

1 AN ACT in relation to vehicles.

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

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 6-301.1 and 6-301.2 as follows:

6 (625 ILCS 5/6-301.1) (from Ch. 95 1/2, par. 6-301.1)

7 Sec. 6-301.1. Fictitious or unlawfully altered driver's  
8 license or permit.

9 (a) As used in this Section:

10 1. "A fictitious driver's license or permit" means  
11 any issued license or permit for which a computerized  
12 number and file have been created by the Secretary of  
13 State or other official driver's license agency in  
14 another jurisdiction which contains false information  
15 concerning the identity of the individual issued the  
16 license or permit;

17 2. "False information" means any information  
18 concerning the name, sex, date of birth, social security  
19 number or any photograph that falsifies all or in part  
20 the actual identity of the individual issued the license  
21 or permit;

22 3. "An unlawfully altered driver's license or  
23 permit" means any issued license or permit for which a  
24 computerized number and file have been created by the  
25 Secretary of State or other official driver's license  
26 agency in another jurisdiction which has been physically  
27 altered or changed in such a manner that false  
28 information appears upon the license or permit;

29 4. "A document capable of defrauding another"  
30 includes, but is not limited to, any document by which  
31 any right, obligation or power with reference to any

1 person or property may be created, transferred, altered  
2 or terminated;

3 5. "An identification document" means any document  
4 made or issued by or under the authority of the United  
5 States Government, the State of Illinois or any other  
6 state or political subdivision thereof, or any other  
7 governmental or quasi-governmental organization which,  
8 when completed with information concerning the  
9 individual, is of a type intended or commonly accepted  
10 for the purpose of identification of an individual;:-

11 6. "Common carrier" means any public or private  
12 provider of transportation, whether by land, air, or  
13 water.

14 (b) It is a violation of this Section for any person:

15 1. To knowingly possess any fictitious or  
16 unlawfully altered driver's license or permit;

17 2. To knowingly possess, display or cause to be  
18 displayed any fictitious or unlawfully altered driver's  
19 license or permit for the purpose of obtaining any  
20 account, credit, credit card or debit card from a bank,  
21 financial institution or retail mercantile establishment;

22 3. To knowingly possess any fictitious or  
23 unlawfully altered driver's license or permit with the  
24 intent to commit a theft, deception or credit or debit  
25 card fraud in violation of any law of this State or any  
26 law of any other jurisdiction;

27 4. To knowingly possess any fictitious or  
28 unlawfully altered driver's license or permit with the  
29 intent to commit any other violation of any law of this  
30 State or any law of any other jurisdiction for which a  
31 sentence to a term of imprisonment in a penitentiary for  
32 one year or more is provided;

33 5. To knowingly possess any fictitious or  
34 unlawfully altered driver's license or permit while in

1 possession without authority of any document, instrument  
2 or device capable of defrauding another;

3 6. To knowingly possess any fictitious or  
4 unlawfully altered driver's license or permit with the  
5 intent to use the license or permit to acquire any other  
6 identification document;

7 7. To knowingly issue or assist in the issuance of  
8 any fictitious driver's license or permit;

9 8. To knowingly alter or attempt to alter any  
10 driver's license or permit;

11 9. To knowingly manufacture, possess, transfer or  
12 provide any identification document whether real or  
13 fictitious for the purpose of obtaining a fictitious  
14 driver's license or permit;

15 10. To knowingly use any fictitious or unlawfully  
16 altered driver's license or permit to purchase or attempt  
17 to purchase any ticket for a common carrier or to board  
18 or attempt to board any common carrier;

19 11. To knowingly possess any fictitious or  
20 unlawfully altered driver's license or permit if the  
21 person has at the time a different driver's license  
22 issued by the Illinois Secretary of State or other  
23 official driver's license agency in another jurisdiction  
24 that is suspended or revoked.

25 (c) Sentence.

26 1. Any person convicted of a violation of paragraph  
27 1 of subsection (b) of this Section shall be guilty of a  
28 Class A misdemeanor and shall be sentenced to minimum  
29 fine of \$500 or 50 hours of community service, preferably  
30 at an alcohol abuse prevention program, if available. A  
31 person convicted of a second or subsequent violation  
32 shall be guilty of a Class 4 felony.

33 2. Any person convicted of a violation of paragraph  
34 3 of subsection (b) of this Section who at the time of

1           arrest had in his possession two or more fictitious or  
2           unlawfully altered driver's licenses or permits shall be  
3           guilty of a Class 4 felony.

4           3. Any person convicted of a violation of any of  
5           paragraphs 2 through 11 9 of subsection (b) of this  
6           Section shall be guilty of a Class 4 felony. A person  
7           convicted of a second or subsequent violation shall be  
8           guilty of a Class 3 felony.

9           (d) This Section does not prohibit any lawfully  
10          authorized investigative, protective, law enforcement or  
11          other activity of any agency of the United States, State of  
12          Illinois or any other state or political subdivision thereof.  
13          (Source: P.A. 88-210.)

14          (625 ILCS 5/6-301.2) (from Ch. 95 1/2, par. 6-301.2)  
15          Sec. 6-301.2. Fraudulent driver's license or permit.

16          (a) (Blank).

17          (b) It is a violation of this Section for any person:

18                 1. To knowingly possess any fraudulent driver's  
19                 license or permit;

20                 2. To knowingly possess, display or cause to be  
21                 displayed any fraudulent driver's license or permit for  
22                 the purpose of obtaining any account, credit, credit card  
23                 or debit card from a bank, financial institution or  
24                 retail mercantile establishment;

25                 3. To knowingly possess any fraudulent driver's  
26                 license or permit with the intent to commit a theft,  
27                 deception or credit or debit card fraud in violation of  
28                 any law of this State or any law of any other  
29                 jurisdiction;

30                 4. To knowingly possess any fraudulent driver's  
31                 license or permit with the intent to commit any other  
32                 violation of any laws of this State or any law of any  
33                 other jurisdiction for which a sentence to a term of

1 imprisonment in a penitentiary for one year or more is  
2 provided;

3 5. To knowingly possess any fraudulent driver's  
4 license or permit while in unauthorized possession of any  
5 document, instrument or device capable of defrauding  
6 another;

7 6. To knowingly possess any fraudulent driver's  
8 license or permit with the intent to use the license or  
9 permit to acquire any other identification document;

10 7. To knowingly possess without authority any  
11 driver's license-making or permit-making implement;

12 8. To knowingly possess any stolen driver's  
13 license-making or permit-making implement;

14 9. To knowingly duplicate, manufacture, sell or  
15 transfer any fraudulent driver's license or permit;

16 10. To advertise or distribute any information or  
17 materials that promote the selling, giving, or furnishing  
18 of a fraudulent driver's license or permit;

19 11. To knowingly use any fraudulent driver's  
20 license or permit to purchase or attempt to purchase any  
21 ticket for a common carrier or to board or attempt to  
22 board any common carrier. As used in this Section,  
23 "common carrier" means any public or private provider of  
24 transportation, whether by land, air, or water;

25 12. To knowingly possess any fraudulent driver's  
26 license or permit if the person has at the time a  
27 different driver's license issued by the Secretary of  
28 State or another official driver's license agency in  
29 another jurisdiction that is suspended or revoked.

30 (c) Sentence.

31 1. Any person convicted of a violation of paragraph  
32 1 of subsection (b) of this Section shall be guilty of a  
33 Class 4 felony and shall be sentenced to a minimum fine  
34 of \$500 or 50 hours of community service, preferably at

1 an alcohol abuse prevention program, if available.

2 2. Any person convicted of a violation of any of  
3 paragraphs 2 through 9 or paragraph 11 or 12 of  
4 subsection (b) of this Section shall be guilty of a Class  
5 4 felony. A person convicted of a second or subsequent  
6 violation shall be guilty of a Class 3 felony.

7 3. Any person convicted of a violation of paragraph  
8 10 of subsection (b) of this Section shall be guilty of a  
9 Class B misdemeanor.

10 (d) This Section does not prohibit any lawfully  
11 authorized investigative, protective, law enforcement or  
12 other activity of any agency of the United States, State of  
13 Illinois or any other state or political subdivision thereof.

14 (e) The Secretary may request the Attorney General to  
15 seek a restraining order in the circuit court against any  
16 person who violates this Section by advertising fraudulent  
17 driver's licenses or permits.

18 (Source: P.A. 89-283, eff. 1-1-96; 90-89, eff. 1-1-98;  
19 90-191, eff. 1-1-98; 90-655, eff. 7-30-98.)