



1 (Source: P.A. 90-89, eff. 1-1-98; incorporates 90-43, eff.  
2 7-2-97; 90-655, eff. 7-30-98.)

3 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)  
4 Sec. 6-205. Mandatory revocation of license or permit;  
5 Hardship cases.

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

10 1. Reckless homicide resulting from the operation  
11 of a motor vehicle;

12 2. Violation of Section 11-501 of this Code or a  
13 similar provision of a local ordinance relating to the  
14 offense of operating or being in physical control of a  
15 vehicle while under the influence of alcohol, other drug  
16 or drugs, intoxicating compound or compounds, or any  
17 combination thereof;

18 3. Any felony under the laws of any State or the  
19 federal government in the commission of which a motor  
20 vehicle was used;

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

24 5. Perjury or the making of a false affidavit or  
25 statement under oath to the Secretary of State under this  
26 Code or under any other law relating to the ownership or  
27 operation of motor vehicles;

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

31 7. Conviction of any the offense of ~~automobile~~  
32 ~~theft~~-as defined in Section 4-102 of this Code;

33 8. Violation of Section 11-504 of this Code

1 relating to the offense of drag racing;

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

3 10. Violation of Section 12-5 of the Criminal Code  
4 of 1961 arising from the use of a motor vehicle;

5 11. Violation of Section 11-204.1 of this Code  
6 relating to aggravated fleeing or attempting to elude a  
7 police officer;

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

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

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

26 2. Of any person when any other law of this State  
27 requires either the revocation or suspension of a license  
28 or permit.

29 (c) Whenever a person is convicted of any of the  
30 offenses enumerated in this Section, the court may recommend  
31 and the Secretary of State in his discretion, without regard  
32 to whether the recommendation is made by the court may, upon  
33 application, issue to the person a restricted driving permit  
34 granting the privilege of driving a motor vehicle between the

1 petitioner's residence and petitioner's place of employment  
2 or within the scope of the petitioner's employment related  
3 duties, or to allow transportation for the petitioner or a  
4 household member of the petitioner's family for the receipt  
5 of necessary medical care or, if the professional evaluation  
6 indicates, provide transportation for the petitioner for  
7 alcohol remedial or rehabilitative activity, or for the  
8 petitioner to attend classes, as a student, in an accredited  
9 educational institution; if the petitioner is able to  
10 demonstrate that no alternative means of transportation is  
11 reasonably available and the petitioner will not endanger the  
12 public safety or welfare; provided that the Secretary's  
13 discretion shall be limited to cases where undue hardship  
14 would result from a failure to issue the restricted driving  
15 permit.

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

1 1-129.1. The person must pay to the Secretary of State DUI  
2 Administration Fund an amount not to exceed \$20 per month.  
3 The Secretary shall establish by rule the amount and the  
4 procedures, terms, and conditions relating to these fees. If  
5 the restricted driving permit was issued for employment  
6 purposes, then this provision does not apply to the operation  
7 of an occupational vehicle owned or leased by that person's  
8 employer. In each case the Secretary of State may issue a  
9 restricted driving permit for a period he deems appropriate,  
10 except that the permit shall expire within one year from the  
11 date of issuance. The Secretary may not, however, issue a  
12 restricted driving permit to any person whose current  
13 revocation is the result of a second or subsequent conviction  
14 for a violation of Section 11-501 of this Code or a similar  
15 provision of a local ordinance relating to the offense of  
16 operating or being in physical control of a motor vehicle  
17 while under the influence of alcohol, other drug or drugs,  
18 intoxicating compound or compounds, or any similar  
19 out-of-state offense, or any combination thereof, until the  
20 expiration of at least one year from the date of the  
21 revocation. A restricted driving permit issued under this  
22 Section shall be subject to cancellation, revocation, and  
23 suspension by the Secretary of State in like manner and for  
24 like cause as a driver's license issued under this Code may  
25 be cancelled, revoked, or suspended; except that a conviction  
26 upon one or more offenses against laws or ordinances  
27 regulating the movement of traffic shall be deemed sufficient  
28 cause for the revocation, suspension, or cancellation of a  
29 restricted driving permit. The Secretary of State may, as a  
30 condition to the issuance of a restricted driving permit,  
31 require the applicant to participate in a designated driver  
32 remedial or rehabilitative program. The Secretary of State is  
33 authorized to cancel a restricted driving permit if the  
34 permit holder does not successfully complete the program.

1 However, if an individual's driving privileges have been  
2 revoked in accordance with paragraph 13 of subsection (a) of  
3 this Section, no restricted driving permit shall be issued  
4 until the individual has served 6 months of the revocation  
5 period.

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

24 If a person's license or permit has been revoked or  
25 suspended due to 2 or more convictions of violating Section  
26 11-501 of this Code or a similar provision of a local  
27 ordinance or a similar out-of-state offense, arising out of  
28 separate occurrences, that person, if issued a restricted  
29 driving permit, may not operate a vehicle unless it has been  
30 equipped with an ignition interlock device as defined in  
31 Section 1-129.1.

32 If a person's license or permit has been revoked or  
33 suspended 2 or more times within a 10 year period due to a  
34 single conviction of violating Section 11-501 of this Code or

1 a similar provision of a local ordinance or a similar  
2 out-of-state offense, and a statutory summary suspension  
3 under Section 11-501.1, or 2 or more statutory summary  
4 suspensions, or combination of 2 offenses, or of an offense  
5 and a statutory summary suspension, arising out of separate  
6 occurrences, that person, if issued a restricted driving  
7 permit, may not operate a vehicle unless it has been equipped  
8 with an ignition interlock device as defined in Section  
9 1-129.1. The person must pay to the Secretary of State DUI  
10 Administration Fund an amount not to exceed \$20 per month.  
11 The Secretary shall establish by rule the amount and the  
12 procedures, terms, and conditions relating to these fees. If  
13 the restricted driving permit was issued for employment  
14 purposes, then this provision does not apply to the operation  
15 of an occupational vehicle owned or leased by that person's  
16 employer. A restricted driving permit issued under this  
17 Section shall be subject to cancellation, revocation, and  
18 suspension by the Secretary of State in like manner and for  
19 like cause as a driver's license issued under this Code may  
20 be cancelled, revoked, or suspended; except that a conviction  
21 upon one or more offenses against laws or ordinances  
22 regulating the movement of traffic shall be deemed sufficient  
23 cause for the revocation, suspension, or cancellation of a  
24 restricted driving permit. The revocation periods contained  
25 in this subparagraph shall apply to similar out-of-state  
26 convictions.

27 (e) This Section is subject to the provisions of the  
28 Driver License Compact.

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

33 (g) The Secretary of State shall not issue a restricted  
34 driving permit to a person under the age of 16 years whose

1 driving privileges have been revoked under any provisions of  
2 this Code.

3 (h) The Secretary of State shall require the use of  
4 ignition interlock devices on all vehicles owned by an  
5 individual who has been convicted of a second or subsequent  
6 offense under Section 11-501 of this Code or a similar  
7 provision of a local ordinance. The Secretary shall  
8 establish by rule and regulation the procedures for  
9 certification and use of the interlock system.

10 (i) The Secretary of State may not issue a restricted  
11 driving permit for a period of one year after a second or  
12 subsequent revocation of driving privileges under clause  
13 (a)(2) of this Section; however, one year after the date of a  
14 second or subsequent revocation of driving privileges under  
15 clause (a)(2) of this Section, the Secretary of State may,  
16 upon application, issue a restricted driving permit under the  
17 terms and conditions of subsection (c).

18 (Source: P.A. 91-357, eff. 7-29-99; 92-248, eff. 8-3-01;  
19 92-418, eff. 8-17-01; revised 8-24-01.)

20 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

21 Sec. 6-500. Definitions of words and phrases.  
22 Notwithstanding the definitions set forth elsewhere in this  
23 Code, for purposes of the Uniform Commercial Driver's License  
24 Act (UCDLA), the words and phrases listed below shall have  
25 the meanings ascribed to them as follows:

26 (1) Alcohol. "Alcohol" means any substance containing  
27 any form of alcohol, including but not limited to: ethanol,  
28 methanol, propanol, and isopropanol.

29 (2) Alcohol concentration. "Alcohol concentration"  
30 means:

31 (A) (a) the number of grams of alcohol per 210  
32 liters of breath; or

33 (B) (b) the number of grams of alcohol per 100



1 milliliters of blood; or

2 (C) ~~(e)~~ the number of grams of alcohol per 67  
3 milliliters of urine.

4 Alcohol tests administered within 2 hours of the driver  
5 being "stopped or detained" shall be considered that driver's  
6 "alcohol concentration" for the purposes of enforcing this  
7 UCCLA.

8 (3) (Blank).

9 (4) (Blank).

10 (5) (Blank).

11 (6) Commercial Motor Vehicle.

12 (A) "Commercial motor vehicle" means a motor  
13 vehicle, except those referred to in subdivision (B)  
14 ~~paragraph---~~~~(d)~~, designed to transport passengers or  
15 property if:

16 (i) ~~(a)~~ the vehicle has a GVWR of 26,001  
17 pounds or more or such a lesser GVWR as subsequently  
18 determined by federal regulations or the Secretary  
19 of State; or any combination of vehicles with a GCWR  
20 of 26,001 pounds or more, provided the GVWR of any  
21 vehicle or vehicles being towed is 10,001 pounds or  
22 more; or

23 (ii) ~~(b)~~ the vehicle is designed to transport  
24 16 or more persons; or

25 (iii) ~~(c)~~ the vehicle is transporting  
26 hazardous materials and is required to be placarded  
27 in accordance with 49 C.F.R. Part 172, subpart F.

28 (B) ~~(d)~~ Pursuant to the interpretation of the  
29 Commercial Motor Vehicle Safety Act of 1986 by the  
30 Federal Highway Administration, the definition of  
31 "commercial motor vehicle" does not include:

32 (i) recreational vehicles, when operated  
33 primarily for personal use;

34 (ii) United States Department of Defense

1 vehicles being operated by non-civilian personnel.  
 2 This includes any operator on active military duty;  
 3 members of the Reserves; National Guard; personnel  
 4 on part-time training; and National Guard military  
 5 technicians (civilians who are required to wear  
 6 military uniforms and are subject to the Code of  
 7 Military Justice); or

8 (iii) firefighting and other emergency  
 9 equipment with audible and visual signals, owned or  
 10 operated by or for a governmental entity, which is  
 11 necessary to the preservation of life or property or  
 12 the execution of emergency governmental functions  
 13 which are normally not subject to general traffic  
 14 rules and regulations.

15 (7) Controlled Substance. "Controlled substance" shall  
 16 have the same meaning as defined in Section 102 of the  
 17 Illinois Controlled Substances Act, and shall also include  
 18 cannabis as defined in Section 3 of the Cannabis Control Act.

19 (8) Conviction. "Conviction" means an unvacated  
 20 adjudication of guilt or a determination that a person has  
 21 violated or failed to comply with the law in a court of  
 22 original jurisdiction or an authorized administrative  
 23 tribunal; an unvacated forfeiture of bail or collateral  
 24 deposited to secure the person's appearance in court; the  
 25 payment of a fine or court cost regardless of whether the  
 26 imposition of sentence is deferred and ultimately a judgment  
 27 dismissing the underlying charge is entered; or a violation  
 28 of a condition of release without bail, regardless of whether  
 29 or not the penalty is rebated, suspended or probated.

30 (9) (Blank).

31 (10) (Blank).

32 (11) (Blank).

33 (12) (Blank).

34 (13) Driver. "Driver" means any person who drives,

1 operates, or is in physical control of a commercial motor  
2 vehicle, or who is required to hold a CDL.

3 (14) Employee. "Employee" means a person who is  
4 employed as a commercial motor vehicle driver. A person who  
5 is self-employed as a commercial motor vehicle driver must  
6 comply with the requirements of this UCDLA pertaining to  
7 employees. An owner-operator on a long-term lease shall be  
8 considered an employee.

9 (15) Employer. "Employer" means a person (including the  
10 United States, a State or a local authority) who owns or  
11 leases a commercial motor vehicle or assigns employees to  
12 operate such a vehicle. A person who is self-employed as a  
13 commercial motor vehicle driver must comply with the  
14 requirements of this UCDLA.

15 (16) (Blank).

16 (17) Foreign jurisdiction. "Foreign jurisdiction" means  
17 a sovereign jurisdiction that does not fall within the  
18 definition of "State".

19 (18) (Blank).

20 (19) (Blank).

21 (20) Hazardous Material. Upon a finding by the United  
22 States Secretary of Transportation, in his or her discretion,  
23 under 49 App. U.S.C. 5103(a), that the transportation of a  
24 particular quantity and form of material in commerce may pose  
25 an unreasonable risk to health and safety or property, he or  
26 she shall designate the quantity and form of material or  
27 group or class of the materials as a hazardous material. The  
28 materials so designated may include but are not limited to  
29 explosives, radioactive materials, etiologic agents,  
30 flammable liquids or solids, combustible liquids or solids,  
31 poisons, oxidizing or corrosive materials, and compressed  
32 gases.

33 (21) Long-term lease ~~Long-term-lease~~. "Long-term lease"  
34 ~~"Long-term-lease"~~ means a lease of a commercial motor vehicle

1 by the owner-lessor to a lessee, for a period of more than 29  
2 days.

3 (22) Motor Vehicle. "Motor vehicle" means every vehicle  
4 which is self-propelled, and every vehicle which is propelled  
5 by electric power obtained from over head trolley wires but  
6 not operated upon rails, except vehicles moved solely by  
7 human power and motorized wheel chairs.

8 (23) Non-resident CDL. "Non-resident CDL" means a  
9 commercial driver's license issued by a state to an  
10 individual who is domiciled in a foreign jurisdiction.

11 (24) (Blank).

12 (25) (Blank).

13 (25.5) Railroad-Highway Grade Crossing Violation.  
14 "Railroad-highway grade crossing violation" means a  
15 violation, while operating a commercial motor vehicle, of any  
16 of the following:

17 (A) Section 11-1201, 11-1202, or 11-1425 of this  
18 Code. (1)--An-offense-listed-in-subsection-(j)-of-Section  
19 6-514-of-this-Code.

20 (2)--Section-11-1201-of-this-Code.

21 (3)--Section-11-1201.1-of-this-Code.

22 (4)--Section-11-1202-of-this-Code.

23 (5)--Section-11-1203-of-this-Code.

24 (6)--92--Illinois--Administrative--Code-392.10.

25 (7)--92--Illinois--Administrative--Code-392.11.

26 (B) (8) Any local--ordinance-that-is other similar  
27 law or local ordinance of any state relating to  
28 railroad-highway grade crossing. to--any--of-items-(1)  
29 through-(7).

30 (26) Serious Traffic Violation. "Serious traffic  
31 violation" means:

32 (A) (a) a conviction when operating a commercial  
33 motor vehicle of:

34 (i) a violation relating to excessive

1 speeding, involving a single speeding charge of 15  
2 miles per hour or more above the legal speed limit;  
3 or

4 (ii) a violation relating to reckless driving;  
5 or

6 (iii) a violation of any State law or local  
7 ordinance relating to motor vehicle traffic control  
8 (other than parking violations) arising in  
9 connection with a fatal traffic accident; or

10 (iv) a violation of Section 6-501, relating to  
11 having multiple driver's licenses; or

12 (v) a violation of paragraph (a)<sub>7</sub> of Section  
13 6-507, relating to the requirement to have a valid  
14 CDL; or

15 (vi) a violation relating to improper or  
16 erratic traffic lane changes; or

17 (vii) a violation relating to following  
18 another vehicle too closely; or

19 (B) ~~(b)~~ any other similar violation of a law or  
20 local ordinance of any state relating to motor vehicle  
21 traffic control, other than a parking violation, which  
22 the Secretary of State determines by administrative rule  
23 to be serious.

24 (27) State. "State" means a state of the United States,  
25 the District of Columbia and any province or territory of  
26 Canada.

27 (28) (Blank).

28 (29) (Blank).

29 (30) (Blank).

30 (31) (Blank).

31 (Source: P.A. 92-249, eff. 1-1-02; revised 9-19-01.)

32 (625 ILCS 5/6-506) (from Ch. 95 1/2, par. 6-506)

33 Sec. 6-506. Commercial motor vehicle driver -

1 employer/owner responsibilities.

2 (a) No employer or commercial motor vehicle owner shall  
3 knowingly allow, permit, or authorize an employee to drive a  
4 commercial motor vehicle on the highways during any period in  
5 which such employee:

6 (1) has a driver's license suspended, revoked or  
7 cancelled by any state; or

8 (2) has lost the privilege to drive a commercial  
9 motor vehicle in any state; or

10 (3) has been disqualified from driving a commercial  
11 motor vehicle; or

12 (4) has more than one driver's license, except as  
13 provided by this UCCLA; or

14 (5) is subject to or in violation of an  
15 "out-of-service" order.

16 (b) No employer or commercial motor vehicle owner shall  
17 ~~may~~ knowingly allow, permit, authorize, or require a driver  
18 to operate a commercial motor vehicle in violation of any law  
19 or regulation pertaining to railroad-highway grade crossings.

20 (c) Any employer convicted of violating subsection (a)  
21 of this Section, whether individually or in connection with  
22 one or more other persons, or as principal agent, or  
23 accessory, shall be guilty of a Class A misdemeanor.

24 (Source: P.A. 92-249, eff. 1-1-02.)

25 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

26 Sec. 6-514. Commercial Driver's License (CDL) -  
27 Disqualifications.

28 (a) A person shall be disqualified from driving a  
29 commercial motor vehicle for a period of not less than 12  
30 months for the first violation of:

31 (1) Refusing to submit to or failure to complete a  
32 test or tests to determine the driver's blood  
33 concentration of alcohol, other drug, or both, while

1 driving a commercial motor vehicle; or

2 (2) Operating a commercial motor vehicle while the  
3 alcohol concentration of the person's blood, breath or  
4 urine is at least 0.04, or any amount of a drug,  
5 substance, or compound in the person's blood or urine  
6 resulting from the unlawful use or consumption of  
7 cannabis listed in the Cannabis Control Act or a  
8 controlled substance listed in the Illinois Controlled  
9 Substances Act as indicated by a police officer's sworn  
10 report or other verified evidence; or

11 (3) Conviction for a first violation of:

12 (i) Driving a commercial motor vehicle while  
13 under the influence of alcohol, or any other drug,  
14 or combination of drugs to a degree which renders  
15 such person incapable of safely driving; or

16 (ii) Knowingly and wilfully leaving the scene  
17 of an accident while operating a commercial motor  
18 vehicle; or

19 (iii) Driving a commercial motor vehicle while  
20 committing any felony.

21 If any of the above violations or refusals occurred  
22 while transporting hazardous material(s) required to be  
23 placarded, the person shall be disqualified for a period  
24 of not less than 3 years.

25 (b) A person is disqualified for life for a second  
26 conviction of any of the offenses specified in paragraph (a),  
27 or any combination of those offenses, arising from 2 or more  
28 separate incidents.

29 (c) A person is disqualified from driving a commercial  
30 motor vehicle for life who uses a commercial motor vehicle in  
31 the commission of any felony involving the manufacture,  
32 distribution, or dispensing of a controlled substance, or  
33 possession with intent to manufacture, distribute or dispense  
34 a controlled substance.

1           (d) The Secretary of State may, when the United States  
2 Secretary of Transportation so authorizes, issue regulations  
3 in which a disqualification for life under paragraph (b) may  
4 be reduced to a period of not less than 10 years. If a  
5 reinstated driver is subsequently convicted of another  
6 disqualifying offense, as specified in subsection (a) of this  
7 Section, he or she shall be permanently disqualified for life  
8 and shall be ineligible to again apply for a reduction of the  
9 lifetime disqualification.

10          (e) A person is disqualified from driving a commercial  
11 motor vehicle for a period of not less than 2 months if  
12 convicted of 2 serious traffic violations, committed in a  
13 commercial motor vehicle, arising from separate incidents,  
14 occurring within a 3 year period. However, a person will be  
15 disqualified from driving a commercial motor vehicle for a  
16 period of not less than 4 months if convicted of 3 serious  
17 traffic violations, committed in a commercial motor vehicle,  
18 arising from separate incidents, occurring within a 3 year  
19 period.

20          (f) Notwithstanding any other provision of this Code,  
21 any driver disqualified from operating a commercial motor  
22 vehicle, pursuant to this UCCLA, shall not be eligible for  
23 restoration of commercial driving privileges during any such  
24 period of disqualification.

25          (g) After suspending, revoking, or cancelling a  
26 commercial driver's license, the Secretary of State must  
27 update the driver's records to reflect such action within 10  
28 days. After suspending or revoking the driving privilege of  
29 any person who has been issued a CDL or commercial driver  
30 instruction permit from another jurisdiction, the Secretary  
31 shall originate notification to such issuing jurisdiction  
32 within 10 days.

33          (h) The "disqualifications" referred to in this Section  
34 shall not be imposed upon any commercial motor vehicle



1 driver, by the Secretary of State, unless the prohibited  
2 action(s) occurred after March 31, 1992.

3 (i) A person is disqualified from driving a commercial  
4 motor vehicle in accordance with the following:

5 (1) For 6 months upon a first conviction of  
6 paragraph (2) of subsection (b) of Section 6-507 of this  
7 Code.

8 (2) For one year upon a second conviction of  
9 paragraph (2) of subsection (b) of Section 6-507 of this  
10 Code within a 10-year period.

11 (3) For 3 years upon a third or subsequent  
12 conviction of paragraph (2) of subsection (b) of Section  
13 6-507 of this Code within a 10-year period.

14 (4) For one year upon a first conviction of  
15 paragraph (3) of subsection (b) of Section 6-507 of this  
16 Code.

17 (5) For 3 years upon a second conviction of  
18 paragraph (3) of subsection (b) of Section 6-507 of this  
19 Code within a 10-year period.

20 (6) For 5 years upon a third or subsequent  
21 conviction of paragraph (3) of subsection (b) of Section  
22 6-507 of this Code within a 10-year period.

23 (j) Disqualification for railroad-highway grade crossing  
24 violation.

25 (1) General rule. A driver who is convicted of a  
26 violation of a federal, State, or local law or regulation  
27 pertaining to one of the following 6 offenses at a  
28 railroad-highway grade crossing must be disqualified from  
29 operating a commercial motor vehicle for the period of  
30 time specified in paragraph (2) of this subsection (j) if  
31 the offense was committed while operating a commercial  
32 motor vehicle:

33 (i) For drivers who are not required to always  
34 stop, failing to slow down and check that the tracks

1 are clear of an approaching train, as described in  
2 subsection (a-5) of Section 11-1201 of this Code;

3 (ii) For drivers who are not required to  
4 always stop, failing to stop before reaching the  
5 crossing, if the tracks are not clear, as described  
6 in subsection (a) of Section 11-1201 of this Code;

7 (iii) For drivers who are always required to  
8 stop, failing to stop before driving onto the  
9 crossing, as described in Section 11-1202 of this  
10 Code;

11 (iv) For all drivers, failing to have  
12 sufficient space to drive completely through the  
13 crossing without stopping, as described in  
14 subsection (b) of Section 11-1425 of this Code;

15 (v) For all drivers, failing to obey a traffic  
16 control device or the directions of an enforcement  
17 official at the crossing, as described in  
18 subdivision (a)2 of Section 11-1201 of this Code;

19 (vi) For all drivers, failing to negotiate a  
20 crossing because of insufficient undercarriage  
21 clearance, as described in subsection (d-1) of  
22 Section 11-1201 of this Code.

23 (2) Duration of disqualification for  
24 railroad-highway grade crossing violation.

25 (i) First violation. A driver must be  
26 disqualified from operating a commercial motor  
27 vehicle for not less than 60 days if the driver is  
28 convicted of a violation described in paragraph (1)  
29 of this subsection (j) and, in the three-year period  
30 preceding the conviction, the driver had no  
31 convictions for a violation described in paragraph  
32 (1) of this subsection (j).

33 (ii) Second violation. A driver must be  
34 disqualified from operating a commercial motor

1 vehicle for not less than 120 days if the driver is  
 2 convicted of a violation described in paragraph (1)  
 3 of this subsection (j) and, in the three-year period  
 4 preceding the conviction, the driver had one other  
 5 conviction for a violation described in paragraph  
 6 (1) of this subsection (j) that was committed in a  
 7 separate incident.

8 (iii) Third or subsequent violation. A driver  
 9 must be disqualified from operating a commercial  
 10 motor vehicle for not less than one year if the  
 11 driver is convicted of a violation described in  
 12 paragraph (1) of this subsection (j) and, in the  
 13 three-year period preceding the conviction, the  
 14 driver had 2 or more other conviction for violations  
 15 described in paragraph (1) of this subsection (j)  
 16 that were committed in separate incidents.

17 ~~(j)-(1)--A--driver--shall--be--disqualified--for--the~~  
 18 ~~applicable--period--specified--in--paragraph--(2)--for--any~~  
 19 ~~violation--of--a--federal, State, or local law or regulation~~  
 20 ~~pertaining--to--one--of--the--following--offenses--at--a~~  
 21 ~~railroad-highway--grade-crossing-while-operating-a-commercial~~  
 22 ~~motor-vehicle:~~

23 ~~(i)--For-drivers-who-are-not-always-required-to~~  
 24 ~~stop, failing-to-slow-down-and-check-that-the-tracks~~  
 25 ~~are-clear-of-an-approaching-train.~~

26 ~~(ii)--For-drivers-who-are-not--always--required~~  
 27 ~~to--stop, failing--to--stop--before--reaching--the~~  
 28 ~~crossing, if-the-tracks-are-not-clear.~~

29 ~~(iii)--For-drivers-who-are-always--required--to~~  
 30 ~~stop, failing--to--stop--before--driving--onto--the~~  
 31 ~~crossing.~~

32 ~~(iv)--For--all--drivers, failing--to--have~~  
 33 ~~sufficient-space-to-drive--completely--through--the~~  
 34 ~~crossing-without-stopping.~~

1 (v) For all drivers, failing to obey a traffic  
2 control device or the directions of an enforcement  
3 official at the crossing.

4 (vi) For all drivers, failing to negotiate a  
5 crossing because of insufficient undercarriage  
6 clearance.

7 (2) The length of the disqualification shall be:

8 (i) Not less than 60 days in the case of a  
9 conviction for any of the offenses described in  
10 paragraph (1) if the person had no convictions for  
11 any of the offenses described in paragraph (1)  
12 during the 3-year period immediately preceding the  
13 conviction.

14 (ii) Not less than 120 days in the case of a  
15 conviction for any of the offenses described in  
16 paragraph (1) if the person had one conviction for  
17 any of the offenses described in paragraph (1)  
18 during the 3-year period immediately preceding the  
19 conviction.

20 (iii) Not less than one year in the case of a  
21 conviction for any of the offenses described in  
22 paragraph (1) if the person had 2 or more  
23 convictions, based on separate incidents, for any of  
24 the offenses described in paragraph (1) during the  
25 3-year period immediately preceding the conviction.

26 (Source: P.A. 92-249, eff. 1-1-02.)

27 (625 ILCS 5/11-1201) (from Ch. 95 1/2, par. 11-1201)  
28 Sec. 11-1201. Obedience to signal indicating approach of  
29 train.

30 (a) Whenever any person driving a vehicle approaches a  
31 railroad grade crossing where the driver is not always  
32 required to stop, the such person must exercise due care and  
33 caution as the existence of a railroad track across a highway

1 is a warning of danger, and under any of the circumstances  
2 stated in this Section, the driver shall stop within 50 feet  
3 but not less than 15 feet from the nearest rail of the  
4 railroad and shall not proceed until the tracks are clear and  
5 he or she can do so safely. The foregoing requirements shall  
6 apply when:

7 1. A clearly visible electric or mechanical signal  
8 device gives warning of the immediate approach of a  
9 railroad train;

10 2. A crossing gate is lowered or a human flagman  
11 gives or continues to give a signal of the approach or  
12 passage of a railroad train;

13 3. A railroad train approaching a highway crossing  
14 emits a warning signal and such railroad train, by reason  
15 of its speed or nearness to such crossing, is an  
16 immediate hazard;

17 4. An approaching railroad train is plainly visible  
18 and is in hazardous proximity to such crossing;

19 5. A railroad train is approaching so closely that  
20 an immediate hazard is created.

21 (a-5) Whenever a person driving a vehicle approaches a  
22 railroad grade crossing where the driver is not always  
23 required to stop but must slow down, the person must exercise  
24 due care and caution as the existence of a railroad track  
25 across a highway is a warning of danger, and under any of the  
26 circumstances stated in this Section, the driver shall slow  
27 down within 50 feet but not less than 15 feet from the  
28 nearest rail of the railroad and shall not proceed until he  
29 or she checks that the tracks are clear of an approaching  
30 train.

31 (b) No person shall drive any vehicle through, around or  
32 under any crossing gate or barrier at a railroad crossing  
33 while such gate or barrier is closed or is being opened or  
34 closed.

1 (c) The Department, and local authorities with the  
 2 approval of the Department, are hereby authorized to  
 3 designate particularly dangerous highway grade crossings of  
 4 railroads and to erect stop signs thereat. When such stop  
 5 signs are erected the driver of any vehicle shall stop within  
 6 50 feet but not less than 15 feet from the nearest rail of  
 7 such railroad and shall proceed only upon exercising due  
 8 care.

9 (d) At any railroad grade crossing provided with  
 10 railroad crossbuck signs, without automatic, electric, or  
 11 mechanical signal devices, crossing gates, or a human flagman  
 12 giving a signal of the approach or passage of a train, the  
 13 driver of a vehicle shall in obedience to the railroad  
 14 crossbuck sign, yield the right-of-way and slow down to a  
 15 speed reasonable for the existing conditions and shall stop,  
 16 if required for safety, at a clearly marked stopped line, or  
 17 if no stop line, within 50 feet but not less than 15 feet  
 18 from the nearest rail of the railroad and shall not proceed  
 19 until he or she can do so safely. If a driver is involved in  
 20 a collision at a railroad crossing or interferes with the  
 21 movement of a train after driving past the railroad crossbuck  
 22 sign, the collision or interference is prima facie evidence  
 23 of the driver's failure to yield right-of-way.

24 (d-1) No person shall, while driving a commercial motor  
 25 vehicle, fail to negotiate a railroad-highway grade railroad  
 26 crossing because of insufficient undercarriage clearance.

27 ~~(d-5) (Blank). No person may drive any vehicle through a~~  
 28 ~~railroad crossing if there is insufficient space to drive~~  
 29 ~~completely through the crossing without stopping.~~

30 (e) It is unlawful to violate any part of this Section.  
 31 A first conviction of a person for a violation of any part of  
 32 this Section shall result in a mandatory fine of \$250; all  
 33 subsequent convictions of that person for any violation of  
 34 any part of this Section shall each result in a mandatory

1 fine of \$500.

2 (f) Corporate authorities of municipal corporations  
3 regulating operators of vehicles that fail to obey signals  
4 indicating the presence, approach, passage, or departure of a  
5 train shall impose fines as established in subsection (e) of  
6 this Section.

7 (Source: P.A. 92-245, eff. 8-3-01; 92-249, eff. 1-1-02;  
8 revised 9-19-01)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law."