicability of provisions for giving and
10 taking bail. The provisions of Sections 110-7 and 110-8 of this
11 Code are exclusive of other provisions of law for the giving,
12 taking, or enforcement of bail. In all cases where a person is
13 admitted to bail the provisions of Sections 110-7 and 110-8 of
14 this Code shall be applicable.

15 However, the Supreme Court may, by rule or order, prescribe
16 a uniform schedule of amounts of bail in all but felony
17 offenses. No bail amounts shall be required for petty offenses.
18 ~~specified traffic and conservation cases, quasi-criminal~~
19 ~~offenses, and misdemeanors.~~ Such uniform schedule may provide
20 that the cash deposit provisions of Section 110-7 shall not
21 apply to bail amounts established for alleged violations
22 punishable by fine alone, and the schedule may further provide
23 that in specified traffic cases a valid Illinois chauffeur's or

1 operator's license must be deposited, in addition to 10% of the
2 amount of the bail specified in the schedule.
3 (Source: Laws 1967, p. 2969.)".