



Sen. Steve Stadelman

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1 AMENDMENT TO SENATE BILL 622

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 622 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 6-205, 6-206, and 11-501.01 as follows:

6 (625 ILCS 5/6-205)

7 Sec. 6-205. Mandatory revocation of license or permit;  
8 Hardship cases.

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

13 1. Reckless homicide resulting from the operation of a  
14 motor vehicle;

15 2. Violation of Section 11-501 of this Code or a  
16 similar provision of a local ordinance relating to the

1 offense of operating or being in physical control of a  
2 vehicle while under the influence of alcohol, other drug or  
3 drugs, intoxicating compound or compounds, or any  
4 combination thereof;

5 3. Any felony under the laws of any State or the  
6 federal government in the commission of which a motor  
7 vehicle was used;

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

11 5. Perjury or the making of a false affidavit or  
12 statement under oath to the Secretary of State under this  
13 Code or under any other law relating to the ownership or  
14 operation of motor vehicles;

15 6. Conviction upon 3 charges of violation of Section  
16 11-503 of this Code relating to the offense of reckless  
17 driving committed within a period of 12 months;

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

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

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

23 10. Violation of Section 12-5 of the Criminal Code of  
24 1961 or the Criminal Code of 2012 arising from the use of a  
25 motor vehicle;

26 11. Violation of Section 11-204.1 of this Code relating

1 to aggravated fleeing or attempting to elude a peace  
2 officer;

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

7 13. Violation of paragraph (a) of Section 11-502 of  
8 this Code or a similar provision of a local ordinance if  
9 the driver has been previously convicted of a violation of  
10 that Section or a similar provision of a local ordinance  
11 and the driver was less than 21 years of age at the time of  
12 the offense;

13 14. Violation of paragraph (a) of Section 11-506 of  
14 this Code or a similar provision of a local ordinance  
15 relating to the offense of street racing;

16 15. A second or subsequent conviction of driving while  
17 the person's driver's license, permit or privileges was  
18 revoked for reckless homicide or a similar out-of-state  
19 offense;

20 16. Any offense against any provision in this Code, or  
21 any local ordinance, regulating the movement of traffic  
22 when that offense was the proximate cause of the death of  
23 any person. Any person whose driving privileges have been  
24 revoked pursuant to this paragraph may seek to have the  
25 revocation terminated or to have the length of revocation  
26 reduced by requesting an administrative hearing with the

1 Secretary of State prior to the projected driver's license  
2 application eligibility date;

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

5 18. A second or subsequent conviction of illegal  
6 possession, while operating or in actual physical control,  
7 as a driver, of a motor vehicle, of any controlled  
8 substance prohibited under the Illinois Controlled  
9 Substances Act, any cannabis prohibited under the Cannabis  
10 Control Act, or any methamphetamine prohibited under the  
11 Methamphetamine Control and Community Protection Act. A  
12 defendant found guilty of this offense while operating a  
13 motor vehicle shall have an entry made in the court record  
14 by the presiding judge that this offense did occur while  
15 the defendant was operating a motor vehicle and order the  
16 clerk of the court to report the violation to the Secretary  
17 of State.

18 (b) The Secretary of State shall also immediately revoke  
19 the license or permit of any driver in the following  
20 situations:

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

26 2. Of any person when any other law of this State

1 requires either the revocation or suspension of a license  
2 or permit;

3 3. Of any person adjudicated under the Juvenile Court  
4 Act of 1987 based on an offense determined to have been  
5 committed in furtherance of the criminal activities of an  
6 organized gang as provided in Section 5-710 of that Act,  
7 and that involved the operation or use of a motor vehicle  
8 or the use of a driver's license or permit. The revocation  
9 shall remain in effect for the period determined by the  
10 court. Upon the direction of the court, the Secretary shall  
11 issue the person a judicial driving permit, also known as a  
12 JDP. The JDP shall be subject to the same terms as a JDP  
13 issued under Section 6-206.1, except that the court may  
14 direct that a JDP issued under this subdivision (b) (3) be  
15 effective immediately.

16 (c) (1) Whenever a person is convicted of any of the  
17 offenses enumerated in this Section, the court may recommend  
18 and the Secretary of State in his discretion, without regard to  
19 whether the recommendation is made by the court may, upon  
20 application, issue to the person a restricted driving permit  
21 granting the privilege of driving a motor vehicle between the  
22 petitioner's residence and petitioner's place of employment or  
23 within the scope of the petitioner's employment related duties,  
24 or to allow the petitioner to transport himself or herself or a  
25 family member of the petitioner's household to a medical  
26 facility for the receipt of necessary medical care or to allow

1 the petitioner to transport himself or herself to and from  
2 alcohol or drug remedial or rehabilitative activity  
3 recommended by a licensed service provider, or to allow the  
4 petitioner to transport himself or herself or a family member  
5 of the petitioner's household to classes, as a student, at an  
6 accredited educational institution, or to allow the petitioner  
7 to transport children, elderly persons, or disabled persons who  
8 do not hold driving privileges and are living in the  
9 petitioner's household to and from daycare; if the petitioner  
10 is able to demonstrate that no alternative means of  
11 transportation is reasonably available and that the petitioner  
12 will not endanger the public safety or welfare; provided that  
13 the Secretary's discretion shall be limited to cases where  
14 undue hardship, as defined by the rules of the Secretary of  
15 State, would result from a failure to issue the restricted  
16 driving permit. Those multiple offenders identified in  
17 subdivision (b)4 of Section 6-208 of this Code, however, shall  
18 not be eligible for the issuance of a restricted driving  
19 permit.

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

1 or a combination of these offenses, arising out of separate  
2 occurrences, that person, if issued a restricted driving  
3 permit, may not operate a vehicle unless it has been  
4 equipped with an ignition interlock device as defined in  
5 Section 1-129.1.

6 (3) If:

7 (A) a person's license or permit is revoked or  
8 suspended 2 or more times ~~within a 10 year period~~ due  
9 to any combination of:

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

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

19 (iii) a suspension pursuant to Section  
20 6-203.1;

21 arising out of separate occurrences; ~~or~~

22 (B) a person has been convicted of one violation of  
23 Section 6-303 of this Code committed while his or her  
24 driver's license, permit, or privilege was revoked  
25 because of a violation of Section 9-3 of the Criminal  
26 Code of 1961 or the Criminal Code of 2012, relating to

1           the offense of reckless homicide where the use of  
2           alcohol or other drugs was recited as an element of the  
3           offense, or a similar provision of a law of another  
4           state; or

5                   (C) a person has been convicted of one violation of  
6                   subparagraph (C) or (F) of paragraph (1) of subsection  
7                   (d) of Section 11-501 of this Code or a similar  
8                   provision of a local ordinance or similar out-of-state  
9                   offense;

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

13               (4) The person issued a permit conditioned on the use  
14          of an ignition interlock device must pay to the Secretary  
15          of State DUI Administration Fund an amount not to exceed  
16          \$30 per month. The Secretary shall establish by rule the  
17          amount and the procedures, terms, and conditions relating  
18          to these fees.

19               (5) If the restricted driving permit is issued for  
20          employment purposes, then the prohibition against  
21          operating a motor vehicle that is not equipped with an  
22          ignition interlock device does not apply to the operation  
23          of an occupational vehicle owned or leased by that person's  
24          employer when used solely for employment purposes.

25               (6) In each case the Secretary of State may issue a  
26          restricted driving permit for a period he deems



1 appropriate, except that the permit shall expire within one  
2 year from the date of issuance. The Secretary may not,  
3 however, issue a restricted driving permit to any person  
4 whose current revocation is the result of a second or  
5 subsequent conviction for a violation of Section 11-501 of  
6 this Code or a similar provision of a local ordinance or  
7 any similar out-of-state offense, a first conviction for a  
8 violation of subparagraph (C) or (F) of paragraph (1) of  
9 subsection (d) of Section 11-501 of this Code or a similar  
10 provision of a local ordinance or similar out-of-state  
11 offense, or Section 9-3 of the Criminal Code of 1961 or the  
12 Criminal Code of 2012, where the use of alcohol or other  
13 drugs is recited as an element of the offense, or any  
14 similar out-of-state offense, or any combination of these  
15 offenses, until the expiration of at least one year from  
16 the date of the revocation. A restricted driving permit  
17 issued under this Section shall be subject to cancellation,  
18 revocation, and suspension by the Secretary of State in  
19 like manner and for like cause as a driver's license issued  
20 under this Code may be cancelled, revoked, or suspended;  
21 except that a conviction upon one or more offenses against  
22 laws or ordinances regulating the movement of traffic shall  
23 be deemed sufficient cause for the revocation, suspension,  
24 or cancellation of a restricted driving permit. The  
25 Secretary of State may, as a condition to the issuance of a  
26 restricted driving permit, require the petitioner to

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

10       (c-5) (Blank).

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

23       (c-7) If a person is convicted of a third or subsequent  
24       violation of operating a motor vehicle while the person's  
25       driver's license, permit or privilege was revoked, where the  
26       revocation was for a violation of Section 9-3 of the Criminal

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

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

22 (2) If a person's license or permit is revoked or  
23 suspended due to 2 or more convictions of violating Section  
24 11-501 of this Code or a similar provision of a local  
25 ordinance or a similar out-of-state offense, or Section 9-3  
26 of the Criminal Code of 1961 or the Criminal Code of 2012,

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

8 (3) If a person's license or permit is revoked or  
9 suspended 2 or more times ~~within a 10 year period~~ due to  
10 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.

19          (6) A restricted driving permit issued under this  
20      Section shall be subject to cancellation, revocation, and  
21      suspension by the Secretary of State in like manner and for  
22      like cause as a driver's license issued under this Code may  
23      be cancelled, revoked, or suspended; except that a  
24      conviction upon one or more offenses against laws or  
25      ordinances regulating the movement of traffic shall be  
26      deemed sufficient cause for the revocation, suspension, or

1 cancellation of a restricted driving permit.

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

11 (e) This Section is subject to the provisions of the Driver  
12 License Compact.

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

17 (g) 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 revoked under any provisions of  
20 this Code.

21 (h) The Secretary of State shall require the use of  
22 ignition interlock devices on all vehicles owned by a person  
23 who has been convicted of: (i) a second or subsequent offense  
24 under Section 11-501 of this Code or a similar provision of a  
25 local ordinance; or (ii) a first violation under subparagraph  
26 (C) or (F) of paragraph (1) of subsection (d) of Section 11-501

1 of this Code or a similar provision of a local ordinance or  
2 similar out-of-state offense. The person must pay to the  
3 Secretary of State DUI Administration Fund an amount not to  
4 exceed \$30 for each month that he or she uses the device. The  
5 Secretary shall establish by rule and regulation the procedures  
6 for certification and use of the interlock system, the amount  
7 of the fee, and the procedures, terms, and conditions relating  
8 to these fees.

9 (i) (Blank).

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

15 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;  
16 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.  
17 7-1-11; 97-333, eff. 8-12-11; 97-838, eff. 1-1-13; 97-844, eff.  
18 1-1-13; 97-1150, eff. 1-25-13.)

19 (625 ILCS 5/6-206)

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

22 (a) The Secretary of State is authorized to suspend or  
23 revoke the driving privileges of any person without preliminary  
24 hearing upon a showing of the person's records or other  
25 sufficient evidence that the person:

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

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

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

17           4. Has by the unlawful operation of a motor vehicle  
18 caused or contributed to an accident resulting in injury  
19 requiring immediate professional treatment in a medical  
20 facility or doctor's office to any person, except that any  
21 suspension or revocation imposed by the Secretary of State  
22 under the provisions of this subsection shall start no  
23 later than 6 months after being convicted of violating a  
24 law or ordinance regulating the movement of traffic, which  
25 violation is related to the accident, or shall start not  
26 more than one year after the date of the accident,



1           whichever date occurs later;

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

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

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

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

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

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

20           11. Has operated a motor vehicle upon a highway of this  
21 State when the person's driving privilege or privilege to  
22 obtain a driver's license or permit was revoked or  
23 suspended unless the operation was authorized by a  
24 monitoring device driving permit, judicial driving permit  
25 issued prior to January 1, 2009, probationary license to  
26 drive, or a restricted driving permit issued under this

1 Code;

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

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

10 14. Has committed a violation of Section 6-301,  
11 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
12 of the Illinois Identification Card Act;

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

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

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

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

26 19. Has committed a violation of paragraph (a) or (b)

1 of Section 6-101 relating to driving without a driver's  
2 license;

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

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

9 22. Has used a motor vehicle in violating paragraph  
10 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
11 the Criminal Code of 1961 or the Criminal Code of 2012  
12 relating to unlawful use of weapons, in which case the  
13 suspension shall be for one year;

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

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

24 25. Has permitted any form of identification to be used  
25 by another in the application process in order to obtain or  
26 attempt to obtain a license, identification card, or

1 permit;

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

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

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

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

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

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

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

24            32. Has been convicted of Section 24-1.2 of the  
25       Criminal Code of 1961 or the Criminal Code of 2012 relating  
26       to the aggravated discharge of a firearm if the offender

1 was located in a motor vehicle at the time the firearm was  
2 discharged, in which case the suspension shall be for 3  
3 years;

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

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

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

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

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

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

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

26 40. Has committed a violation of subsection (a-1) of

1 Section 11-908 of this Code;

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

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

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

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

21 45. Has, in connection with or during the course of a  
22 formal hearing conducted under Section 2-118 of this Code:  
23 (i) committed perjury; (ii) submitted fraudulent or  
24 falsified documents; (iii) submitted documents that have  
25 been materially altered; or (iv) submitted, as his or her  
26 own, documents that were in fact prepared or composed for

1 another person;

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

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

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

13 (b) If any conviction forming the basis of a suspension or  
14 revocation authorized under this Section is appealed, the  
15 Secretary of State may rescind or withhold the entry of the  
16 order of suspension or revocation, as the case may be, provided  
17 that a certified copy of a stay order of a court is filed with  
18 the Secretary of State. If the conviction is affirmed on  
19 appeal, the date of the conviction shall relate back to the  
20 time the original judgment of conviction was entered and the 6  
21 month limitation prescribed shall not apply.

22 (c) 1. Upon suspending or revoking the driver's license or  
23 permit of any person as authorized in this Section, the  
24 Secretary of State shall immediately notify the person in  
25 writing of the revocation or suspension. The notice to be  
26 deposited in the United States mail, postage prepaid, to the



1 last known address of the person.

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

1 suspension period.

2 The provisions of this subparagraph shall not apply to any  
3 driver required to possess a CDL for the purpose of operating a  
4 commercial motor vehicle.

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

9 3. At the conclusion of a hearing under Section 2-118 of  
10 this Code, the Secretary of State shall either rescind or  
11 continue an order of revocation or shall substitute an order of  
12 suspension; or, good cause appearing therefor, rescind,  
13 continue, change, or extend the order of suspension. If the  
14 Secretary of State does not rescind the order, the Secretary  
15 may upon application, to relieve undue hardship (as defined by  
16 the rules of the Secretary of State), issue a restricted  
17 driving permit granting the privilege of driving a motor  
18 vehicle between the petitioner's residence and petitioner's  
19 place of employment or within the scope of the petitioner's  
20 employment related duties, or to allow the petitioner to  
21 transport himself or herself, or a family member of the  
22 petitioner's household to a medical facility, to receive  
23 necessary medical care, to allow the petitioner to transport  
24 himself or herself to and from alcohol or drug remedial or  
25 rehabilitative activity recommended by a licensed service  
26 provider, or to allow the petitioner to transport himself or

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

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

24 (B) If a person's license or permit is revoked or  
25 suspended 2 or more times ~~within a 10 year period~~ due to  
26 any combination of:

1 (i) a single conviction of violating Section  
2 11-501 of this Code or a similar provision of a local  
3 ordinance or a similar out-of-state offense or Section  
4 9-3 of the Criminal Code of 1961 or the Criminal Code  
5 of 2012, where the use of alcohol or other drugs is  
6 recited as an element of the offense, or a similar  
7 out-of-state offense; or

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

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

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

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

23 (C) The person issued a permit conditioned upon the use  
24 of an ignition interlock device must pay to the Secretary  
25 of State DUI Administration Fund an amount not to exceed  
26 \$30 per month. The Secretary shall establish by rule the

1 amount and the procedures, terms, and conditions relating  
2 to these fees.

3 (D) If the restricted driving permit is issued for  
4 employment purposes, then the prohibition against  
5 operating a motor vehicle that is not equipped with an  
6 ignition interlock device does not apply to the operation  
7 of an occupational vehicle owned or leased by that person's  
8 employer when used solely for employment purposes.

9 (E) In each case the Secretary may issue a restricted  
10 driving permit for a period deemed appropriate, except that  
11 all permits shall expire within one year from the date of  
12 issuance. The Secretary may not, however, issue a  
13 restricted driving permit to any person whose current  
14 revocation is the result of a second or subsequent  
15 conviction for a violation of Section 11-501 of this Code  
16 or a similar provision of a local ordinance or any similar  
17 out-of-state offense, a first conviction for a violation of  
18 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
19 of Section 11-501 of this Code or a similar provision of a  
20 local ordinance or similar out-of-state offense, or  
21 Section 9-3 of the Criminal Code of 1961 or the Criminal  
22 Code of 2012, where the use of alcohol or other drugs is  
23 recited as an element of the offense, or any similar  
24 out-of-state offense, or any combination of those  
25 offenses, until the expiration of at least one year from  
26 the date of the revocation. A restricted driving permit

1 issued under this Section shall be subject to cancellation,  
2 revocation, and suspension by the Secretary of State in  
3 like manner and for like cause as a driver's license issued  
4 under this Code may be cancelled, revoked, or suspended;  
5 except that a conviction upon one or more offenses against  
6 laws or ordinances regulating the movement of traffic shall  
7 be deemed sufficient cause for the revocation, suspension,  
8 or cancellation of a restricted driving permit. The  
9 Secretary 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 (c-3) In the case of a suspension under paragraph 43 of  
16 subsection (a), reports received by the Secretary of State  
17 under this Section shall, except during the actual time the  
18 suspension is in effect, be privileged information and for use  
19 only by the courts, police officers, prosecuting authorities,  
20 the driver licensing administrator of any other state, the  
21 Secretary of State, or the parent or legal guardian of a driver  
22 under the age of 18. However, beginning January 1, 2008, if the  
23 person is a CDL holder, the suspension shall also be made  
24 available to the driver licensing administrator of any other  
25 state, the U.S. Department of Transportation, and the affected  
26 driver or motor carrier or prospective motor carrier upon

1 request.

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

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

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

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

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

25 (Source: P.A. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11;  
26 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13;

1 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff.  
2 1-1-14; 98-122, eff. 1-1-14; 98-726, eff. 1-1-15; 98-756, eff.  
3 7-16-14.)

4 (625 ILCS 5/11-501.01)

5 Sec. 11-501.01. Additional administrative sanctions.

6 (a) After a finding of guilt and prior to any final  
7 sentencing or an order for supervision, for an offense based  
8 upon an arrest for a violation of Section 11-501 or a similar  
9 provision of a local ordinance, individuals shall be required  
10 to undergo a professional evaluation to determine if an  
11 alcohol, drug, or intoxicating compound abuse problem exists  
12 and the extent of the problem, and undergo the imposition of  
13 treatment as appropriate. Programs conducting these  
14 evaluations shall be licensed by the Department of Human  
15 Services. The cost of any professional evaluation shall be paid  
16 for by the individual required to undergo the professional  
17 evaluation.

18 (b) Any person who is found guilty of or pleads guilty to  
19 violating Section 11-501, including any person receiving a  
20 disposition of court supervision for violating that Section,  
21 may be required by the Court to attend a victim impact panel  
22 offered by, or under contract with, a county State's Attorney's  
23 office, a probation and court services department, Mothers  
24 Against Drunk Driving, or the Alliance Against Intoxicated  
25 Motorists. All costs generated by the victim impact panel shall



1 be paid from fees collected from the offender or as may be  
2 determined by the court.

3 (c) Every person found guilty of violating Section 11-501,  
4 whose operation of a motor vehicle while in violation of that  
5 Section proximately caused any incident resulting in an  
6 appropriate emergency response, shall be liable for the expense  
7 of an emergency response as provided in subsection (i) of this  
8 Section.

9 (d) The Secretary of State shall revoke the driving  
10 privileges of any person convicted under Section 11-501 or a  
11 similar provision of a local ordinance.

12 (e) The Secretary of State shall require the use of  
13 ignition interlock devices on all vehicles owned by a person  
14 who has been convicted of: (i) a second or subsequent offense  
15 of Section 11-501 or a similar provision of a local ordinance;  
16 or (ii) a first violation under subparagraph (C) or (F) of  
17 paragraph (1) of subsection (d) of Section 11-501 of this Code  
18 or a similar provision of a local ordinance or similar  
19 out-of-state offense. The person must pay to the Secretary of  
20 State DUI Administration Fund an amount not to exceed \$30 for  
21 each month that he or she uses the device. The Secretary shall  
22 establish by rule and regulation the procedures for  
23 certification and use of the interlock system, the amount of  
24 the fee, and the procedures, terms, and conditions relating to  
25 these fees.

26 (f) In addition to any other penalties and liabilities, a

1 person who is found guilty of or pleads guilty to violating  
2 Section 11-501, including any person placed on court  
3 supervision for violating Section 11-501, shall be assessed  
4 \$750, payable to the circuit clerk, who shall distribute the  
5 money as follows: \$350 to the law enforcement agency that made  
6 the arrest, and \$400 shall be forwarded to the State Treasurer  
7 for deposit into the General Revenue Fund. If the person has  
8 been previously convicted of violating Section 11-501 or a  
9 similar provision of a local ordinance, the fine shall be  
10 \$1,000, and the circuit clerk shall distribute \$200 to the law  
11 enforcement agency that made the arrest and \$800 to the State  
12 Treasurer for deposit into the General Revenue Fund. In the  
13 event that more than one agency is responsible for the arrest,  
14 the amount payable to law enforcement agencies shall be shared  
15 equally. Any moneys received by a law enforcement agency under  
16 this subsection (f) shall be used for enforcement and  
17 prevention of driving while under the influence of alcohol,  
18 other drug or drugs, intoxicating compound or compounds or any  
19 combination thereof, as defined by Section 11-501 of this Code,  
20 including but not limited to the purchase of law enforcement  
21 equipment and commodities that will assist in the prevention of  
22 alcohol related criminal violence throughout the State; police  
23 officer training and education in areas related to alcohol  
24 related crime, including but not limited to DUI training; and  
25 police officer salaries, including but not limited to salaries  
26 for hire back funding for safety checkpoints, saturation

1 patrols, and liquor store sting operations. Any moneys received  
2 by the Department of State Police under this subsection (f)  
3 shall be deposited into the State Police DUI Fund and shall be  
4 used to purchase law enforcement equipment that will assist in  
5 the prevention of alcohol related criminal violence throughout  
6 the State.

7 (g) The Secretary of State Police DUI Fund is created as a  
8 special fund in the State treasury. All moneys received by the  
9 Secretary of State Police under subsection (f) of this Section  
10 shall be deposited into the Secretary of State Police DUI Fund  
11 and, subject to appropriation, shall be used for enforcement  
12 and prevention of driving while under the influence of alcohol,  
13 other drug or drugs, intoxicating compound or compounds or any  
14 combination thereof, as defined by Section 11-501 of this Code,  
15 including but not limited to the purchase of law enforcement  
16 equipment and commodities to assist in the prevention of  
17 alcohol related criminal violence throughout the State; police  
18 officer training and education in areas related to alcohol  
19 related crime, including but not limited to DUI training; and  
20 police officer salaries, including but not limited to salaries  
21 for hire back funding for safety checkpoints, saturation  
22 patrols, and liquor store sting operations.

23 (h) Whenever an individual is sentenced for an offense  
24 based upon an arrest for a violation of Section 11-501 or a  
25 similar provision of a local ordinance, and the professional  
26 evaluation recommends remedial or rehabilitative treatment or

1 education, neither the treatment nor the education shall be the  
2 sole disposition and either or both may be imposed only in  
3 conjunction with another disposition. The court shall monitor  
4 compliance with any remedial education or treatment  
5 recommendations contained in the professional evaluation.  
6 Programs conducting alcohol or other drug evaluation or  
7 remedial education must be licensed by the Department of Human  
8 Services. If the individual is not a resident of Illinois,  
9 however, the court may accept an alcohol or other drug  
10 evaluation or remedial education program in the individual's  
11 state of residence. Programs providing treatment must be  
12 licensed under existing applicable alcoholism and drug  
13 treatment licensure standards.

14 (i) In addition to any other fine or penalty required by  
15 law, an individual convicted of a violation of Section 11-501,  
16 Section 5-7 of the Snowmobile Registration and Safety Act,  
17 Section 5-16 of the Boat Registration and Safety Act, or a  
18 similar provision, whose operation of a motor vehicle,  
19 snowmobile, or watercraft while in violation of Section 11-501,  
20 Section 5-7 of the Snowmobile Registration and Safety Act,  
21 Section 5-16 of the Boat Registration and Safety Act, or a  
22 similar provision proximately caused an incident resulting in  
23 an appropriate emergency response, shall be required to make  
24 restitution to a public agency for the costs of that emergency  
25 response. The restitution may not exceed \$1,000 per public  
26 agency for each emergency response. As used in this subsection

1 (i), "emergency response" means any incident requiring a  
2 response by a police officer, a firefighter carried on the  
3 rolls of a regularly constituted fire department, or an  
4 ambulance. With respect to funds designated for the Department  
5 of State Police, the moneys shall be remitted by the circuit  
6 court clerk to the State Police within one month after receipt  
7 for deposit into the State Police DUI Fund. With respect to  
8 funds designated for the Department of Natural Resources, the  
9 Department of Natural Resources shall deposit the moneys into  
10 the Conservation Police Operations Assistance Fund.

11 (j) A person that is subject to a chemical test or tests of  
12 blood under subsection (a) of Section 11-501.1 or subdivision  
13 (c)(2) of Section 11-501.2 of this Code, whether or not that  
14 person consents to testing, shall be liable for the expense up  
15 to \$500 for blood withdrawal by a physician authorized to  
16 practice medicine, a licensed physician assistant, a licensed  
17 advanced practice nurse, a registered nurse, a trained  
18 phlebotomist, a licensed paramedic, or a qualified person other  
19 than a police officer approved by the Department of State  
20 Police to withdraw blood, who responds, whether at a law  
21 enforcement facility or a health care facility, to a police  
22 department request for the drawing of blood based upon refusal  
23 of the person to submit to a lawfully requested breath test or  
24 probable cause exists to believe the test would disclose the  
25 ingestion, consumption, or use of drugs or intoxicating  
26 compounds if:

1           (1) the person is found guilty of violating Section  
2           11-501 of this Code or a similar provision of a local  
3           ordinance; or

4           (2) the person pleads guilty to or stipulates to facts  
5           supporting a violation of Section 11-503 of this Code or a  
6           similar provision of a local ordinance when the plea or  
7           stipulation was the result of a plea agreement in which the  
8           person was originally charged with violating Section  
9           11-501 of this Code or a similar local ordinance.

10          (Source: P.A. 97-931, eff. 1-1-13; 97-1050, eff. 1-1-13;  
11          98-292, eff. 1-1-14; 98-463, eff. 8-16-13; 98-973, eff.  
12          8-15-14.)".