

1 AMENDMENT TO HOUSE BILL 2265

2 AMENDMENT NO. _____. Amend House Bill 2265, AS AMENDED,
3 as follows:

4 in Section 10, Sec. 6-205, subsection (c), by replacing the
5 sentence beginning "If a person's license or permit" with the
6 following:

7 "If a person's license or permit has been revoked or
8 suspended due to 2 or more convictions of violating Section
9 11-501 of this Code or a similar provision of a local
10 ordinance or a similar out-of-state offense, arising out of
11 separate occurrences, that person, if issued a restricted
12 driving permit, may not operate a vehicle unless it has been
13 equipped with an ignition interlock device as defined in
14 Section 1-129.1.

15 If a person's license or permit has been revoked or
16 suspended 2 or more times within a 10 year period due to a
17 single conviction of violating Section 11-501 of this Code or
18 a similar provision of a local ordinance or a similar
19 out-of-state offense, and a statutory summary suspension
20 under Section 11-501.1, or 2 or more statutory summary
21 suspensions, or combination of 2 offenses, or of an offense
22 and a statutory summary suspension, arising out of separate
23 occurrences, that person, if issued a restricted driving
24 permit, may not operate a vehicle unless it has been equipped

1 with an ignition interlock device as defined in Section
2 1-129.1."; and

3 in Section 10, Sec. 6-205, subsection (c), by replacing the
4 sentence beginning "If the Restricted Driving Permit" with
5 the following:

6 "If the Restricted Driving Permit was issued for employment
7 purposes, then this provision does not apply to the operation
8 of an occupational vehicle owned or leased by that person's
9 employer."; and

10 in Section 10, Sec. 6-205, subsection (d), by replacing the
11 sentence beginning "If a person's license or permit" with the
12 following:

13 "If a person's license or permit has been revoked or
14 suspended due to 2 or more convictions of violating Section
15 11-501 of this Code or a similar provision of a local
16 ordinance or a similar out-of-state offense, arising out of
17 separate occurrences, that person, if issued a restricted
18 driving permit, may not operate a vehicle unless it has been
19 equipped with an ignition interlock device as defined in
20 Section 1-129.1.

21 If a person's license or permit has been revoked or
22 suspended 2 or more times within a 10 year period due to a
23 single conviction of violating Section 11-501 of this Code or
24 a similar provision of a local ordinance or a similar
25 out-of-state offense, and a statutory summary suspension
26 under Section 11-501.1, or 2 or more statutory summary
27 suspensions, or combination of 2 offenses, or of an offense
28 and a statutory summary suspension, arising out of separate
29 occurrences, that person, if issued a restricted driving
30 permit, may not operate a vehicle unless it has been equipped
31 with an ignition interlock device as defined in Section
32 1-129.1."; and

33 in Section 10, Sec. 6-205, subsection (d), by replacing the

1 sentence beginning "If the Restricted Driving Permit" with
2 the following:

3 "If the Restricted Driving Permit was issued for employment
4 purposes, then this provision does not apply to the operation
5 of an occupational vehicle owned or leased by that person's
6 employer."; and

7 in Section 10, Sec. 6-206, subsection (c), paragraph 3, by
8 replacing the sentence beginning "If a person's license or
9 permit" with the following:

10 "If a person's license or permit has been revoked or
11 suspended due to 2 or more convictions 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, arising out of
14 separate occurrences, that person, if issued a restricted
15 driving permit, may not operate a vehicle unless it has been
16 equipped with an ignition interlock device as defined in
17 Section 1-129.1.

18 If a person's license or permit has been revoked or
19 suspended 2 or more times within a 10 year period due to a
20 single conviction of violating Section 11-501 of this Code or
21 a similar provision of a local ordinance or a similar
22 out-of-state offense, and a statutory summary suspension
23 under Section 11-501.1, or 2 or more statutory summary
24 suspensions, or combination of 2 offenses, or of an offense
25 and a statutory summary suspension, arising out of separate
26 occurrences, that person, if issued a restricted driving
27 permit, may not operate a vehicle unless it has been equipped
28 with an ignition interlock device as defined in Section
29 1-129.1."; and

30 in Section 10, Sec. 6-206, subsection (c), paragraph 3, by
31 replacing the sentence beginning "If the Restricted Driving
32 Permit" with the following:

33 "If the Restricted Driving Permit was issued for employment

1 purposes, then this provision does not apply to the operation
2 of an occupational vehicle owned or leased by that person's
3 employer."; and

4 in Section 10, Sec. 11-501, by replacing subsection (c-4)
5 with the following:

6 "(c-4) When a person is convicted of violating Section
7 11-501 of this Code or a similar provision of a local
8 ordinance, the following penalties apply when his or her
9 blood, breath, or urine was .16 or more based on the
10 definition of blood, breath, or urine units in Section
11 11-501.2 or when that person is convicted of violating this
12 Section while transporting a child under the age of 16:

13 (1) A person who is convicted of violating
14 subsection (a) of Section 11-501 of this Code a first
15 time, in addition to any other penalty that may be
16 imposed under subsection (c), is subject to a mandatory
17 minimum of 100 hours of community service and a minimum
18 fine of \$500.

19 (2) A person who is convicted of violating
20 subsection (a) of Section 11-501 of this Code a second
21 time within 10 years, in addition to any other penalty
22 that may be imposed under subsection (c), is subject to a
23 mandatory minimum of 2 days of imprisonment and a minimum
24 fine of \$1,250.

25 (3) A person who is convicted of violating
26 subsection (a) of Section 11-501 of this Code a third
27 time within 20 years is guilty of a Class 4 felony and,
28 in addition to any other penalty that may be imposed
29 under subsection (c), is subject to a mandatory minimum
30 of 90 days of imprisonment and a minimum fine of \$2,500.

31 (4) A person who is convicted of violating this
32 subsection (c-4) a fourth or subsequent time is guilty of
33 a Class 2 felony and, in addition to any other penalty
34 that may be imposed under subsection (c), is not eligible

1 for a sentence of probation or conditional discharge and
2 is subject to a minimum fine of \$2,500."; and

3 in Section 15, Sec. 5-5-3, subsection (c), by replacing
4 paragraph (10) with the following:

5 "(10) When a person is convicted of violating
6 Section 11-501 of the Illinois Vehicle Code or a similar
7 provision of a local ordinance, the following penalties
8 apply when his or her blood, breath, or urine was .16 or
9 more based on the definition of blood, breath, or urine
10 units in Section 11-501.2 or that person is convicted of
11 violating Section 11-501 of the Illinois Vehicle Code
12 while transporting a child under the age of 16:

13 (A) For a first violation of subsection (a) of
14 Section 11-501, in addition to any other penalty
15 that may be imposed under subsection (c) of Section
16 11-501: a mandatory minimum of 100 hours of
17 community service and a minimum fine of \$500.

18 (B) For a second violation of subsection (a)
19 of Section 11-501, in addition to any other penalty
20 that may be imposed under subsection (c) of Section
21 11-501 within 10 years: a mandatory minimum of 2
22 days of imprisonment and a minimum fine of \$1,250.

23 (C) For a third violation of subsection (a) of
24 Section 11-501, in addition to any other penalty
25 that may be imposed under subsection (c) of Section
26 11-501 within 20 years: a mandatory minimum of 90
27 days of imprisonment and a minimum fine of \$2,500.

28 (D) For a fourth or subsequent violation of
29 subsection (a) of Section 11-501: ineligibility for
30 a sentence of probation or conditional discharge and
31 a minimum fine of \$2,500."; and

32 in Section 15, Sec. 5-6-3, subsection (e), by replacing the
33 sentence beginning "This 6 month limit" with the following:

1 "This 6 month limit does not apply to a person sentenced to
2 probation as a result of a conviction of a fourth or
3 subsequent violation of subsection (c-4) of Section 11-501 of
4 the Illinois Vehicle Code or a similar provision of a local
5 ordinance."