

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Purpose. The General Assembly recognizes the  
5 desire of many commendable civic organizations and causes to be  
6 acknowledged by a special license plate and further recognizes  
7 that the issuance of special license plates may raise funds  
8 that will benefit these organizations and causes. However, the  
9 General Assembly also recognizes that the proliferation of  
10 special license plates in Illinois creates a significant  
11 challenge to law enforcement officials who are required to be  
12 familiar with, recognize, read, and record information from  
13 more than 100 types of special license plates now being issued  
14 in Illinois. To address this situation, the purpose of this  
15 amendatory Act of the 99th General Assembly is to authorize the  
16 issuance of Universal special license plates.

17 Section 5. The Illinois Vehicle Code is amended by changing  
18 Section 3-600 and by adding Section 3-699.14 as follows:

19 (625 ILCS 5/3-600) (from Ch. 95 1/2, par. 3-600)

20 Sec. 3-600. Requirements for issuance of special plates.

21 (a) The Secretary of State shall issue only special plates  
22 that have been authorized by the General Assembly. Except as

1 provided in subsection (a-5), the ~~The~~ Secretary of State shall  
2 not issue a series of special plates, or Universal special  
3 plates associated with an organization authorized to issue  
4 decals for Universal special plates, unless applications, as  
5 prescribed by the Secretary, have been received for 2,000  
6 ~~10,000~~ plates of that series; ~~except that the Secretary of~~  
7 ~~State may prescribe some other required number of applications~~  
8 ~~if that number is sufficient to pay for the total cost of~~  
9 ~~designing, manufacturing and issuing the special license~~  
10 ~~plate.~~ Where a special plate is authorized by law to raise  
11 funds for a specific civic group, charitable entity, or other  
12 identified organization, or when the civic group, charitable  
13 entity, or organization is authorized to issue decals for  
14 Universal special license plates, and where the Secretary of  
15 State has not received the required number of applications to  
16 issue that special plate within 2 years of the effective date  
17 of the Public Act authorizing the special plate or decal, the  
18 Secretary of State's authority to issue the special plate or a  
19 Universal special plate associated with that decal is  
20 nullified. All applications for special plates shall be on a  
21 form designated by the Secretary and shall be accompanied by  
22 any civic group's, charitable entity's, or other identified  
23 fundraising organization's portion of the additional fee  
24 associated with that plate or decal. All fees collected under  
25 this Section are non-refundable and shall be deposited in the  
26 special fund as designated in the enabling legislation,

1 regardless of whether the plate or decal is produced. Upon the  
2 adoption of this amendatory Act of the 99th General Assembly,  
3 no further special license plates shall be authorized by the  
4 General Assembly unless that special license plate is  
5 authorized under subsection (a-5) of this Section.

6 (a-5) If the General Assembly authorizes the issuance of a  
7 special plate that recognizes the applicant's military service  
8 or receipt of a military medal or award, the Secretary may  
9 immediately begin issuing that special plate.

10 (b) The Secretary of State, upon issuing a new series of  
11 special license plates, shall notify all law enforcement  
12 officials of the design, color and other special features of  
13 the special license plate series.

14 (c) This Section shall not apply to the Secretary of  
15 State's discretion as established in Section 3-611.

16 (d) If a law authorizing a special license plate provides  
17 that the sponsoring organization is to designate a charitable  
18 entity as the recipient of the funds from the sale of that  
19 license plate, the designated charitable entity must be in  
20 compliance with the registration and reporting requirements of  
21 the Charitable Trust Act and the Solicitation for Charity Act.  
22 In addition, the charitable entity must annually provide the  
23 Secretary of State's office a letter of compliance issued by  
24 the Illinois Attorney General's office verifying the entity is  
25 in compliance with the Acts.

26 In the case of a law in effect before the effective date of

1 this amendatory Act of the 97th General Assembly, the name of  
2 the charitable entity which is to receive the funds shall be  
3 provided to the Secretary of State within one year after the  
4 effective date of this amendatory Act of the 97th General  
5 Assembly. In the case of a law that takes effect on or after  
6 the effective date of this amendatory Act of the 97th General  
7 Assembly, the name of the charitable entity which is to receive  
8 the funds shall be provided to the Secretary of State within  
9 one year after the law takes effect. If the organization fails  
10 to designate an appropriate charitable entity within the  
11 one-year period, or if the designated charitable entity fails  
12 to annually provide the Secretary of State a letter of  
13 compliance issued by the Illinois Attorney General's office,  
14 any funds collected from the sale of plates authorized for that  
15 organization and not previously disbursed shall be transferred  
16 to the General Revenue Fund, and the special plates shall be  
17 discontinued.

18 (e) If fewer than 1,000 sets of any special license plate  
19 authorized by law and issued by the Secretary of State are  
20 actively registered for 2 consecutive calendar years, the  
21 Secretary of State may discontinue the issuance of that special  
22 license plate or require that special license plate to be  
23 exchanged for Universal special plates with appropriate  
24 decals.

25 (f) Where special license plates have been discontinued  
26 pursuant to subsection (d) or (e) of this Section, or when the

1 special license plates are required to be exchanged for  
2 Universal special plates under subsection (e) of this Section,  
3 all previously issued plates of that type shall be recalled.  
4 Owners of vehicles which were registered with recalled plates  
5 shall not be charged a reclassification or registration sticker  
6 replacement plate fee upon the issuance of new plates for those  
7 vehicles.

8 (g) Any special plate that is authorized to be issued for  
9 motorcycles may also be issued for autocycles.

10 (Source: P.A. 97-409, eff. 1-1-12; 98-777, eff. 1-1-15.)

11 (625 ILCS 5/3-699.14 new)

12 Sec. 3-699.14. Universal special license plates.

13 (a) In addition to any other special license plate, the  
14 Secretary, upon receipt of all applicable fees and applications  
15 made in the form prescribed by the Secretary, may issue  
16 Universal special license plates to residents of Illinois on  
17 behalf of organizations that have been authorized by the  
18 General Assembly to issue decals for Universal special license  
19 plates. Appropriate documentation, as determined by the  
20 Secretary, shall accompany each application. Authorized  
21 organizations shall be designated by amendment to this Section.  
22 When applying for a Universal special license plate the  
23 applicant shall inform the Secretary of the name of the  
24 authorized organization from which the applicant will obtain a  
25 decal to place on the plate. The Secretary shall make a record

1 of that organization and that organization shall remain  
2 affiliated with that plate until the plate is surrendered,  
3 revoked, or otherwise cancelled. The authorized organization  
4 may charge a fee to offset the cost of producing and  
5 distributing the decal, but that fee shall be retained by the  
6 authorized organization and shall be separate and distinct from  
7 any registration fees charged by the Secretary. No decal,  
8 sticker, or other material may be affixed to a Universal  
9 special license plate other than a decal authorized by the  
10 General Assembly in this Section or a registration renewal  
11 sticker. The special plates issued under this Section shall be  
12 affixed only to passenger vehicles of the first division,  
13 including motorcycles and autocycles, or motor vehicles of the  
14 second division weighing not more than 8,000 pounds. Plates  
15 issued under this Section shall expire according to the  
16 multi-year procedure under Section 3-414.1 of this Code.

17 (b) The design, color, and format of the Universal special  
18 license plate shall be wholly within the discretion of the  
19 Secretary. Universal special license plates are not required to  
20 designate "Land of Lincoln", as prescribed in subsection (b) of  
21 Section 3-412 of this Code. The design shall allow for the  
22 application of a decal to the plate. Organizations authorized  
23 by the General Assembly to issue decals for Universal special  
24 license plates shall comply with rules adopted by the Secretary  
25 governing the requirements for and approval of Universal  
26 special license plate decals. The Secretary may, in his or her

1 discretion, allow Universal special license plates to be issued  
2 as vanity or personalized plates in accordance with Section  
3 3-405.1 of this Code. The Secretary of State must make a  
4 version of the special registration plates authorized under  
5 this Section in a form appropriate for motorcycles and  
6 autocycles.

7 (c) When authorizing a Universal special license plate, the  
8 General Assembly shall set forth whether an additional fee is  
9 to be charged for the plate and, if a fee is to be charged, the  
10 amount of the fee and how the fee is to be distributed. When  
11 necessary, the authorizing language shall create a special fund  
12 in the State treasury into which fees may be deposited for an  
13 authorized Universal special license plate. Additional fees  
14 may only be charged if the fee is to be paid over to a State  
15 agency or to a charitable entity that is in compliance with the  
16 registration and reporting requirements of the Charitable  
17 Trust Act and the Solicitation for Charity Act. Any charitable  
18 entity receiving fees for the sale of Universal special license  
19 plates shall annually provide the Secretary of State a letter  
20 of compliance issued by the Attorney General verifying that the  
21 entity is in compliance with the Charitable Trust Act and the  
22 Solicitation for Charity Act.

23 (d) Upon original issuance and for each registration  
24 renewal period, in addition to the appropriate registration  
25 fee, if applicable, the Secretary shall collect any additional  
26 fees, if required, for issuance of Universal special license

1 plates. The fees shall be collected on behalf of the  
2 organization designated by the applicant when applying for the  
3 plate. All fees collected shall be transferred to the State  
4 agency on whose behalf the fees were collected, or paid into  
5 the special fund designated in the law authorizing the  
6 organization to issue decals for Universal special license  
7 plates. All money in the designated fund shall be distributed  
8 by the Secretary subject to appropriation by the General  
9 Assembly.

10 (625 ILCS 5/3-633 rep.)

11 Section 10. The Illinois Vehicle Code is amended by  
12 repealing Section 3-633.

13 Section 15. "An Act concerning transportation", approved  
14 August 10, 2015, Public Act 99-333, is amended by adding  
15 Section 99 as follows:

16 (P.A. 99-333, Sec. 99 new)

17 Sec. 99. Effective date. This Act takes effect December 30,  
18 2015.

19 Section 20. If and only if Senate Bill 627 of the 99th  
20 General Assembly becomes law as passed by both houses, then the  
21 Illinois Vehicle Code is amended by changing Sections 6-205 and  
22 6-206 as follows:



1 (625 ILCS 5/6-205)

2 Sec. 6-205. Mandatory revocation of license or permit;  
3 Hardship cases.

4 (a) Except as provided in this Section, the Secretary of  
5 State shall immediately revoke the license, permit, or driving  
6 privileges of any driver upon receiving a report of the  
7 driver's conviction of any of the following offenses:

8 1. Reckless homicide resulting from the operation of a  
9 motor vehicle;

10 2. Violation of Section 11-501 of this Code or a  
11 similar provision of a local ordinance relating to the  
12 offense of operating or being in physical control of a  
13 vehicle while under the influence of alcohol, other drug or  
14 drugs, intoxicating compound or compounds, or any  
15 combination thereof;

16 3. Any felony under the laws of any State or the  
17 federal government in the commission of which a motor  
18 vehicle was used;

19 4. Violation of Section 11-401 of this Code relating to  
20 the offense of leaving the scene of a traffic accident  
21 involving death or personal injury;

22 5. Perjury or the making of a false affidavit or  
23 statement under oath to the Secretary of State under this  
24 Code or under any other law relating to the ownership or  
25 operation of motor vehicles;

1           6. Conviction upon 3 charges of violation of Section  
2           11-503 of this Code relating to the offense of reckless  
3           driving committed within a period of 12 months;

4           7. Conviction of any offense defined in Section 4-102  
5           of this Code;

6           8. Violation of Section 11-504 of this Code relating to  
7           the offense of drag racing;

8           9. Violation of Chapters 8 and 9 of this Code;

9           10. Violation of Section 12-5 of the Criminal Code of  
10           1961 or the Criminal Code of 2012 arising from the use of a  
11           motor vehicle;

12           11. Violation of Section 11-204.1 of this Code relating  
13           to aggravated fleeing or attempting to elude a peace  
14           officer;

15           12. Violation of paragraph (1) of subsection (b) of  
16           Section 6-507, or a similar law of any other state,  
17           relating to the unlawful operation of a commercial motor  
18           vehicle;

19           13. Violation of paragraph (a) of Section 11-502 of  
20           this Code or a similar provision of a local ordinance if  
21           the driver has been previously convicted of a violation of  
22           that Section or a similar provision of a local ordinance  
23           and the driver was less than 21 years of age at the time of  
24           the offense;

25           14. Violation of paragraph (a) of Section 11-506 of  
26           this Code or a similar provision of a local ordinance

1 relating to the offense of street racing;

2 15. A second or subsequent conviction of driving while  
3 the person's driver's license, permit or privileges was  
4 revoked for reckless homicide or a similar out-of-state  
5 offense;

6 16. Any offense against any provision in this Code, or  
7 any local ordinance, regulating the movement of traffic  
8 when that offense was the proximate cause of the death of  
9 any person. Any person whose driving privileges have been  
10 revoked pursuant to this paragraph may seek to have the  
11 revocation terminated or to have the length of revocation  
12 reduced by requesting an administrative hearing with the  
13 Secretary of State prior to the projected driver's license  
14 application eligibility date;

15 17. Violation of subsection (a-2) of Section 11-1301.3  
16 of this Code or a similar provision of a local ordinance;

17 18. A second or subsequent conviction of illegal  
18 possession, while operating or in actual physical control,  
19 as a driver, of a motor vehicle, of any controlled  
20 substance prohibited under the Illinois Controlled  
21 Substances Act, any cannabis prohibited under the Cannabis  
22 Control Act, or any methamphetamine prohibited under the  
23 Methamphetamine Control and Community Protection Act. A  
24 defendant found guilty of this offense while operating a  
25 motor vehicle shall have an entry made in the court record  
26 by the presiding judge that this offense did occur while

1 the defendant was operating a motor vehicle and order the  
2 clerk of the court to report the violation to the Secretary  
3 of State.

4 (b) The Secretary of State shall also immediately revoke  
5 the license or permit of any driver in the following  
6 situations:

7 1. Of any minor upon receiving the notice provided for  
8 in Section 5-901 of the Juvenile Court Act of 1987 that the  
9 minor has been adjudicated under that Act as having  
10 committed an offense relating to motor vehicles prescribed  
11 in Section 4-103 of this Code;

12 2. Of any person when any other law of this State  
13 requires either the revocation or suspension of a license  
14 or permit;

15 3. Of any person adjudicated under the Juvenile Court  
16 Act of 1987 based on an offense determined to have been  
17 committed in furtherance of the criminal activities of an  
18 organized gang as provided in Section 5-710 of that Act,  
19 and that involved the operation or use of a motor vehicle  
20 or the use of a driver's license or permit. The revocation  
21 shall remain in effect for the period determined by the  
22 court. Upon the direction of the court, the Secretary shall  
23 issue the person a judicial driving permit, also known as a  
24 JDP. The JDP shall be subject to the same terms as a JDP  
25 issued under Section 6-206.1, except that the court may  
26 direct that a JDP issued under this subdivision (b) (3) be

1 effective immediately.

2 (c)(1) Whenever a person is convicted of any of the  
3 offenses enumerated in this Section, the court may recommend  
4 and the Secretary of State in his discretion, without regard to  
5 whether the recommendation is made by the court may, upon  
6 application, issue to the person a restricted driving permit  
7 granting the privilege of driving a motor vehicle between the  
8 petitioner's residence and petitioner's place of employment or  
9 within the scope of the petitioner's employment related duties,  
10 or to allow the petitioner to transport himself or herself or a  
11 family member of the petitioner's household to a medical  
12 facility for the receipt of necessary medical care or to allow  
13 the petitioner to transport himself or herself to and from  
14 alcohol or drug remedial or rehabilitative activity  
15 recommended by a licensed service provider, or to allow the  
16 petitioner to transport himself or herself or a family member  
17 of the petitioner's household to classes, as a student, at an  
18 accredited educational institution, or to allow the petitioner  
19 to transport children, elderly persons, or disabled persons who  
20 do not hold driving privileges and are living in the  
21 petitioner's household to and from daycare; if the petitioner  
22 is able to demonstrate that no alternative means of  
23 transportation is reasonably available and that the petitioner  
24 will not endanger the public safety or welfare; provided that  
25 the Secretary's discretion shall be limited to cases where  
26 undue hardship, as defined by the rules of the Secretary of

1 State, would result from a failure to issue the restricted  
2 driving permit. Those multiple offenders identified in  
3 subdivision (b)4 of Section 6-208 of this Code, however, shall  
4 not be eligible for the issuance of a restricted driving  
5 permit.

6 (2) If a person's license or permit is revoked or  
7 suspended due to 2 or more convictions of violating Section  
8 11-501 of this Code or a similar provision of a local  
9 ordinance or a similar out-of-state offense, or Section 9-3  
10 of the Criminal Code of 1961 or the Criminal Code of 2012,  
11 where the use of alcohol or other drugs is recited as an  
12 element of the offense, or a similar out-of-state offense,  
13 or a combination of these offenses, arising out of separate  
14 occurrences, that person, if issued a restricted driving  
15 permit, may not operate a vehicle unless it has been  
16 equipped with an ignition interlock device as defined in  
17 Section 1-129.1.

18 (3) If:

19 (A) a person's license or permit is revoked or  
20 suspended 2 or more times due to any combination of:

21 (i) a single conviction of violating Section  
22 11-501 of this Code or a similar provision of a  
23 local ordinance or a similar out-of-state offense,  
24 or Section 9-3 of the Criminal Code of 1961 or the  
25 Criminal Code of 2012, where the use of alcohol or  
26 other drugs is recited as an element of the

1 offense, or a similar out-of-state offense; or  
2 (ii) a statutory summary suspension or  
3 revocation under Section 11-501.1; or  
4 (iii) a suspension pursuant to Section  
5 6-203.1;

6 arising out of separate occurrences; or

7 (B) a person has been convicted of one violation of  
8 subparagraph (C) or (F) of paragraph (1) of subsection  
9 (d) of Section 11-501 of this Code, Section 9-3 of the  
10 Criminal Code of 1961 or the Criminal Code of 2012,  
11 relating to the offense of reckless homicide where the  
12 use of alcohol or other drugs was recited as an element  
13 of the offense, or a similar provision of a law of  
14 another state;

15 that person, if issued a restricted driving permit, may not  
16 operate a vehicle unless it has been equipped with an  
17 ignition interlock device as defined in Section 1-129.1.

18 (4) The person issued a permit conditioned on the use  
19 of an ignition interlock device must pay to the Secretary  
20 of State DUI Administration Fund an amount not to exceed  
21 \$30 per month. The Secretary shall establish by rule the  
22 amount and the procedures, terms, and conditions relating  
23 to these fees.

24 (5) If the restricted driving permit is issued for  
25 employment purposes, then the prohibition against  
26 operating a motor vehicle that is not equipped with an

1 ignition interlock device does not apply to the operation  
2 of an occupational vehicle owned or leased by that person's  
3 employer when used solely for employment purposes. For any  
4 person who, within a 5-year period, is convicted of a  
5 second or subsequent offense under Section 11-501 of this  
6 Code, or a similar provision of a local ordinance or  
7 similar out-of-state offense, this employment exemption  
8 does not apply until either a one year period has elapsed  
9 during which that person had his or her driving privileges  
10 revoked or a one year period has elapsed during which that  
11 person had a restricted driving permit which required the  
12 use of an ignition interlock device on every motor vehicle  
13 owned or operated by that person.

14 (6) In each case the Secretary of State may issue a  
15 restricted driving permit for a period he deems  
16 appropriate, except that the permit shall expire within one  
17 year from the date of issuance. A restricted driving permit  
18 issued under this Section shall be subject to cancellation,  
19 revocation, and suspension by the Secretary of State in  
20 like manner and for like cause as a driver's license issued  
21 under this Code may be cancelled, revoked, or suspended;  
22 except that a conviction upon one or more offenses against  
23 laws or ordinances regulating the movement of traffic shall  
24 be deemed sufficient cause for the revocation, suspension,  
25 or cancellation of a restricted driving permit. The  
26 Secretary of State may, as a condition to the issuance of a



1 restricted driving permit, require the petitioner to  
2 participate in a designated driver remedial or  
3 rehabilitative program. The Secretary of State is  
4 authorized to cancel a restricted driving permit if the  
5 permit holder does not successfully complete the program.  
6 However, if an individual's driving privileges have been  
7 revoked in accordance with paragraph 13 of subsection (a)  
8 of this Section, no restricted driving permit shall be  
9 issued until the individual has served 6 months of the  
10 revocation period.

11 (c-5) (Blank).

12 (c-6) If a person is convicted of a second violation of  
13 operating a motor vehicle while the person's driver's license,  
14 permit or privilege was revoked, where the revocation was for a  
15 violation of Section 9-3 of the Criminal Code of 1961 or the  
16 Criminal Code of 2012 relating to the offense of reckless  
17 homicide or a similar out-of-state offense, the person's  
18 driving privileges shall be revoked pursuant to subdivision  
19 (a)(15) of this Section. The person may not make application  
20 for a license or permit until the expiration of five years from  
21 the effective date of the revocation or the expiration of five  
22 years from the date of release from a term of imprisonment,  
23 whichever is later.

24 (c-7) If a person is convicted of a third or subsequent  
25 violation of operating a motor vehicle while the person's  
26 driver's license, permit or privilege was revoked, where the

1 revocation was for a violation of Section 9-3 of the Criminal  
2 Code of 1961 or the Criminal Code of 2012 relating to the  
3 offense of reckless homicide or a similar out-of-state offense,  
4 the person may never apply for a license or permit.

5 (d) (1) Whenever a person under the age of 21 is convicted  
6 under Section 11-501 of this Code or a similar provision of a  
7 local ordinance or a similar out-of-state offense, the  
8 Secretary of State shall revoke the driving privileges of that  
9 person. One year after the date of revocation, and upon  
10 application, the Secretary of State may, if satisfied that the  
11 person applying will not endanger the public safety or welfare,  
12 issue a restricted driving permit granting the privilege of  
13 driving a motor vehicle only between the hours of 5 a.m. and 9  
14 p.m. or as otherwise provided by this Section for a period of  
15 one year. After this one year period, and upon reapplication  
16 for a license as provided in Section 6-106, upon payment of the  
17 appropriate reinstatement fee provided under paragraph (b) of  
18 Section 6-118, the Secretary of State, in his discretion, may  
19 reinstate the petitioner's driver's license and driving  
20 privileges, or extend the restricted driving permit as many  
21 times as the Secretary of State deems appropriate, by  
22 additional periods of not more than 12 months each.

23 (2) If a person's license or permit is revoked or  
24 suspended due to 2 or more convictions of violating Section  
25 11-501 of this Code or a similar provision of a local  
26 ordinance or a similar out-of-state offense, or Section 9-3

1 of the Criminal Code of 1961 or the Criminal Code of 2012,  
2 where the use of alcohol or other drugs is recited as an  
3 element of the offense, or a similar out-of-state offense,  
4 or a combination of these offenses, arising out of separate  
5 occurrences, that person, if issued a restricted driving  
6 permit, may not operate a vehicle unless it has been  
7 equipped with an ignition interlock device as defined in  
8 Section 1-129.1.

9 (3) If a person's license or permit is revoked or  
10 suspended 2 or more times due to any combination of:

11 (A) a single conviction of violating Section  
12 11-501 of this Code or a similar provision of a local  
13 ordinance or a similar out-of-state offense, or  
14 Section 9-3 of the Criminal Code of 1961 or the  
15 Criminal Code of 2012, where the use of alcohol or  
16 other drugs is recited as an element of the offense, or  
17 a similar out-of-state offense; or

18 (B) a statutory summary suspension or revocation  
19 under Section 11-501.1; or

20 (C) a suspension pursuant to Section 6-203.1;  
21 arising out of separate occurrences, that person, if issued  
22 a restricted driving permit, may not operate a vehicle  
23 unless it has been equipped with an ignition interlock  
24 device as defined in Section 1-129.1.

25 (3.5) If a person's license or permit is revoked or  
26 suspended due to a conviction for a violation of

1           subparagraph (C) or (F) of paragraph (1) of subsection (d)  
2           of Section 11-501 of this Code, or a similar provision of a  
3           local ordinance or similar out-of-state offense, that  
4           person, if issued a restricted driving permit, may not  
5           operate a vehicle unless it has been equipped with an  
6           ignition interlock device as defined in Section 1-129.1.

7           (4) The person issued a permit conditioned upon the use  
8           of an interlock device must pay to the Secretary of State  
9           DUI Administration Fund an amount not to exceed \$30 per  
10          month. The Secretary shall establish by rule the amount and  
11          the procedures, terms, and conditions relating to these  
12          fees.

13          (5) If the restricted driving permit is issued for  
14          employment purposes, then the prohibition against driving  
15          a vehicle that is not equipped with an ignition interlock  
16          device does not apply to the operation of an occupational  
17          vehicle owned or leased by that person's employer when used  
18          solely for employment purposes. For any person who, within  
19          a 5-year period, is convicted of a second or subsequent  
20          offense under Section 11-501 of this Code, or a similar  
21          provision of a local ordinance or similar out-of-state  
22          offense, this employment exemption does not apply until  
23          either a one year period has elapsed during which that  
24          person had his or her driving privileges revoked or a one  
25          year period has elapsed during which that person had a  
26          restricted driving permit which required the use of an

1 ignition interlock device on every motor vehicle owned or  
2 operated by that person.

3 (6) A restricted driving permit issued under this  
4 Section shall be subject to cancellation, revocation, and  
5 suspension by the Secretary of State in like manner and for  
6 like cause as a driver's license issued under this Code may  
7 be cancelled, revoked, or suspended; except that a  
8 conviction upon one or more offenses against laws or  
9 ordinances regulating the movement of traffic shall be  
10 deemed sufficient cause for the revocation, suspension, or  
11 cancellation of a restricted driving permit.

12 (d-5) The revocation of the license, permit, or driving  
13 privileges of a person convicted of a third or subsequent  
14 violation of Section 6-303 of this Code committed while his or  
15 her driver's license, permit, or privilege was revoked because  
16 of a violation of Section 9-3 of the Criminal Code of 1961 or  
17 the Criminal Code of 2012, relating to the offense of reckless  
18 homicide, or a similar provision of a law of another state, is  
19 permanent. The Secretary may not, at any time, issue a license  
20 or permit to that person.

21 (e) This Section is subject to the provisions of the Driver  
22 License Compact.

23 (f) Any revocation imposed upon any person under  
24 subsections 2 and 3 of paragraph (b) that is in effect on  
25 December 31, 1988 shall be converted to a suspension for a like  
26 period of time.

1           (g) The Secretary of State shall not issue a restricted  
2 driving permit to a person under the age of 16 years whose  
3 driving privileges have been revoked under any provisions of  
4 this Code.

5           (h) The Secretary of State shall require the use of  
6 ignition interlock devices on all vehicles owned by a person  
7 who has been convicted of a second or subsequent offense under  
8 Section 11-501 of this Code or a similar provision of a local  
9 ordinance. The person must pay to the Secretary of State DUI  
10 Administration Fund an amount not to exceed \$30 for each month  
11 that he or she uses the device. The Secretary shall establish  
12 by rule and regulation the procedures for certification and use  
13 of the interlock system, the amount of the fee, and the  
14 procedures, terms, and conditions relating to these fees.

15           (i) (Blank).

16           (j) In accordance with 49 C.F.R. 384, the Secretary of  
17 State may not issue a restricted driving permit for the  
18 operation of a commercial motor vehicle to a person holding a  
19 CDL whose driving privileges have been revoked, suspended,  
20 cancelled, or disqualified under any provisions of this Code.

21           (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;  
22 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.  
23 7-1-11; 97-333, eff. 8-12-11; 97-838, eff. 1-1-13; 97-844, eff.  
24 1-1-13; 97-1150, eff. 1-25-13; 09900SB0627enr.)

25           (625 ILCS 5/6-206)

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

3           (a) The Secretary of State is authorized to suspend or  
4 revoke the driving privileges of any person without preliminary  
5 hearing upon a showing of the person's records or other  
6 sufficient evidence that the person:

7           1. Has committed an offense for which mandatory  
8 revocation of a driver's license or permit is required upon  
9 conviction;

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

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

23           4. Has by the unlawful operation of a motor vehicle  
24 caused or contributed to an accident resulting in injury  
25 requiring immediate professional treatment in a medical  
26 facility or doctor's office to any person, except that any

1 suspension or revocation imposed by the Secretary of State  
2 under the provisions of this subsection shall start no  
3 later than 6 months after being convicted of violating a  
4 law or ordinance regulating the movement of traffic, which  
5 violation is related to the accident, or shall start not  
6 more than one year after the date of the accident,  
7 whichever date occurs later;

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

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

14 7. Has refused or failed to submit to an examination  
15 provided for by Section 6-207 or has failed to pass the  
16 examination;

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

19 9. Has made a false statement or knowingly concealed a  
20 material fact or has used false information or  
21 identification in any application for a license,  
22 identification card, or permit;

23 10. Has possessed, displayed, or attempted to  
24 fraudulently use any license, identification card, or  
25 permit not issued to the person;

26 11. Has operated a motor vehicle upon a highway of this



1 State when the person's driving privilege or privilege to  
2 obtain a driver's license or permit was revoked or  
3 suspended unless the operation was authorized by a  
4 monitoring device driving permit, judicial driving permit  
5 issued prior to January 1, 2009, probationary license to  
6 drive, or a restricted driving permit issued under this  
7 Code;

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

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

16 14. Has committed a violation of Section 6-301,  
17 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
18 of the Illinois Identification Card Act;

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

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

25 17. Has refused to submit to a test, or tests, as  
26 required under Section 11-501.1 of this Code and the person

1 has not sought a hearing as provided for in Section  
2 11-501.1;

3 18. Has, since issuance of a driver's license or  
4 permit, been adjudged to be afflicted with or suffering  
5 from any mental disability or disease;

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

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

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

15 22. Has used a motor vehicle in violating paragraph  
16 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
17 the Criminal Code of 1961 or the Criminal Code of 2012  
18 relating to unlawful use of weapons, in which case the  
19 suspension shall be for one year;

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

24 24. Has been convicted by a court-martial or punished  
25 by non-judicial punishment by military authorities of the  
26 United States at a military installation in Illinois or in

1 another state of or for a traffic related offense that is  
2 the same as or similar to an offense specified under  
3 Section 6-205 or 6-206 of this Code;

4 25. Has permitted any form of identification to be used  
5 by another in the application process in order to obtain or  
6 attempt to obtain a license, identification card, or  
7 permit;

8 26. Has altered or attempted to alter a license or has  
9 possessed an altered license, identification card, or  
10 permit;

11 27. Has violated Section 6-16 of the Liquor Control Act  
12 of 1934;

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

1           29. Has been convicted of the following offenses that  
2           were committed while the person was operating or in actual  
3           physical control, as a driver, of a motor vehicle: criminal  
4           sexual assault, predatory criminal sexual assault of a  
5           child, aggravated criminal sexual assault, criminal sexual  
6           abuse, aggravated criminal sexual abuse, juvenile pimping,  
7           soliciting for a juvenile prostitute, promoting juvenile  
8           prostitution as described in subdivision (a)(1), (a)(2),  
9           or (a)(3) of Section 11-14.4 of the Criminal Code of 1961  
10          or the Criminal Code of 2012, and the manufacture, sale or  
11          delivery of controlled substances or instruments used for  
12          illegal drug use or abuse in which case the driver's  
13          driving privileges shall be suspended for one year;

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

18          31. Has refused to submit to a test as required by  
19          Section 11-501.6 of this Code or Section 5-16c of the Boat  
20          Registration and Safety Act or has submitted to a test  
21          resulting in an alcohol concentration of 0.08 or more or  
22          any amount of a drug, substance, or compound resulting from  
23          the unlawful use or consumption of cannabis as listed in  
24          the Cannabis Control Act, a controlled substance as listed  
25          in the Illinois Controlled Substances Act, an intoxicating  
26          compound as listed in the Use of Intoxicating Compounds

1 Act, or methamphetamine as listed in the Methamphetamine  
2 Control and Community Protection Act, in which case the  
3 penalty shall be as prescribed in Section 6-208.1;

4 32. Has been convicted of Section 24-1.2 of the  
5 Criminal Code of 1961 or the Criminal Code of 2012 relating  
6 to the aggravated discharge of a firearm if the offender  
7 was located in a motor vehicle at the time the firearm was  
8 discharged, in which case the suspension shall be for 3  
9 years;

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

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

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

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

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

1           38. Has been convicted of a violation of Section 6-20  
2           of the Liquor Control Act of 1934 or a similar provision of  
3           a local ordinance;

4           39. Has committed a second or subsequent violation of  
5           Section 11-1201 of this Code;

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

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

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

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

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

1           45. Has, in connection with or during the course of a  
2 formal hearing conducted under Section 2-118 of this Code:  
3 (i) committed perjury; (ii) submitted fraudulent or  
4 falsified documents; (iii) submitted documents that have  
5 been materially altered; or (iv) submitted, as his or her  
6 own, documents that were in fact prepared or composed for  
7 another person;

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

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

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

19           (b) If any conviction forming the basis of a suspension or  
20 revocation authorized under this Section is appealed, the  
21 Secretary of State may rescind or withhold the entry of the  
22 order of suspension or revocation, as the case may be, provided  
23 that a certified copy of a stay order of a court is filed with  
24 the Secretary of State. If the conviction is affirmed on  
25 appeal, the date of the conviction shall relate back to the  
26 time the original judgment of conviction was entered and the 6

1 month limitation prescribed shall not apply.

2 (c) 1. Upon suspending or revoking the driver's license or  
3 permit of any person as authorized in this Section, the  
4 Secretary of State shall immediately notify the person in  
5 writing of the revocation or suspension. The notice to be  
6 deposited in the United States mail, postage prepaid, to the  
7 last known address of the person.

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



1 regular occupation only. Unless the permit is issued by the  
2 Secretary of State prior to the date of suspension, the  
3 privilege to drive any motor vehicle shall be suspended as set  
4 forth in the notice that was mailed under this Section. If an  
5 affidavit is received subsequent to the effective date of this  
6 suspension, a permit may be issued for the remainder of the  
7 suspension period.

8 The provisions of this subparagraph shall not apply to any  
9 driver required to possess a CDL for the purpose of operating a  
10 commercial motor vehicle.

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

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

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

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

1 permit, may not operate a vehicle unless it has been  
2 equipped with an ignition interlock device as defined in  
3 Section 1-129.1.

4 (B) If a person's license or permit is revoked or  
5 suspended 2 or more times due to any combination of:

6 (i) a single conviction of violating Section  
7 11-501 of this Code or a similar provision of a local  
8 ordinance or a similar out-of-state offense or Section  
9 9-3 of the Criminal Code of 1961 or the Criminal Code  
10 of 2012, where the use of alcohol or other drugs is  
11 recited as an element of the offense, or a similar  
12 out-of-state offense; or

13 (ii) a statutory summary suspension or revocation  
14 under Section 11-501.1; or

15 (iii) a suspension under Section 6-203.1;

16 arising out of separate occurrences; that person, if issued  
17 a restricted driving permit, may not operate a vehicle  
18 unless it has been equipped with an ignition interlock  
19 device as defined in Section 1-129.1.

20 (B-5) If a person's license or permit is revoked or  
21 suspended due to a conviction for a violation of  
22 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
23 of Section 11-501 of this Code, or a similar provision of a  
24 local ordinance or similar out-of-state offense, that  
25 person, if issued a restricted driving permit, may not  
26 operate a vehicle unless it has been equipped with an

1 ignition interlock device as defined in Section 1-129.1.

2 (C) The person issued a permit conditioned upon the use  
3 of an ignition interlock device must pay to the Secretary  
4 of State DUI Administration Fund an amount not to exceed  
5 \$30 per month. The Secretary shall establish by rule the  
6 amount and the procedures, terms, and conditions relating  
7 to these fees.

8 (D) If the restricted driving permit is issued for  
9 employment purposes, then the prohibition against  
10 operating a motor vehicle that is not equipped with an  
11 ignition interlock device does not apply to the operation  
12 of an occupational vehicle owned or leased by that person's  
13 employer when used solely for employment purposes. For any  
14 person who, within a 5-year period, is convicted of a  
15 second or subsequent offense under Section 11-501 of this  
16 Code, or a similar provision of a local ordinance or  
17 similar out-of-state offense, this employment exemption  
18 does not apply until either a one year period has elapsed  
19 during which that person had his or her driving privileges  
20 revoked or a one year period has elapsed during which that  
21 person had a restricted driving permit which required the  
22 use of an ignition interlock device on every motor vehicle  
23 owned or operated by that person.

24 (E) In each case the Secretary may issue a restricted  
25 driving permit for a period deemed appropriate, except that  
26 all permits shall expire within one year from the date of

1 issuance. A restricted driving permit issued under this  
2 Section shall be subject to cancellation, revocation, and  
3 suspension by the Secretary of State in like manner and for  
4 like cause as a driver's license issued under this Code may  
5 be cancelled, revoked, or suspended; except that a  
6 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 designated driver remedial or  
13 rehabilitative program. The Secretary of State is  
14 authorized to cancel a restricted driving permit if the  
15 permit holder does not successfully complete the program.

16 (c-3) In the case of a suspension under paragraph 43 of  
17 subsection (a), reports received by the Secretary of State  
18 under this Section shall, except during the actual time the  
19 suspension is in effect, be privileged information and for use  
20 only by the courts, police officers, prosecuting authorities,  
21 the driver licensing administrator of any other state, the  
22 Secretary of State, or the parent or legal guardian of a driver  
23 under the age of 18. However, beginning January 1, 2008, if the  
24 person is a CDL holder, the suspension shall also be made  
25 available to the driver licensing administrator of any other  
26 state, the U.S. Department of Transportation, and the affected

1 driver or motor carrier or prospective motor carrier upon  
2 request.

3 (c-4) In the case of a suspension under paragraph 43 of  
4 subsection (a), the Secretary of State shall notify the person  
5 by mail that his or her driving privileges and driver's license  
6 will be suspended one month after the date of the mailing of  
7 the notice.

8 (c-5) The Secretary of State may, as a condition of the  
9 reissuance of a driver's license or permit to an applicant  
10 whose driver's license or permit has been suspended before he  
11 or she reached the age of 21 years pursuant to any of the  
12 provisions of this Section, require the applicant to  
13 participate in a driver remedial education course and be  
14 retested under Section 6-109 of this Code.

15 (d) This Section is subject to the provisions of the  
16 Drivers License Compact.

17 (e) The Secretary of State shall not issue a restricted  
18 driving permit to a person under the age of 16 years whose  
19 driving privileges have been suspended or revoked under any  
20 provisions of this Code.

21 (f) In accordance with 49 C.F.R. 384, the Secretary of  
22 State may not issue a restricted driving permit for the  
23 operation of a commercial motor vehicle to a person holding a  
24 CDL whose driving privileges have been suspended, revoked,  
25 cancelled, or disqualified under any provisions of this Code.

26 (Source: P.A. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11;

1 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13;  
2 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff.  
3 1-1-14; 98-122, eff. 1-1-14; 98-726, eff. 1-1-15; 98-756, eff.  
4 7-16-14; 09900SB0627enr.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law, except that Sections 1, 5, and 10 take effect on  
7 July 1, 2016, and Section 20 takes effect January 1, 2016.