



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3384

by Rep. Jerry F. Costello, II

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-801	from Ch. 95 1/2, par. 3-801
625 ILCS 5/6-102	from Ch. 95 1/2, par. 6-102
625 ILCS 5/6-115	from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Allows civilian employees of the United States Armed Services or of the United States Department of Defense, serving outside of the State of Illinois, to secure vehicle registration up to 45 days after returning to this State. Provides that Illinois driver's license requirements shall not apply to civilian employees of the United States Armed Services or of the United States Department of Defense, serving outside of the continental United States, for a period of 120 days following their return to the continental limits of the United States. Allows the Secretary of State to defer the expiration of a driver's license belonging to a civilian employee of the United States Armed Forces or of the United States Department of Defense, serving outside of the State of Illinois, and 120 days thereafter, upon such terms and conditions as the Secretary may prescribe.

LRB099 06147 RJF 26205 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Sections 3-801, 6-102, and 6-115 as follows:

6 (625 ILCS 5/3-801) (from Ch. 95 1/2, par. 3-801)

7 Sec. 3-801. Registration. (a) Except as provided herein for  
8 new residents, every owner of any vehicle which shall be  
9 operated upon the public highways of this State shall, within  
10 24 hours after becoming the owner or at such time as such  
11 vehicle becomes subject to registration under the provisions of  
12 this Act, file in an office of the Secretary of State, an  
13 application for registration properly completed and executed.  
14 New residents need not secure registration until 30 days after  
15 establishing residency in this State, provided the vehicle is  
16 properly registered in another jurisdiction. By the expiration  
17 of such 30 day statutory grace period, a new resident shall  
18 comply with the provisions of this Act and apply for Illinois  
19 vehicle registration. All applications for registration shall  
20 be accompanied by all documentation required under the  
21 provisions of this Act. The appropriate registration fees and  
22 taxes provided for in this Article of this Chapter shall be  
23 paid to the Secretary of State with the application for

1 registration of vehicles subject to registration under this  
2 Act.

3 (b) Any resident of this State, who has been serving as a  
4 member or as a civilian employee of the United States Armed  
5 Services, or as a civilian employee of the United States  
6 Department of Defense, outside of the State of Illinois, need  
7 not secure registration until 45 days after returning to this  
8 State, provided the vehicle displays temporary military  
9 registration.

10 (c) When an application is submitted by mail, the applicant  
11 may not submit cash or postage stamps for payment of fees or  
12 taxes due. The Secretary in his discretion, may decline to  
13 accept a personal or company check in payment of fees or taxes.  
14 An application submitted to a dealer, or a remittance made to  
15 the Secretary of State shall be deemed in compliance with this  
16 Section.

17 (Source: P.A. 85-1209.)

18 (625 ILCS 5/6-102) (from Ch. 95 1/2, par. 6-102)

19 Sec. 6-102. What persons are exempt. The following persons  
20 are exempt from the requirements of Section 6-101 and are not  
21 required to have an Illinois drivers license or permit if one  
22 or more of the following qualifying exemptions are met and  
23 apply:

24 1. Any employee of the United States Government or any  
25 member of the Armed Forces of the United States, while

1 operating a motor vehicle owned by or leased to the United  
2 States Government and being operated on official business  
3 need not be licensed;

4 2. A nonresident who has in his immediate possession a  
5 valid license issued to him in his home state or country  
6 may operate a motor vehicle for which he is licensed for  
7 the period during which he is in this State;

8 3. A nonresident and his spouse and children living  
9 with him who is a student at a college or university in  
10 Illinois who have a valid license issued by their home  
11 State.

12 4. A person operating a road machine temporarily upon a  
13 highway or operating a farm tractor between the home farm  
14 buildings and any adjacent or nearby farm land for the  
15 exclusive purpose of conducting farm operations need not be  
16 licensed as a driver.

17 5. A resident of this State who has been serving as a  
18 member or as a civilian employee of the Armed Forces of the  
19 United States, or as a civilian employee of the United  
20 States Department of Defense, outside the Continental  
21 limits of the United States, for a period of 120 days  
22 following his return to the continental limits of the  
23 United States.

24 6. A nonresident on active duty in the Armed Forces of  
25 the United States who has a valid license issued by his  
26 home state and such nonresident's spouse, and dependent

1 children and living with parents, who have a valid license  
2 issued by their home state.

3 7. A nonresident who becomes a resident of this State,  
4 may for a period of the first 90 days of residence in  
5 Illinois operate any motor vehicle which he was qualified  
6 or licensed to drive by his home state or country so long  
7 as he has in his possession, a valid and current license  
8 issued to him by his home state or country. Upon expiration  
9 of such 90 day period, such new resident must comply with  
10 the provisions of this Act and apply for an Illinois  
11 license or permit.

12 8. An engineer, conductor, brakeman, or any other  
13 member of the crew of a locomotive or train being operated  
14 upon rails, including operation on a railroad crossing over  
15 a public street, road or highway. Such person is not  
16 required to display a driver's license to any law  
17 enforcement officer in connection with the operation of a  
18 locomotive or train within this State.

19 The provisions of this Section granting exemption to any  
20 nonresident shall be operative to the same extent that the laws  
21 of the State or country of such nonresident grant like  
22 exemption to residents of this State.

23 The Secretary of State may implement the exemption  
24 provisions of this Section by inclusion thereof in a  
25 reciprocity agreement, arrangement or declaration issued  
26 pursuant to this Act.

1 (Source: P.A. 96-607, eff. 8-24-09; 97-835, eff. 7-20-12.)

2 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

3 Sec. 6-115. Expiration of driver's license.

4 (a) Except as provided elsewhere in this Section, every  
5 driver's license issued under the provisions of this Code shall  
6 expire 4 years from the date of its issuance, or at such later  
7 date, as the Secretary of State may by proper rule and  
8 regulation designate, not to exceed 12 calendar months; in the  
9 event that an applicant for renewal of a driver's license fails  
10 to apply prior to the expiration date of the previous driver's  
11 license, the renewal driver's license shall expire 4 years from  
12 the expiration date of the previous driver's license, or at  
13 such later date as the Secretary of State may by proper rule  
14 and regulation designate, not to exceed 12 calendar months.

15 The Secretary of State may, however, issue to a person not  
16 previously licensed as a driver in Illinois a driver's license  
17 which will expire not less than 4 years nor more than 5 years  
18 from date of issuance, except as provided elsewhere in this  
19 Section.

20 The Secretary of State is authorized to issue driver's  
21 licenses during the years 1984 through 1987 which shall expire  
22 not less than 3 years nor more than 5 years from the date of  
23 issuance, except as provided elsewhere in this Section, for the  
24 purpose of converting all driver's licenses issued under this  
25 Code to a 4 year expiration. Provided that all original

1 driver's licenses, except as provided elsewhere in this  
2 Section, shall expire not less than 4 years nor more than 5  
3 years from the date of issuance.

4 (b) Before the expiration of a driver's license, except  
5 those licenses expiring on the individual's 21st birthday, or 3  
6 months after the individual's 21st birthday, the holder thereof  
7 may apply for a renewal thereof, subject to all the provisions  
8 of Section 6-103, and the Secretary of State may require an  
9 examination of the applicant. A licensee whose driver's license  
10 expires on his 21st birthday, or 3 months after his 21st  
11 birthday, may not apply for a renewal of his driving privileges  
12 until he reaches the age of 21.

13 (c) The Secretary of State shall, 30 days prior to the  
14 expiration of a driver's license, forward to each person whose  
15 license is to expire a notification of the expiration of said  
16 license which may be presented at the time of renewal of said  
17 license.

18 There may be included with such notification information  
19 explaining the anatomical gift and Emergency Medical  
20 Information Card provisions of Section 6-110. The format and  
21 text of such information shall be prescribed by the Secretary.

22 There shall be included with such notification, for a  
23 period of 4 years beginning January 1, 2000 information  
24 regarding the Illinois Adoption Registry and Medical  
25 Information Exchange established in Section 18.1 of the  
26 Adoption Act.

1           (d) The Secretary may defer the expiration of the driver's  
2 license of a licensee, spouse, and dependent children who are  
3 living with such licensee while on active duty, serving in the  
4 Armed Forces of the United States outside of the State of  
5 Illinois, and 120 days thereafter, upon such terms and  
6 conditions as the Secretary may prescribe.

7           (d-5) The Secretary may defer the expiration of the  
8 driver's license of a licensee, or of a spouse or dependent  
9 children living with the licensee, serving as a civilian  
10 employee of the United States Armed Forces or the United States  
11 Department of Defense, outside of the State of Illinois, and  
12 120 days thereafter, upon such terms and conditions as the  
13 Secretary may prescribe.

14           (e) The Secretary of State may decline to process a renewal  
15 of a driver's license of any person who has not paid any fee or  
16 tax due under this Code and is not paid upon reasonable notice  
17 and demand.

18           (f) The Secretary shall provide that each original or  
19 renewal driver's license issued to a licensee under 21 years of  
20 age shall expire 3 months after the licensee's 21st birthday.  
21 Persons whose current driver's licenses expire on their 21st  
22 birthday on or after January 1, 1986 shall not renew their  
23 driver's license before their 21st birthday, and their current  
24 driver's license will be extended for an additional term of 3  
25 months beyond their 21st birthday. Thereafter, the expiration  
26 and term of the driver's license shall be governed by



1 subsection (a) hereof.

2 (g) The Secretary shall provide that each original or  
3 renewal driver's license issued to a licensee 81 years of age  
4 through age 86 shall expire 2 years from the date of issuance,  
5 or at such later date as the Secretary may by rule and  
6 regulation designate, not to exceed an additional 12 calendar  
7 months. The Secretary shall also provide that each original or  
8 renewal driver's license issued to a licensee 87 years of age  
9 or older shall expire 12 months from the date of issuance, or  
10 at such later date as the Secretary may by rule and regulation  
11 designate, not to exceed an additional 12 calendar months.

12 (h) The Secretary of State shall provide that each special  
13 restricted driver's license issued under subsection (g) of  
14 Section 6-113 of this Code shall expire 12 months from the date  
15 of issuance. The Secretary shall adopt rules defining renewal  
16 requirements.

17 (i) The Secretary of State shall provide that each driver's  
18 license issued to a person convicted of a sex offense as  
19 defined in Section 2 of the Sex Offender Registration Act shall  
20 expire 12 months from the date of issuance or at such date as  
21 the Secretary may by rule designate, not to exceed an  
22 additional 12 calendar months. The Secretary may adopt rules  
23 defining renewal requirements.

24 (Source: P.A. 97-79, eff. 1-1-12.)