

1 AN ACT concerning the Secretary of State.

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

4 Section 5. The Illinois Identification Card Act is amended  
5 by changing Section 12 as follows:

6 (15 ILCS 335/12) (from Ch. 124, par. 32)

7 Sec. 12. Fees concerning Standard Illinois Identification  
8 Cards. The fees required under this Act for standard Illinois  
9 Identification Cards must accompany any application provided  
10 for in this Act, and the Secretary shall collect such fees as  
11 follows:

12	a. Original card .....	\$20
13	b. Renewal card .....	20
14	c. Corrected card .....	10
15	d. Duplicate card .....	20
16	e. Certified copy with seal .....	5
17	f. Search .....	2
18	g. Applicant 65 years of age or over .....	No Fee
19	h. (Blank) .....	
20	i. Individual living in Veterans	
21	Home or Hospital .....	No Fee
22	j. Original card under 18 years of age .....	\$10
23	k. Renewal card under 18 years of age .....	\$10

1	l. Corrected card under 18 years of age .....	\$5
2	m. Duplicate card under 18 years of age .....	\$10
3	n. Homeless person .....	No Fee
4	o. Duplicate card issued to an active-duty	
5	member of the United States Armed Forces, the	
6	member's spouse, or dependent children	
7	living with the member .....	No Fee
8	<u>p. Duplicate temporary card .....</u>	<u>\$5</u>

9 All fees collected under this Act shall be paid into the  
 10 Road Fund of the State treasury, except that the following  
 11 amounts shall be paid into the General Revenue Fund: (i) 80% of  
 12 the fee for an original, renewal, or duplicate Illinois  
 13 Identification Card issued on or after January 1, 2005; and  
 14 (ii) 80% of the fee for a corrected Illinois Identification  
 15 Card issued on or after January 1, 2005.

16 An individual, who resides in a veterans home or veterans  
 17 hospital operated by the state or federal government, who makes  
 18 an application for an Illinois Identification Card to be issued  
 19 at no fee, must submit, along with the application, an  
 20 affirmation by the applicant on a form provided by the  
 21 Secretary of State, that such person resides in a veterans home  
 22 or veterans hospital operated by the state or federal  
 23 government.

24 The application of a homeless individual for an Illinois  
 25 Identification Card to be issued at no fee must be accompanied  
 26 by an affirmation by a qualified person, as defined in Section

1 4C of this Act, on a form provided by the Secretary of State,  
2 that the applicant is currently homeless as defined in Section  
3 1A of this Act.

4 The fee for any duplicate identification card shall be  
5 waived for any person who presents the Secretary of State's  
6 Office with a police report showing that his or her  
7 identification card was stolen.

8 The fee for any duplicate identification card shall be  
9 waived for any person age 60 or older whose identification card  
10 has been lost or stolen.

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

18 (Source: P.A. 96-183, eff. 7-1-10; 96-1231, eff. 7-23-10;  
19 97-333, eff. 8-12-11; 97-1064, eff. 1-1-13.)

20 Section 10. The Illinois Vehicle Code is amended by  
21 changing Sections 3-821, 6-206, 6-507 and 6-508.1 as follows:

22 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

23 Sec. 3-821. Miscellaneous Registration and Title Fees.

24 (a) The fee to be paid to the Secretary of State for the

1 following certificates, registrations or evidences of proper  
2 registration, or for corrected or duplicate documents shall be  
3 in accordance with the following schedule:

4	Certificate of Title, except for an all-terrain	
5	vehicle or off-highway motorcycle	\$95
6	Certificate of Title for an all-terrain vehicle	
7	or off-highway motorcycle	\$30
8	Certificate of Title for an all-terrain vehicle	
9	or off-highway motorcycle used for production	
10	agriculture, or accepted by a dealer in trade	13
11	Certificate of Title for a low-speed vehicle	30
12	Transfer of Registration or any evidence of	
13	proper registration	\$25
14	Duplicate Registration Card for plates or other	
15	evidence of proper registration	3
16	Duplicate Registration Sticker or Stickers, each	20
17	Duplicate Certificate of Title	95
18	Corrected Registration Card or Card for other	
19	evidence of proper registration	3
20	Corrected Certificate of Title	95
21	Salvage Certificate	4
22	Fleet Reciprocity Permit	15
23	Prorate Decal	1
24	Prorate Backing Plate	3
25	Special Corrected Certificate of Title	15

1	Expedited Title Service (to be charged in addition	
2	to other applicable fees)	30
3	Dealer Lien Release Certificate of Title	20

4 A special corrected certificate of title shall be issued  
5 (i) to remove a co-owner's name due to the death of the  
6 co-owner, to transfer title to a spouse if the decedent-spouse  
7 was the sole owner on the title, or due to a divorce or (ii) to  
8 change a co-owner's name due to a marriage.

9 There shall be no fee paid for a Junking Certificate.

10 There shall be no fee paid for a certificate of title  
11 issued to a county when the vehicle is forfeited to the county  
12 under Article 36 of the Criminal Code of 2012.

13 (a-5) The Secretary of State may revoke a certificate of  
14 title and registration card and issue a corrected certificate  
15 of title and registration card, at no fee to the vehicle owner  
16 or lienholder, if there is proof that the vehicle  
17 identification number is erroneously shown on the original  
18 certificate of title.

19 (a-10) The Secretary of State may issue, in connection with  
20 the sale of a motor vehicle, a corrected title to a motor  
21 vehicle dealer upon application and submittal of a lien release  
22 letter from the lienholder listed in the files of the  
23 Secretary. In the case of a title issued by another state, the  
24 dealer must submit proof from the state that issued the last  
25 title. The corrected title, which shall be known as a dealer  
26 lien release certificate of title, shall be issued in the name

1 of the vehicle owner without the named lienholder. If the motor  
2 vehicle is currently titled in a state other than Illinois, the  
3 applicant must submit either (i) a letter from the current  
4 lienholder releasing the lien and stating that the lienholder  
5 has possession of the title; or (ii) a letter from the current  
6 lienholder releasing the lien and a copy of the records of the  
7 department of motor vehicles for the state in which the vehicle  
8 is titled, showing that the vehicle is titled in the name of  
9 the applicant and that no liens are recorded other than the  
10 lien for which a release has been submitted. The fee for the  
11 dealer lien release certificate of title is \$20.

12 (b) The Secretary may prescribe the maximum service charge  
13 to be imposed upon an applicant for renewal of a registration  
14 by any person authorized by law to receive and remit or  
15 transmit to the Secretary such renewal application and fees  
16 therewith.

17 (c) If payment is delivered to the Office of the Secretary  
18 of State as payment of any fee or tax under this Code, and such  
19 payment is not honored for any reason, the registrant or other  
20 person tendering the payment remains liable for the payment of  
21 such fee or tax. The Secretary of State may assess a service  
22 charge of \$25 in addition to the fee or tax due and owing for  
23 all dishonored payments.

24 If the total amount then due and owing exceeds the sum of  
25 \$100 and has not been paid in full within 60 days from the date  
26 the dishonored payment was first delivered ~~such fee or tax~~

1 ~~became due~~ to the Secretary of State, the Secretary of State  
2 shall assess a penalty of 25% of such amount remaining unpaid.

3 All amounts payable under this Section shall be computed to  
4 the nearest dollar. Out of each fee collected for dishonored  
5 payments, \$5 shall be deposited in the Secretary of State  
6 Special Services Fund.

7 (d) The minimum fee and tax to be paid by any applicant for  
8 apportionment of a fleet of vehicles under this Code shall be  
9 \$15 if the application was filed on or before the date  
10 specified by the Secretary together with fees and taxes due. If  
11 an application and the fees or taxes due are filed after the  
12 date specified by the Secretary, the Secretary may prescribe  
13 the payment of interest at the rate of 1/2 of 1% per month or  
14 fraction thereof after such due date and a minimum of \$8.

15 (e) Trucks, truck tractors, truck tractors with loads, and  
16 motor buses, any one of which having a combined total weight in  
17 excess of 12,000 lbs. shall file an application for a Fleet  
18 Reciprocity Permit issued by the Secretary of State. This  
19 permit shall be in the possession of any driver operating a  
20 vehicle on Illinois highways. Any foreign licensed vehicle of  
21 the second division operating at any time in Illinois without a  
22 Fleet Reciprocity Permit or other proper Illinois  
23 registration, shall subject the operator to the penalties  
24 provided in Section 3-834 of this Code. For the purposes of  
25 this Code, "Fleet Reciprocity Permit" means any second division  
26 motor vehicle with a foreign license and used only in

1 interstate transportation of goods. The fee for such permit  
2 shall be \$15 per fleet which shall include all vehicles of the  
3 fleet being registered.

4 (f) For purposes of this Section, "all-terrain vehicle or  
5 off-highway motorcycle used for production agriculture" means  
6 any all-terrain vehicle or off-highway motorcycle used in the  
7 raising of or the propagation of livestock, crops for sale for  
8 human consumption, crops for livestock consumption, and  
9 production seed stock grown for the propagation of feed grains  
10 and the husbandry of animals or for the purpose of providing a  
11 food product, including the husbandry of blood stock as a main  
12 source of providing a food product. "All-terrain vehicle or  
13 off-highway motorcycle used in production agriculture" also  
14 means any all-terrain vehicle or off-highway motorcycle used in  
15 animal husbandry, floriculture, aquaculture, horticulture, and  
16 viticulture.

17 (g) All of the proceeds of the additional fees imposed by  
18 Public Act 96-34 shall be deposited into the Capital Projects  
19 Fund.

20 (Source: P.A. 99-260, eff. 1-1-16.)

21 (625 ILCS 5/6-206)

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

24 (a) The Secretary of State is authorized to suspend or  
25 revoke the driving privileges of any person without preliminary



1 hearing upon a showing of the person's records or other  
2 sufficient evidence that the person:

3 1. Has committed an offense for which mandatory  
4 revocation of a driver's license or permit is required upon  
5 conviction;

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

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

19 4. Has by the unlawful operation of a motor vehicle  
20 caused or contributed to an accident resulting in injury  
21 requiring immediate professional treatment in a medical  
22 facility or doctor's office to any person, except that any  
23 suspension or revocation imposed by the Secretary of State  
24 under the provisions of this subsection shall start no  
25 later than 6 months after being convicted of violating a  
26 law or ordinance regulating the movement of traffic, which

1 violation is related to the accident, or shall start not  
2 more than one year after the date of the accident,  
3 whichever date occurs later;

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

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

10 7. Has refused or failed to submit to an examination  
11 provided for by Section 6-207 or has failed to pass the  
12 examination;

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

15 9. Has made a false statement or knowingly concealed a  
16 material fact or has used false information or  
17 identification in any application for a license,  
18 identification card, or permit;

19 10. Has possessed, displayed, or attempted to  
20 fraudulently use any license, identification card, or  
21 permit not issued to the person;

22 11. Has operated a motor vehicle upon a highway of this  
23 State when the person's driving privilege or privilege to  
24 obtain a driver's license or permit was revoked or  
25 suspended unless the operation was authorized by a  
26 monitoring device driving permit, judicial driving permit

1 issued prior to January 1, 2009, probationary license to  
2 drive, or a restricted driving permit issued under this  
3 Code;

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

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

12 14. Has committed a violation of Section 6-301,  
13 6-301.1, or 6-301.2 of this Code Act, or Section 14, 14A,  
14 or 14B of the Illinois Identification Card Act;

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

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

21 17. Has refused to submit to a test, or tests, as  
22 required under Section 11-501.1 of this Code and the person  
23 has not sought a hearing as provided for in Section  
24 11-501.1;

25 18. Has, since issuance of a driver's license or  
26 permit, been adjudged to be afflicted with or suffering

1 from any mental disability or disease;

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

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

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

11 22. Has used a motor vehicle in violating paragraph  
12 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
13 the Criminal Code of 1961 or the Criminal Code of 2012  
14 relating to unlawful use of weapons, in which case the  
15 suspension shall be for one year;

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

20 24. Has been convicted by a court-martial or punished  
21 by non-judicial punishment by military authorities of the  
22 United States at a military installation in Illinois or in  
23 another state of or for a traffic related offense that is  
24 the same as or similar to an offense specified under  
25 Section 6-205 or 6-206 of this Code;

26 25. Has permitted any form of identification to be used

1 by another in the application process in order to obtain or  
2 attempt to obtain a license, identification card, or  
3 permit;

4 26. Has altered or attempted to alter a license or has  
5 possessed an altered license, identification card, or  
6 permit;

7 27. Has violated Section 6-16 of the Liquor Control Act  
8 of 1934;

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

23 29. Has been convicted of the following offenses that  
24 were committed while the person was operating or in actual  
25 physical control, as a driver, of a motor vehicle: criminal  
26 sexual assault, predatory criminal sexual assault of a

1 child, aggravated criminal sexual assault, criminal sexual  
2 abuse, aggravated criminal sexual abuse, juvenile pimping,  
3 soliciting for a juvenile prostitute, promoting juvenile  
4 prostitution as described in subdivision (a)(1), (a)(2),  
5 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961  
6 or the Criminal Code of 2012, and the manufacture, sale or  
7 delivery of controlled substances or instruments used for  
8 illegal drug use or abuse in which case the driver's  
9 driving privileges shall be suspended for one year;

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

14 31. Has refused to submit to a test as required by  
15 Section 11-501.6 of this Code or Section 5-16c of the Boat  
16 Registration and Safety Act or has submitted to a test  
17 resulting in an alcohol concentration of 0.08 or more or  
18 any amount of a drug, substance, or compound resulting from  
19 the unlawful use or consumption of cannabis as listed in  
20 the Cannabis Control Act, a controlled substance as listed  
21 in the Illinois Controlled Substances Act, an intoxicating  
22 compound as listed in the Use of Intoxicating Compounds  
23 Act, or methamphetamine as listed in the Methamphetamine  
24 Control and Community Protection Act, in which case the  
25 penalty shall be as prescribed in Section 6-208.1;

26 32. Has been convicted of Section 24-1.2 of the

1 Criminal Code of 1961 or the Criminal Code of 2012 relating  
2 to the aggravated discharge of a firearm if the offender  
3 was located in a motor vehicle at the time the firearm was  
4 discharged, in which case the suspension shall be for 3  
5 years;

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

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

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

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

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

23 38. Has been convicted of a violation of Section 6-20  
24 of the Liquor Control Act of 1934 or a similar provision of  
25 a local ordinance;

26 39. Has committed a second or subsequent violation of

1 Section 11-1201 of this Code;

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

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

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

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

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

23 45. Has, in connection with or during the course of a  
24 formal hearing conducted under Section 2-118 of this Code:  
25 (i) committed perjury; (ii) submitted fraudulent or  
26 falsified documents; (iii) submitted documents that have



1           been materially altered; or (iv) submitted, as his or her  
2           own, documents that were in fact prepared or composed for  
3           another person;

4           46. Has committed a violation of subsection (j) of  
5           Section 3-413 of this Code; ~~or~~

6           47. Has committed a violation of Section 11-502.1 of  
7           this Code; or -

8           48. Has submitted a falsified or altered medical  
9           examiner's certificate to the Secretary of State or  
10           provided false information to obtain a medical examiner's  
11           certificate.

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 persons with disabilities who do not hold  
11 driving privileges and are living in the petitioner's household  
12 to and 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.

16 (A) If a person's license or permit is revoked or  
17 suspended due to 2 or more convictions of violating Section  
18 11-501 of this Code or a similar provision of a local  
19 ordinance or a similar out-of-state offense, or Section 9-3  
20 of the Criminal Code of 1961 or the Criminal Code of 2012,  
21 where the use of alcohol or other drugs is recited as an  
22 element of the offense, or a similar out-of-state offense,  
23 or a combination of these offenses, arising out of separate  
24 occurrences, that person, if issued a restricted driving  
25 permit, may not operate a vehicle unless it has been  
26 equipped with an ignition interlock device as defined in

1 Section 1-129.1.

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

4 (i) a single conviction of violating Section  
5 11-501 of this Code or a similar provision of a local  
6 ordinance or a similar out-of-state offense or Section  
7 9-3 of the Criminal Code of 1961 or the Criminal Code  
8 of 2012, where the use of alcohol or other drugs is  
9 recited as an element of the offense, or a similar  
10 out-of-state offense; or

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

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

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

18 (B-5) If a person's license or permit is revoked or  
19 suspended due to a conviction for a violation of  
20 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
21 of Section 11-501 of this Code, or a similar provision of a  
22 local ordinance or similar out-of-state offense, that  
23 person, if issued a restricted driving permit, may not  
24 operate a vehicle unless it has been equipped with an  
25 ignition interlock device as defined in Section 1-129.1.

26 (C) The person issued a permit conditioned upon the use

1 of an ignition interlock device must pay to the Secretary  
2 of State DUI Administration Fund an amount not to exceed  
3 \$30 per month. The Secretary shall establish by rule the  
4 amount and the procedures, terms, and conditions relating  
5 to these fees.

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

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

1 Section shall be subject to cancellation, revocation, and  
2 suspension by the Secretary of State in like manner and for  
3 like cause as a driver's license issued under this Code may  
4 be cancelled, revoked, or suspended; except that a  
5 conviction upon one or more offenses against laws or  
6 ordinances regulating the movement of traffic shall be  
7 deemed sufficient cause for the revocation, suspension, or  
8 cancellation of a restricted driving permit. The Secretary  
9 of State may, as a condition to the issuance of a  
10 restricted driving permit, require the applicant to  
11 participate in a designated driver remedial or  
12 rehabilitative program. The Secretary of State is  
13 authorized to cancel a restricted driving permit if the  
14 permit holder does not successfully complete the program.

15 (F) A person subject to the provisions of paragraph 4  
16 of subsection (b) of Section 6-208 of this Code may make  
17 application for a restricted driving permit at a hearing  
18 conducted under Section 2-118 of this Code after the  
19 expiration of 5 years from the effective date of the most  
20 recent revocation or after 5 years from the date of release  
21 from a period of imprisonment resulting from a conviction  
22 of the most recent offense, whichever is later, provided  
23 the person, in addition to all other requirements of the  
24 Secretary, shows by clear and convincing evidence:

25 (i) a minimum of 3 years of uninterrupted  
26 abstinence from alcohol and the unlawful use or

1 consumption of cannabis under the Cannabis Control  
2 Act, a controlled substance under the Illinois  
3 Controlled Substances Act, an intoxicating compound  
4 under the Use of Intoxicating Compounds Act, or  
5 methamphetamine under the Methamphetamine Control and  
6 Community Protection Act; and

7 (ii) the successful completion of any  
8 rehabilitative treatment and involvement in any  
9 ongoing rehabilitative activity that may be  
10 recommended by a properly licensed service provider  
11 according to an assessment of the person's alcohol or  
12 drug use under Section 11-501.01 of this Code.

13 In determining whether an applicant is eligible for a  
14 restricted driving permit under this subparagraph (F), the  
15 Secretary may consider any relevant evidence, including,  
16 but not limited to, testimony, affidavits, records, and the  
17 results of regular alcohol or drug tests. Persons subject  
18 to the provisions of paragraph 4 of subsection (b) of  
19 Section 6-208 of this Code and who have been convicted of  
20 more than one violation of paragraph (3), paragraph (4), or  
21 paragraph (5) of subsection (a) of Section 11-501 of this  
22 Code shall not be eligible to apply for a restricted  
23 driving permit under this subparagraph (F).

24 A restricted driving permit issued under this  
25 subparagraph (F) shall provide that the holder may only  
26 operate motor vehicles equipped with an ignition interlock



1 device as required under paragraph (2) of subsection (c) of  
2 Section 6-205 of this Code and subparagraph (A) of  
3 paragraph 3 of subsection (c) of this Section. The  
4 Secretary may revoke a restricted driving permit or amend  
5 the conditions of a restricted driving permit issued under  
6 this subparagraph (F) if the holder operates a vehicle that  
7 is not equipped with an ignition interlock device, or for  
8 any other reason authorized under this Code.

9 A restricted driving permit issued under this  
10 subparagraph (F) shall be revoked, and the holder barred  
11 from applying for or being issued a restricted driving  
12 permit in the future, if the holder is convicted of a  
13 violation of Section 11-501 of this Code, a similar  
14 provision of a local ordinance, or a similar offense in  
15 another state.

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. 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; 98-726,

1 eff. 1-1-15; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15;  
2 99-290, eff. 1-1-16; 99-467, eff. 1-1-16; 99-483, eff. 1-1-16;  
3 revised 11-3-15.)

4 (625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)

5 Sec. 6-507. Commercial Driver's License (CDL) or  
6 Commercial Learner's Permit (CLP) Required.

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

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

13 (2) having obtained a CLP or CDL;

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

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

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

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

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

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

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

25          (b-3) Except as otherwise provided by this Code, no person  
26 may drive a commercial motor vehicle on the highways during a

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

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

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

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

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

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

20 As required under the Code of Federal Regulations 49 CFR  
21 390.39, an operator of a covered farm vehicle, as defined under  
22 Section 18b-101 of this Code, is exempt from the requirements  
23 of this Section. However, for drivers of any truck-tractor  
24 semitrailer combination or combinations operating as a covered  
25 farm vehicle, the driver must successfully complete any tests  
26 the Secretary of State deems necessary. When operating any

1 truck-tractor semitrailer combination as a covered farm  
2 vehicle, the exemption applies only to persons age 21 or older,  
3 if operating the vehicle in interstate driving, and to persons  
4 at least 18 years of age, if operating the vehicle in  
5 intrastate driving. The Secretary may adopt rules necessary to  
6 implement this Section.

7 (c-5) An employee of a township or road district with a  
8 population of less than 3,000 operating a vehicle within the  
9 boundaries of the township or road district for the purpose of  
10 removing snow or ice from a roadway by plowing, sanding, or  
11 salting is waived from the requirements of this Section when  
12 the employee is needed to operate the vehicle because the  
13 employee of the township or road district who ordinarily  
14 operates the vehicle and who has a commercial driver's license  
15 is unable to operate the vehicle or is in need of additional  
16 assistance due to a snow emergency.

17 (c-10) A driver of a commercial motor vehicle used  
18 primarily in the transportation of propane winter heating fuel  
19 or a driver of a motor vehicle used to respond to a pipeline  
20 emergency is waived from the requirements of this Section if  
21 such requirements would prevent the driver from responding to  
22 an emergency condition requiring immediate response as defined  
23 in 49 C.F.R. Part 390.5.

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

26 (e) Any person convicted of violating paragraph (1) of

1 subsection (b) of this Section, shall have all driving  
2 privileges revoked by the Secretary of State.

3 (f) This Section shall not apply to:

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

8 (2) A non-Illinois domiciliary who is properly  
9 licensed in another State, until April 1, 1992. A  
10 non-Illinois domiciliary, if such domiciliary is properly  
11 licensed in another State or foreign jurisdiction, until  
12 April 1, 1992.

13 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
14 10 of P.A. 99-414 for the effective date of changes made by  
15 P.A. 98-176); 99-57, eff. 7-16-15.)

16 (625 ILCS 5/6-508.1)

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

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

22 (b) No person who has certified to non-excepted interstate  
23 driving as provided in Sections 6-507.5 and 6-508 of this Code  
24 shall be issued a commercial learner's permit or CDL unless  
25 that person presents to the Secretary a medical examiner's



1 certificate or has a current medical examiner's certificate on  
2 the CDLIS driver record.

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

8 (d) On and after January 30, 2014, all persons who hold a  
9 commercial driver instruction permit or CDL who have certified  
10 as non-excepted interstate shall maintain a current medical  
11 examiner's certificate on file with the Secretary. On and after  
12 July 1, 2014, all persons issued a CLP who have certified as  
13 non-excepted interstate shall maintain a current medical  
14 examiner's certificate on file with the Secretary.

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

- 19 (1) the medical examiner's name;
- 20 (2) the medical examiner's telephone number;
- 21 (3) the date of issuance of the medical examiner's  
22 certificate;
- 23 (4) the medical examiner's license number and the state  
24 that issued it;
- 25 (5) the medical certification status;
- 26 (6) the expiration date of the medical examiner's

1 certificate;

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

4 (8) any restrictions noted on the medical examiner's  
5 certificate; and

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

8 (f) Within 10 calendar days of the expiration or rescission  
9 of the driver's medical examiner's certificate or medical  
10 variance or both, the Secretary shall update the medical  
11 certification status to "not certified".

12 (g) Within 10 calendar days of receipt of information from  
13 the Federal Motor Carrier Safety Administration regarding  
14 issuance or renewal of a medical variance, the Secretary shall  
15 update the CDLIS driver record to include the medical variance  
16 information provided by the Federal Motor Carrier Safety  
17 Administration.

18 (h) The Secretary shall notify the driver of his or her  
19 non-certified status and that his or her CDL will be canceled  
20 unless the driver submits a current medical examiner's  
21 certificate or medical variance or changes his or her  
22 self-certification to driving only in excepted or intrastate  
23 commerce.

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

1 (j) As required under the Code of Federal Regulations 49  
2 CFR 390.39, an operator of a covered farm vehicle, as defined  
3 under Section 18b-101 of this Code, is exempt from the  
4 requirements of this Section.

5 (k) For purposes of ensuring a person is medically fit to  
6 drive a commercial motor vehicle, the Secretary may release  
7 medical information provided by an applicant or a holder of a  
8 CDL or CLP to the Federal Motor Carrier Safety Administration.  
9 Medical information includes, but is not limited to, a medical  
10 examiner's certificate, a medical report that the Secretary  
11 requires to be submitted, statements regarding medical  
12 conditions made by an applicant or a holder of a CDL or CLP, or  
13 statements made by his or her physician.

14 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
15 10 of P.A. 99-414 for the effective date of changes made by  
16 P.A. 98-176); 99-57, eff. 7-16-15.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 15 ILCS 335/12 from Ch. 124, par. 32

4 625 ILCS 5/3-821 from Ch. 95 1/2, par. 3-821

5 625 ILCS 5/6-206

6 625 ILCS 5/6-507 from Ch. 95 1/2, par. 6-507

7 625 ILCS 5/6-508.1