

**HB2786**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**HB2786**

by Rep. C.D. Davidsmeyer

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/6-103

from Ch. 95 1/2, par. 6-103

Amends the Illinois Vehicle Code. Exempts persons who have served in the United States Armed Forces from the requirement that persons at least 18 years of age but less than 21 years of age successfully complete an adult driver's education course in order to receive, renew, or retain a driver's license or permit.

LRB099 06007 RJF 26061 b

**A BILL FOR**

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 6-103 as follows:

6 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

7 Sec. 6-103. What persons shall not be licensed as drivers  
8 or granted permits. The Secretary of State shall not issue,  
9 renew, or allow the retention of any driver's license nor issue  
10 any permit under this Code:

11 1. To any person, as a driver, who is under the age of  
12 18 years except as provided in Section 6-107, and except  
13 that an instruction permit may be issued under Section  
14 6-107.1 to a child who is not less than 15 years of age if  
15 the child is enrolled in an approved driver education  
16 course as defined in Section 1-103 of this Code and  
17 requires an instruction permit to participate therein,  
18 except that an instruction permit may be issued under the  
19 provisions of Section 6-107.1 to a child who is 17 years  
20 and 3 months of age without the child having enrolled in an  
21 approved driver education course and except that an  
22 instruction permit may be issued to a child who is at least  
23 15 years and 3 months of age, is enrolled in school, meets

1 the educational requirements of the Driver Education Act,  
2 and has passed examinations the Secretary of State in his  
3 or her discretion may prescribe;

4 1.5. To any person at least 18 years of age but less  
5 than 21 years of age unless the person has, in addition to  
6 any other requirements of this Code, successfully  
7 completed an adult driver education course as provided in  
8 Section 6-107.5 of this Code; however, this subsection  
9 (1.5) shall not apply to any person at least 18 years of  
10 age but less than 21 years of age who has served in the  
11 United States Armed Forces;

12 2. To any person who is under the age of 18 as an  
13 operator of a motorcycle other than a motor driven cycle  
14 unless the person has, in addition to meeting the  
15 provisions of Section 6-107 of this Code, successfully  
16 completed a motorcycle training course approved by the  
17 Illinois Department of Transportation and successfully  
18 completes the required Secretary of State's motorcycle  
19 driver's examination;

20 3. To any person, as a driver, whose driver's license  
21 or permit has been suspended, during the suspension, nor to  
22 any person whose driver's license or permit has been  
23 revoked, except as provided in Sections 6-205, 6-206, and  
24 6-208;

25 4. To any person, as a driver, who is a user of alcohol  
26 or any other drug to a degree that renders the person

1 incapable of safely driving a motor vehicle;

2 5. To any person, as a driver, who has previously been  
3 adjudged to be afflicted with or suffering from any mental  
4 or physical disability or disease and who has not at the  
5 time of application been restored to competency by the  
6 methods provided by law;

7 6. To any person, as a driver, who is required by the  
8 Secretary of State to submit an alcohol and drug evaluation  
9 or take an examination provided for in this Code unless the  
10 person has successfully passed the examination and  
11 submitted any required evaluation;

12 7. To any person who is required under the provisions  
13 of the laws of this State to deposit security or proof of  
14 financial responsibility and who has not deposited the  
15 security or proof;

16 8. To any person when the Secretary of State has good  
17 cause to believe that the person by reason of physical or  
18 mental disability would not be able to safely operate a  
19 motor vehicle upon the highways, unless the person shall  
20 furnish to the Secretary of State a verified written  
21 statement, acceptable to the Secretary of State, from a  
22 competent medical specialist, a licensed physician  
23 assistant who has been delegated the performance of medical  
24 examinations by his or her supervising physician, or a  
25 licensed advanced practice nurse who has a written  
26 collaborative agreement with a collaborating physician

1 which authorizes him or her to perform medical  
2 examinations, to the effect that the operation of a motor  
3 vehicle by the person would not be inimical to the public  
4 safety;

5 9. To any person, as a driver, who is 69 years of age  
6 or older, unless the person has successfully complied with  
7 the provisions of Section 6-109;

8 10. To any person convicted, within 12 months of  
9 application for a license, of any of the sexual offenses  
10 enumerated in paragraph 2 of subsection (b) of Section  
11 6-205;

12 11. To any person who is under the age of 21 years with  
13 a classification prohibited in paragraph (b) of Section  
14 6-104 and to any person who is under the age of 18 years  
15 with a classification prohibited in paragraph (c) of  
16 Section 6-104;

17 12. To any person who has been either convicted of or  
18 adjudicated under the Juvenile Court Act of 1987 based upon  
19 a violation of the Cannabis Control Act, the Illinois  
20 Controlled Substances Act, or the Methamphetamine Control  
21 and Community Protection Act while that person was in  
22 actual physical control of a motor vehicle. For purposes of  
23 this Section, any person placed on probation under Section  
24 10 of the Cannabis Control Act, Section 410 of the Illinois  
25 Controlled Substances Act, or Section 70 of the  
26 Methamphetamine Control and Community Protection Act shall

1 not be considered convicted. Any person found guilty of  
2 this offense, while in actual physical control of a motor  
3 vehicle, shall have an entry made in the court record by  
4 the judge that this offense did occur while the person was  
5 in actual physical control of a motor vehicle and order the  
6 clerk of the court to report the violation to the Secretary  
7 of State as such. The Secretary of State shall not issue a  
8 new license or permit for a period of one year;

9 13. To any person who is under the age of 18 years and  
10 who has committed the offense of operating a motor vehicle  
11 without a valid license or permit in violation of Section  
12 6-101 or a similar out of state offense;

13 14. To any person who is 90 days or more delinquent in  
14 court ordered child support payments or has been  
15 adjudicated in arrears in an amount equal to 90 days'  
16 obligation or more and who has been found in contempt of  
17 court for failure to pay the support, subject to the  
18 requirements and procedures of Article VII of Chapter 7 of  
19 the Illinois Vehicle Code;

20 14.5. To any person certified by the Illinois  
21 Department of Healthcare and Family Services as being 90  
22 days or more delinquent in payment of support under an  
23 order of support entered by a court or administrative body  
24 of this or any other State, subject to the requirements and  
25 procedures of Article VII of Chapter 7 of this Code  
26 regarding those certifications;

1           15. To any person released from a term of imprisonment  
2           for violating Section 9-3 of the Criminal Code of 1961 or  
3           the Criminal Code of 2012, or a similar provision of a law  
4           of another state relating to reckless homicide or for  
5           violating subparagraph (F) of paragraph (1) of subsection  
6           (d) of Section 11-501 of this Code relating to aggravated  
7           driving under the influence of alcohol, other drug or  
8           drugs, intoxicating compound or compounds, or any  
9           combination thereof, if the violation was the proximate  
10          cause of a death, within 24 months of release from a term  
11          of imprisonment;

12          16. To any person who, with intent to influence any act  
13          related to the issuance of any driver's license or permit,  
14          by an employee of the Secretary of State's Office, or the  
15          owner or employee of any commercial driver training school  
16          licensed by the Secretary of State, or any other individual  
17          authorized by the laws of this State to give driving  
18          instructions or administer all or part of a driver's  
19          license examination, promises or tenders to that person any  
20          property or personal advantage which that person is not  
21          authorized by law to accept. Any persons promising or  
22          tendering such property or personal advantage shall be  
23          disqualified from holding any class of driver's license or  
24          permit for 120 consecutive days. The Secretary of State  
25          shall establish by rule the procedures for implementing  
26          this period of disqualification and the procedures by which

1 persons so disqualified may obtain administrative review  
2 of the decision to disqualify;

3 17. To any person for whom the Secretary of State  
4 cannot verify the accuracy of any information or  
5 documentation submitted in application for a driver's  
6 license; or

7 18. To any person who has been adjudicated under the  
8 Juvenile Court Act of 1987 based upon an offense that is  
9 determined by the court to have been committed in  
10 furtherance of the criminal activities of an organized  
11 gang, as provided in Section 5-710 of that Act, and that  
12 involved the operation or use of a motor vehicle or the use  
13 of a driver's license or permit. The person shall be denied  
14 a license or permit for the period determined by the court.

15 The Secretary of State shall retain all conviction  
16 information, if the information is required to be held  
17 confidential under the Juvenile Court Act of 1987.

18 (Source: P.A. 97-185, eff. 7-22-11; 97-1150, eff. 1-25-13;  
19 98-167, eff. 7-1-14; 98-756, eff. 7-16-14.)