



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5340

by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Provides that the amendatory Act may be referred to as the License to Work Act. Deletes language providing that all notices sent to a person involved in administrative adjudications, hearings, and final orders shall state that failure to satisfy any fine or penalty shall result in the Secretary of State suspending his or her driving privileges, vehicle registration, or both. Deletes language providing that the Secretary is authorized to cancel a license or permit for failure to pay any fines, civil penalties owed to the Illinois Commerce Commission, or taxes or being a convicted sex offender. Provides that a person whose driver's license was cancelled due to a sex offense conviction shall have his or her driver's license reinstated. Deletes language providing that the reporting requirements for public officials to the Secretary shall apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor whose driver's license has been suspended. Deletes language providing that the Secretary is authorized to suspend or revoke the driving privileges of a person without preliminary hearing for specific adjudications or violations. Provides that the Secretary is authorized to suspend or revoke the driving privileges of a person for specific violations. Provides that a person who's driver's license was suspended or revoked under certain circumstances shall have his or her driving privileges reinstated. Deletes language providing that the owner of a registered vehicle that has failed to pay any fine or penalty due and owing as a result of 10 or more violations shall have his or her driving privileges suspended. Repeals provisions providing the suspension of a driver's license of a person convicted of theft of motor fuel and suspension of driving privileges for failure to satisfy fines or penalties for toll violations or evasions. Effective immediately.

LRB100 19517 LNS 34784 b

1 AN ACT concerning transportation.

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

4 Section 1. This Act may be referred to as the License to
5 Work Act.

6 Section 5. The Illinois Vehicle Code is amended by changing
7 Sections 3-704.2, 6-201, 6-204, 6-205, 6-206, 6-209, 6-306.5,
8 and 11-208.3 and by adding Sections 6-209.1, and 6-213 as
9 follows:

10 (625 ILCS 5/3-704.2)

11 Sec. 3-704.2. Failure to satisfy fines or penalties for
12 toll violations or evasions; suspension of vehicle
13 registration.

14 (a) Upon receipt of a certified report, as prescribed by
15 subsection (c) of this Section, from the Authority stating that
16 the owner of a registered vehicle has failed to satisfy any
17 fine or penalty resulting from a final order issued by the
18 Authority relating directly or indirectly to 5 or more toll
19 violations, toll evasions, or both, the Secretary of State
20 shall suspend the vehicle registration of the person in
21 accordance with the procedures set forth in this Section.

22 (b) Following receipt of the certified report of the

1 Authority as specified in the Section, the Secretary of State
2 shall notify the person whose name appears on the certified
3 report that the person's vehicle registration will be suspended
4 at the end of a specified period unless the Secretary of State
5 is presented with a notice from the Authority certifying that
6 the fines or penalties owing the Authority have been satisfied
7 or that inclusion of that person's name on the certified report
8 was in error. The Secretary's notice shall state in substance
9 the information contained in the Authority's certified report
10 to the Secretary, and shall be effective as specified by
11 subsection (c) of Section 6-211 of this Code.

12 (c) The report from the Authority notifying the Secretary
13 of unsatisfied fines or penalties pursuant to this Section
14 shall be certified and shall contain the following:

15 (1) The name, last known address, and driver's license
16 number of the person who failed to satisfy the fines or
17 penalties and the registration number of any vehicle known
18 to be registered in this State to that person.

19 (2) A statement that the Authority sent a notice of
20 impending suspension of the person's driver's license,
21 vehicle registration, or both, as prescribed by rules
22 enacted pursuant to subsection (a-5) of Section 10 of the
23 Toll Highway Act, to the person named in the report at the
24 address recorded with the Secretary of State; the date on
25 which the notice was sent; and the address to which the
26 notice was sent.

1 (d) The Authority, after making a certified report to the
2 Secretary pursuant to this Section, shall notify the Secretary,
3 on a form prescribed by the Secretary, whenever a person named
4 in the certified report has satisfied the previously reported
5 fines or penalties or whenever the Authority determines that
6 the original report was in error. A certified copy of the
7 notification shall also be given upon request and at no
8 additional charge to the person named therein. Upon receipt of
9 the Authority's notification or presentation of a certified
10 copy of the notification, the Secretary shall terminate the
11 suspension.

12 (e) The Authority shall, by rule, establish procedures for
13 persons to challenge the accuracy of the certified report made
14 pursuant to this Section. The rule shall also provide the
15 grounds for a challenge, which may be limited to:

16 (1) the person not having been the owner or lessee of
17 the vehicle or vehicles receiving 5 or more toll violation
18 or toll evasion notices on the date or dates the notices
19 were issued; or

20 (2) the person having already satisfied the fines or
21 penalties for the 5 or more toll violations or toll
22 evasions indicated on the certified report.

23 (f) All notices sent by the Authority to persons involved
24 in administrative adjudications, hearings, and final orders
25 issued pursuant to rules implementing subsection (a-5) of
26 Section 10 of the Toll Highway Act shall state, in clear and

1 unambiguous language, the consequences of that failure to
2 satisfy any fine or penalty imposed by the Authority shall
3 result in the Secretary of State suspending the driving
4 privileges, vehicle registration, or both, of the person
5 failing to satisfy the fines or penalties imposed by the
6 Authority.

7 (g) A person may request an administrative hearing to
8 contest an impending suspension or a suspension made pursuant
9 to this Section upon filing a written request with the
10 Secretary. The filing fee for this hearing is \$20, to be paid
11 at the time of the request. The Authority shall reimburse the
12 Secretary for all reasonable costs incurred by the Secretary as
13 a result of the filing of a certified report pursuant to this
14 Section, including, but not limited to, the costs of providing
15 notice required pursuant to subsection (b) and the costs
16 incurred by the Secretary in any hearing conducted with respect
17 to the report pursuant to this subsection and any appeal from
18 that hearing.

19 (h) The Secretary and the Authority may promulgate rules to
20 enable them to carry out their duties under this Section.

21 (i) The Authority shall cooperate with the Secretary in the
22 administration of this Section and shall provide the Secretary
23 with any information the Secretary may deem necessary for these
24 purposes, including regular and timely access to toll violation
25 enforcement records.

26 The Secretary shall cooperate with the Authority in the

1 administration of this Section and shall provide the Authority
2 with any information the Authority may deem necessary for the
3 purposes of this Section, including regular and timely access
4 to vehicle registration records. Section 2-123 of this Code
5 shall not apply to the provision of this information, but the
6 Secretary shall be reimbursed for the cost of providing this
7 information.

8 (j) For purposes of this Section, the term "Authority"
9 means the Illinois State Toll Highway Authority.

10 (Source: P.A. 91-277, eff. 1-1-00.)

11 (625 ILCS 5/6-201)

12 Sec. 6-201. Authority to cancel licenses and permits.

13 (a) The Secretary of State is authorized to cancel any
14 license or permit upon determining that the holder thereof:

15 1. was not entitled to the issuance thereof hereunder;

16 or

17 2. failed to give the required or correct information
18 in his application; or

19 3. (blank); or ~~failed to pay any fees, civil penalties~~
20 ~~owed to the Illinois Commerce Commission, or taxes due~~
21 ~~under this Act and upon reasonable notice and demand; or~~

22 4. committed any fraud in the making of such
23 application; or

24 5. is ineligible therefor under the provisions of
25 Section 6-103 of this Act, as amended; or

1 6. has refused or neglected to submit an alcohol, drug,
2 and intoxicating compound evaluation or to submit to
3 examination or re-examination as required under this Act;
4 or

5 7. has been convicted of violating the Cannabis Control
6 Act, the Illinois Controlled Substances Act, the
7 Methamphetamine Control and Community Protection Act, or
8 the Use of Intoxicating Compounds Act while that individual
9 was in actual physical control of a motor vehicle. For
10 purposes of this Section, any person placed on probation
11 under Section 10 of the Cannabis Control Act, Section 410
12 of the Illinois Controlled Substances Act, or Section 70 of
13 the Methamphetamine Control and Community Protection Act
14 shall not be considered convicted. Any person found guilty
15 of this offense, while in actual physical control of a
16 motor vehicle, shall have an entry made in the court record
17 by the judge that this offense did occur while the person
18 was in actual physical control of a motor vehicle and order
19 the clerk of the court to report the violation to the
20 Secretary of State as such. After the cancellation, the
21 Secretary of State shall not issue a new license or permit
22 for a period of one year after the date of cancellation.
23 However, upon application, the Secretary of State may, if
24 satisfied that the person applying will not endanger the
25 public safety, or welfare, issue a restricted driving
26 permit granting the privilege of driving a motor vehicle

1 between the petitioner's residence and petitioner's place
2 of employment or within the scope of the petitioner's
3 employment related duties, or to allow transportation for
4 the petitioner or a household member of the petitioner's
5 family for the receipt of necessary medical care, or
6 provide transportation for the petitioner to and from
7 alcohol or drug remedial or rehabilitative activity
8 recommended by a licensed service provider, or for the
9 petitioner to attend classes, as a student, in an
10 accredited educational institution. The petitioner must
11 demonstrate that no alternative means of transportation is
12 reasonably available; provided that the Secretary's
13 discretion shall be limited to cases where undue hardship,
14 as defined by the rules of the Secretary of State, would
15 result from a failure to issue such restricted driving
16 permit. In each case the Secretary of State may issue such
17 restricted driving permit for such period as he deems
18 appropriate, except that such permit shall expire within
19 one year from the date of issuance. A restricted driving
20 permit issued hereunder shall be subject to cancellation,
21 revocation and suspension by the Secretary of State in like
22 manner and for like cause as a driver's license issued
23 hereunder may be cancelled, revoked or suspended; except
24 that a 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. The Secretary
2 of State may, as a condition to the issuance of a
3 restricted driving permit, require the applicant to
4 participate in a driver remedial or rehabilitative
5 program. In accordance with 49 C.F.R. 384, the Secretary of
6 State may not issue a restricted driving permit for the
7 operation of a commercial motor vehicle to a person holding
8 a CDL whose driving privileges have been revoked,
9 suspended, cancelled, or disqualified under this Code; or

10 8. failed to submit a report as required by Section
11 6-116.5 of this Code; or

12 9. (blank); or ~~has been convicted of a sex offense as~~
13 ~~defined in the Sex Offender Registration Act. The driver's~~
14 ~~license shall remain cancelled until the driver registers~~
15 ~~as a sex offender as required by the Sex Offender~~
16 ~~Registration Act, proof of the registration is furnished to~~
17 ~~the Secretary of State and the sex offender provides proof~~
18 ~~of current address to the Secretary; or~~

19 10. is ineligible for a license or permit under Section
20 6-107, 6-107.1, or 6-108 of this Code; or

21 11. refused or neglected to appear at a Driver Services
22 facility to have the license or permit corrected and a new
23 license or permit issued or to present documentation for
24 verification of identity; or

25 12. failed to submit a medical examiner's certificate
26 or medical variance as required by 49 C.F.R. 383.71 or

1 submitted a fraudulent medical examiner's certificate or
2 medical variance; or

3 13. has had his or her medical examiner's certificate,
4 medical variance, or both removed or rescinded by the
5 Federal Motor Carrier Safety Administration; or

6 14. failed to self-certify as to the type of driving in
7 which the CDL driver engages or expects to engage; or

8 15. has submitted acceptable documentation indicating
9 out-of-state residency to the Secretary of State to be
10 released from the requirement of showing proof of financial
11 responsibility in this State; or

12 16. was convicted of fraud relating to the testing or
13 issuance of a CDL or CLP, in which case only the CDL or CLP
14 shall be cancelled. After cancellation, the Secretary
15 shall not issue a CLP or CDL for a period of one year from
16 the date of cancellation; or

17 17. has a special restricted license under subsection
18 (g) of Section 6-113 of this Code and failed to submit the
19 required annual vision specialist report that the special
20 restricted license holder's vision has not changed; or

21 18. has a special restricted license under subsection
22 (g) of Section 6-113 of this Code and was convicted or
23 received court supervision for a violation of this Code
24 that occurred during nighttime hours or was involved in a
25 motor vehicle accident during nighttime hours in which the
26 restricted license holder was at fault; or

1 19. has assisted an out-of-state resident in acquiring
2 an Illinois driver's license or identification card by
3 providing or allowing the out-of-state resident to use his
4 or her Illinois address of residence and is complicit in
5 distributing and forwarding the Illinois driver's license
6 or identification card to the out-of-state resident.

7 (b) Upon such cancellation the licensee or permittee must
8 surrender the license or permit so cancelled to the Secretary
9 of State.

10 (c) Except as provided in Sections 6-206.1 and 7-702.1, the
11 Secretary of State shall have exclusive authority to grant,
12 issue, deny, cancel, suspend and revoke driving privileges,
13 drivers' licenses and restricted driving permits.

14 (c-5) A person whose driver's license was cancelled under
15 paragraph (9) of subsection (a) of this Section before the
16 effective date of this amendatory Act of the 100th General
17 Assembly and remains cancelled shall have his or her driver's
18 license reinstated.

19 (d) The Secretary of State may adopt rules to implement
20 this Section.

21 (Source: P.A. 100-409, eff. 8-25-17.)

22 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)
23 Sec. 6-204. When court to forward license and reports.

24 (a) For the purpose of providing to the Secretary of State
25 the records essential to the performance of the Secretary's

1 duties under this Code to cancel, revoke or suspend the
2 driver's license and privilege to drive motor vehicles of
3 certain minors ~~adjudicated truant minors in need of~~
4 ~~supervision, addicted, or delinquent~~ and of persons found
5 guilty of the criminal offenses or traffic violations which
6 this Code recognizes as evidence relating to unfitness to
7 safely operate motor vehicles, the following duties are imposed
8 upon public officials:

9 (1) Whenever any person is convicted of any offense for
10 which this Code makes mandatory the cancellation or
11 revocation of the driver's license or permit of such person
12 by the Secretary of State, the judge of the court in which
13 such conviction is had shall require the surrender to the
14 clerk of the court of all driver's licenses or permits then
15 held by the person so convicted, and the clerk of the court
16 shall, within 5 days thereafter, forward the same, together
17 with a report of such conviction, to the Secretary.

18 (2) Whenever any person is convicted of any offense
19 under this Code or similar offenses under a municipal
20 ordinance, other than regulations governing standing,
21 parking or weights of vehicles, and excepting the following
22 enumerated Sections of this Code: Sections 11-1406
23 (obstruction to driver's view or control), 11-1407
24 (improper opening of door into traffic), 11-1410 (coasting
25 on downgrade), 11-1411 (following fire apparatus),
26 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving

1 vehicle which is in unsafe condition or improperly
2 equipped), 12-201(a) (daytime lights on motorcycles),
3 12-202 (clearance, identification and side marker lamps),
4 12-204 (lamp or flag on projecting load), 12-205 (failure
5 to display the safety lights required), 12-401
6 (restrictions as to tire equipment), 12-502 (mirrors),
7 12-503 (windshields must be unobstructed and equipped with
8 wipers), 12-601 (horns and warning devices), 12-602
9 (mufflers, prevention of noise or smoke), 12-603 (seat
10 safety belts), 12-702 (certain vehicles to carry flares or
11 other warning devices), 12-703 (vehicles for oiling roads
12 operated on highways), 12-710 (splash guards and
13 replacements), 13-101 (safety tests), 15-101 (size, weight
14 and load), 15-102 (width), 15-103 (height), 15-104 (name
15 and address on second division vehicles), 15-107 (length of
16 vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights),
17 15-112 (weights), 15-301 (weights), 15-316 (weights),
18 15-318 (weights), and also excepting the following
19 enumerated Sections of the Chicago Municipal Code:
20 Sections 27-245 (following fire apparatus), 27-254
21 (obstruction of traffic), 27-258 (driving vehicle which is
22 in unsafe condition), 27-259 (coasting on downgrade),
23 27-264 (use of horns and signal devices), 27-265
24 (obstruction to driver's view or driver mechanism), 27-267
25 (dimming of headlights), 27-268 (unattended motor
26 vehicle), 27-272 (illegal funeral procession), 27-273

1 (funeral procession on boulevard), 27-275 (driving freight
2 hauling vehicles on boulevard), 27-276 (stopping and
3 standing of buses or taxicabs), 27-277 (cruising of public
4 passenger vehicles), 27-305 (parallel parking), 27-306
5 (diagonal parking), 27-307 (parking not to obstruct
6 traffic), 27-308 (stopping, standing or parking
7 regulated), 27-311 (parking regulations), 27-312 (parking
8 regulations), 27-313 (parking regulations), 27-314
9 (parking regulations), 27-315 (parking regulations),
10 27-316 (parking regulations), 27-317 (parking
11 regulations), 27-318 (parking regulations), 27-319
12 (parking regulations), 27-320 (parking regulations),
13 27-321 (parking regulations), 27-322 (parking
14 regulations), 27-324 (loading and unloading at an angle),
15 27-333 (wheel and axle loads), 27-334 (load restrictions in
16 the downtown district), 27-335 (load restrictions in
17 residential areas), 27-338 (width of vehicles), 27-339
18 (height of vehicles), 27-340 (length of vehicles), 27-352
19 (reflectors on trailers), 27-353 (mufflers), 27-354
20 (display of plates), 27-355 (display of city vehicle tax
21 sticker), 27-357 (identification of vehicles), 27-358
22 (projecting of loads), and also excepting the following
23 enumerated paragraphs of Section 2-201 of the Rules and
24 Regulations of the Illinois State Toll Highway Authority:
25 (l) (driving unsafe vehicle on tollway), (m) (vehicles
26 transporting dangerous cargo not properly indicated), it

1 shall be the duty of the clerk of the court in which such
2 conviction is had within 5 days thereafter to forward to
3 the Secretary of State a report of the conviction and the
4 court may recommend the suspension of the driver's license
5 or permit of the person so convicted.

6 The reporting requirements of this subsection shall
7 apply to all violations stated in paragraphs (1) and (2) of
8 this subsection when the individual has been adjudicated
9 under the Juvenile Court Act or the Juvenile Court Act of
10 1987. Such reporting requirements shall also apply to
11 individuals adjudicated under the Juvenile Court Act or the
12 Juvenile Court Act of 1987 who have committed a violation
13 of Section 11-501 of this Code, or similar provision of a
14 local ordinance, or Section 9-3 of the Criminal Code of
15 1961 or the Criminal Code of 2012, relating to the offense
16 of reckless homicide, or Section 5-7 of the Snowmobile
17 Registration and Safety Act or Section 5-16 of the Boat
18 Registration and Safety Act, relating to the offense of
19 operating a snowmobile or a watercraft while under the
20 influence of alcohol, other drug or drugs, intoxicating
21 compound or compounds, or combination thereof. These
22 reporting requirements also apply to individuals
23 adjudicated under the Juvenile Court Act of 1987 based on
24 any offense determined to have been committed in
25 furtherance of the criminal activities of an organized
26 gang, as provided in Section 5-710 of that Act, if those

1 activities ~~and that~~ involved the operation or use of a
2 motor vehicle ~~or the use of a driver's license or permit.~~
3 ~~The reporting requirements of this subsection shall also~~
4 ~~apply to a truant minor in need of supervision, an addicted~~
5 ~~minor, or a delinquent minor and whose driver's license and~~
6 ~~privilege to drive a motor vehicle has been ordered~~
7 ~~suspended for such times as determined by the court, but~~
8 ~~only until he or she attains 18 years of age.~~ It shall be
9 the duty of the clerk of the court in which adjudication is
10 had within 5 days thereafter to forward to the Secretary of
11 State a report of the adjudication and the court order
12 requiring the Secretary of State to suspend the minor's
13 driver's license and driving privilege for such time as
14 determined by the court, but only until he or she attains
15 the age of 18 years. All juvenile court dispositions
16 reported to the Secretary of State under this provision
17 shall be processed by the Secretary of State as if the
18 cases had been adjudicated in traffic or criminal court.
19 However, information reported relative to the offense of
20 reckless homicide, or Section 11-501 of this Code, or a
21 similar provision of a local ordinance, shall be privileged
22 and available only to the Secretary of State, courts, and
23 police officers.

24 The reporting requirements of this subsection (a)
25 apply to all violations listed in paragraphs (1) and (2) of
26 this subsection (a), excluding parking violations, when

1 the driver holds a CLP or CDL, regardless of the type of
2 vehicle in which the violation occurred, or when any driver
3 committed the violation in a commercial motor vehicle as
4 defined in Section 6-500 of this Code.

5 (3) Whenever an order is entered vacating the
6 forfeiture of any bail, security or bond given to secure
7 appearance for any offense under this Code or similar
8 offenses under municipal ordinance, it shall be the duty of
9 the clerk of the court in which such vacation was had or
10 the judge of such court if such court has no clerk, within
11 5 days thereafter to forward to the Secretary of State a
12 report of the vacation.

13 (4) A report of any disposition of court supervision
14 for a violation of Sections 6-303, 11-401, 11-501 or a
15 similar provision of a local ordinance, 11-503, 11-504, and
16 11-506 of this Code, Section 5-7 of the Snowmobile
17 Registration and Safety Act, and Section 5-16 of the Boat
18 Registration and Safety Act shall be forwarded to the
19 Secretary of State. A report of any disposition of court
20 supervision for a violation of an offense defined as a
21 serious traffic violation in this Code or a similar
22 provision of a local ordinance committed by a person under
23 the age of 21 years shall be forwarded to the Secretary of
24 State.

25 (5) Reports of conviction under this Code and
26 sentencing hearings under the Juvenile Court Act of 1987 in

1 an electronic format or a computer processible medium shall
2 be forwarded to the Secretary of State via the Supreme
3 Court in the form and format required by the Illinois
4 Supreme Court and established by a written agreement
5 between the Supreme Court and the Secretary of State. In
6 counties with a population over 300,000, instead of
7 forwarding reports to the Supreme Court, reports of
8 conviction under this Code and sentencing hearings under
9 the Juvenile Court Act of 1987 in an electronic format or a
10 computer processible medium may be forwarded to the
11 Secretary of State by the Circuit Court Clerk in a form and
12 format required by the Secretary of State and established
13 by written agreement between the Circuit Court Clerk and
14 the Secretary of State. Failure to forward the reports of
15 conviction or sentencing hearing under the Juvenile Court
16 Act of 1987 as required by this Section shall be deemed an
17 omission of duty and it shall be the duty of the several
18 State's Attorneys to enforce the requirements of this
19 Section.

20 (b) Whenever a restricted driving permit is forwarded to a
21 court, as a result of confiscation by a police officer pursuant
22 to the authority in Section 6-113(f), it shall be the duty of
23 the clerk, or judge, if the court has no clerk, to forward such
24 restricted driving permit and a facsimile of the officer's
25 citation to the Secretary of State as expeditiously as
26 practicable.

1 (c) For the purposes of this Code, a forfeiture of bail or
2 collateral deposited to secure a defendant's appearance in
3 court when forfeiture has not been vacated, or the failure of a
4 defendant to appear for trial after depositing his driver's
5 license in lieu of other bail, shall be equivalent to a
6 conviction.

7 (d) For the purpose of providing the Secretary of State
8 with records necessary to properly monitor and assess driver
9 performance and assist the courts in the proper disposition of
10 repeat traffic law offenders, the clerk of the court shall
11 forward to the Secretary of State, on a form prescribed by the
12 Secretary, records of a driver's participation in a driver
13 remedial or rehabilitative program which was required, through
14 a court order or court supervision, in relation to the driver's
15 arrest for a violation of Section 11-501 of this Code or a
16 similar provision of a local ordinance. The clerk of the court
17 shall also forward to the Secretary, either on paper or in an
18 electronic format or a computer processible medium as required
19 under paragraph (5) of subsection (a) of this Section, any
20 disposition of court supervision for any traffic violation,
21 excluding those offenses listed in paragraph (2) of subsection
22 (a) of this Section. These reports shall be sent within 5 days
23 after disposition, or, if the driver is referred to a driver
24 remedial or rehabilitative program, within 5 days of the
25 driver's referral to that program. These reports received by
26 the Secretary of State, including those required to be

1 forwarded under paragraph (a)(4), shall be privileged
2 information, available only (i) to the affected driver, (ii) to
3 the parent or guardian of a person under the age of 18 years
4 holding an instruction permit or a graduated driver's license,
5 and (iii) for use by the courts, police officers, prosecuting
6 authorities, the Secretary of State, and the driver licensing
7 administrator of any other state. In accordance with 49 C.F.R.
8 Part 384, all reports of court supervision, except violations
9 related to parking, shall be forwarded to the Secretary of
10 State for all holders of a CLP or CDL or any driver who commits
11 an offense while driving a commercial motor vehicle. These
12 reports shall be recorded to the driver's record as a
13 conviction for use in the disqualification of the driver's
14 commercial motor vehicle privileges and shall not be privileged
15 information.

16 (Source: P.A. 100-74, eff. 8-11-17.)

17 (625 ILCS 5/6-205)

18 Sec. 6-205. Mandatory revocation of license or permit;
19 hardship cases.

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

24 1. Reckless homicide resulting from the operation of a
25 motor vehicle;

1 2. Violation of Section 11-501 of this Code or a
2 similar provision of a local ordinance relating to the
3 offense of operating or being in physical control of a
4 vehicle while under the influence of alcohol, other drug or
5 drugs, intoxicating compound or compounds, or any
6 combination thereof;

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

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

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

17 6. Conviction upon 3 charges of violation of Section
18 11-503 of this Code relating to the offense of reckless
19 driving committed within a period of 12 months;

20 7. Conviction of any offense defined in Section 4-102
21 of this Code if the vehicle is set in motion;

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

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

25 10. Violation of Section 12-5 of the Criminal Code of
26 1961 or the Criminal Code of 2012 arising from the use of a

1 motor vehicle;

2 11. Violation of Section 11-204.1 of this Code relating
3 to aggravated fleeing or attempting to elude a peace
4 officer;

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

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

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

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

22 16. Any offense against any provision in this Code, or
23 any local ordinance, regulating the movement of traffic
24 when that offense was the proximate cause of the death of
25 any person. Any person whose driving privileges have been
26 revoked pursuant to this paragraph may seek to have the

1 revocation terminated or to have the length of revocation
2 reduced by requesting an administrative hearing with the
3 Secretary of State prior to the projected driver's license
4 application eligibility date;

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

7 18. A second or subsequent conviction of 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. A
14 defendant found guilty of this offense while operating a
15 motor vehicle shall have an entry made in the court record
16 by the presiding judge that this offense did occur while
17 the defendant was operating a motor vehicle and order the
18 clerk of the court to report the violation to the Secretary
19 of State;

20 19. Violation of subsection (a) of Section 11-1414 of
21 this Code, or a similar provision of a local ordinance,
22 relating to the offense of overtaking or passing of a
23 school bus when the driver, in committing the violation, is
24 involved in a motor vehicle accident that results in death
25 to another and the violation is a proximate cause of the
26 death.

1 (b) The Secretary of State shall also immediately revoke
2 the license or permit of any driver in the following
3 situations:

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

9 2. Of any person when any other law of this State
10 requires either the revocation or suspension of a license
11 or permit;

12 3. Of any person adjudicated under the Juvenile Court
13 Act of 1987 based on an offense determined to have been
14 committed in furtherance of the criminal activities of an
15 organized gang as provided in Section 5-710 of that Act,
16 and that involved the operation or use of a motor vehicle
17 or the use of a driver's license or permit. The revocation
18 shall remain in effect for the period determined by the
19 court.

20 (c) (1) Whenever a person is convicted of any of the
21 offenses enumerated in this Section, the court may recommend
22 and the Secretary of State in his discretion, without regard to
23 whether the recommendation is made by the court may, upon
24 application, issue to the person a restricted driving permit
25 granting the privilege of driving a motor vehicle between the
26 petitioner's residence and petitioner's place of employment or

1 within the scope of the petitioner's employment related duties,
2 or to allow the petitioner to transport himself or herself or a
3 family member of the petitioner's household to a medical
4 facility for the receipt of necessary medical care or to allow
5 the petitioner to transport himself or herself to and from
6 alcohol or drug remedial or rehabilitative activity
7 recommended by a licensed service provider, or to allow the
8 petitioner to transport himself or herself or a family member
9 of the petitioner's household to classes, as a student, at an
10 accredited educational institution, or to allow the petitioner
11 to transport children, elderly persons, or persons with
12 disabilities who do not hold driving privileges and are living
13 in the petitioner's household to and from daycare; if the
14 petitioner is able to demonstrate that no alternative means of
15 transportation is reasonably available and that the petitioner
16 will not endanger the public safety or welfare; provided that
17 the Secretary's discretion shall be limited to cases where
18 undue hardship, as defined by the rules of the Secretary of
19 State, would result from a failure to issue the restricted
20 driving permit.

21 (1.5) A person subject to the provisions of paragraph 4 of
22 subsection (b) of Section 6-208 of this Code may make
23 application for a restricted driving permit at a hearing
24 conducted under Section 2-118 of this Code after the expiration
25 of 5 years from the effective date of the most recent
26 revocation, or after 5 years from the date of release from a

1 period of imprisonment resulting from a conviction of the most
2 recent offense, whichever is later, provided the person, in
3 addition to all other requirements of the Secretary, shows by
4 clear and convincing evidence:

5 (A) a minimum of 3 years of uninterrupted abstinence
6 from alcohol and the unlawful use or consumption of
7 cannabis under the Cannabis Control Act, a controlled
8 substance under the Illinois Controlled Substances Act, an
9 intoxicating compound under the Use of Intoxicating
10 Compounds Act, or methamphetamine under the
11 Methamphetamine Control and Community Protection Act; and

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

17 In determining whether an applicant is eligible for a
18 restricted driving permit under this paragraph (1.5), the
19 Secretary may consider any relevant evidence, including, but
20 not limited to, testimony, affidavits, records, and the results
21 of regular alcohol or drug tests. Persons subject to the
22 provisions of paragraph 4 of subsection (b) of Section 6-208 of
23 this Code and who have been convicted of more than one
24 violation of paragraph (3), paragraph (4), or paragraph (5) of
25 subsection (a) of Section 11-501 of this Code shall not be
26 eligible to apply for a restricted driving permit.

1 A restricted driving permit issued under this paragraph
2 (1.5) shall provide that the holder may only operate motor
3 vehicles equipped with an ignition interlock device as required
4 under paragraph (2) of subsection (c) of this Section and
5 subparagraph (A) of paragraph 3 of subsection (c) of Section
6 6-206 of this Code. The Secretary may revoke a restricted
7 driving permit or amend the conditions of a restricted driving
8 permit issued under this paragraph (1.5) if the holder operates
9 a vehicle that is not equipped with an ignition interlock
10 device, or for any other reason authorized under this Code.

11 A restricted driving permit issued under this paragraph
12 (1.5) shall be revoked, and the holder barred from applying for
13 or being issued a restricted driving permit in the future, if
14 the holder is subsequently convicted of a violation of Section
15 11-501 of this Code, a similar provision of a local ordinance,
16 or a similar offense in another state.

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

1 as defined in Section 1-129.1.

2 (3) If:

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

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

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

14 (iii) a suspension pursuant to Section 6-203.1;
15 arising out of separate occurrences; or

16 (B) a person has been convicted of one violation of
17 subparagraph (C) or (F) of paragraph (1) of subsection (d)
18 of Section 11-501 of this Code, Section 9-3 of the Criminal
19 Code of 1961 or the Criminal Code of 2012, relating to the
20 offense of reckless homicide where the use of alcohol or
21 other drugs was recited as an element of the offense, or a
22 similar provision of a law of another state;
23 that person, if issued a restricted driving permit, may not
24 operate a vehicle unless it has been equipped with an ignition
25 interlock device as defined in Section 1-129.1.

26 (4) The person issued a permit conditioned on the use of an

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

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

20 (6) In each case the Secretary of State may issue a
21 restricted driving permit for a period he deems appropriate,
22 except that the permit shall expire within one year from the
23 date of issuance. A restricted driving permit issued under this
24 Section shall be subject to cancellation, revocation, and
25 suspension by the Secretary of State in like manner and for
26 like cause as a driver's license issued under this Code may be

1 cancelled, revoked, or suspended; except that a conviction upon
2 one or more offenses against laws or ordinances regulating the
3 movement of traffic shall be deemed sufficient cause for the
4 revocation, suspension, or cancellation of a restricted
5 driving permit. The Secretary of State may, as a condition to
6 the issuance of a restricted driving permit, require the
7 petitioner to participate in a designated driver remedial or
8 rehabilitative program. The Secretary of State is authorized to
9 cancel a restricted driving permit if the permit holder does
10 not successfully complete the program. However, if an
11 individual's driving privileges have been revoked in
12 accordance with paragraph 13 of subsection (a) of this Section,
13 no restricted driving permit shall be issued until the
14 individual has served 6 months of the revocation period.

15 (c-5) (Blank).

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

1 whichever is later.

2 (c-7) If a person is convicted of a third or subsequent
3 violation of operating a motor vehicle while the person's
4 driver's license, permit or privilege was revoked, where the
5 revocation was for a violation of Section 9-3 of the Criminal
6 Code of 1961 or the Criminal Code of 2012 relating to the
7 offense of reckless homicide or a similar out-of-state offense,
8 the person may never apply for a license or permit.

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

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

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

15 (A) a single conviction of violating Section
16 11-501 of this Code or a similar provision of a local
17 ordinance or a similar out-of-state offense, or
18 Section 9-3 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, where the use of alcohol or
20 other drugs is recited as an element of the offense, or
21 a similar out-of-state offense; or

22 (B) a statutory summary suspension or revocation
23 under Section 11-501.1; or

24 (C) a suspension pursuant to Section 6-203.1;
25 arising out of separate occurrences, that person, if issued
26 a restricted driving permit, may not operate a vehicle

1 unless it has been equipped with an ignition interlock
2 device as defined in Section 1-129.1.

3 (3.5) If a person's license or permit is revoked or
4 suspended due to a conviction for a violation of
5 subparagraph (C) or (F) of paragraph (1) of subsection (d)
6 of Section 11-501 of this Code, or a similar provision of a
7 local ordinance or similar out-of-state offense, that
8 person, if issued a restricted driving permit, may not
9 operate a vehicle unless it has been equipped with an
10 ignition interlock device as defined in Section 1-129.1.

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

17 (5) If the restricted driving permit is issued for
18 employment purposes, then the prohibition against driving
19 a vehicle that is not equipped with an ignition interlock
20 device does not apply to the operation of an occupational
21 vehicle owned or leased by that person's employer when used
22 solely for employment purposes. For any person who, within
23 a 5-year period, is convicted of a second or subsequent
24 offense under Section 11-501 of this Code, or a similar
25 provision of a local ordinance or similar out-of-state
26 offense, this employment exemption does not apply until

1 either a one-year period has elapsed during which that
2 person had his or her driving privileges revoked or a
3 one-year period has elapsed during which that person had a
4 restricted driving permit which required the use of an
5 ignition interlock device on every motor vehicle owned or
6 operated by that person.

7 (6) A restricted driving permit issued under this
8 Section shall be subject to cancellation, revocation, and
9 suspension by the Secretary of State in like manner and for
10 like cause as a driver's license issued under this Code may
11 be cancelled, revoked, or suspended; except that a
12 conviction upon one or more offenses against laws or
13 ordinances regulating the movement of traffic shall be
14 deemed sufficient cause for the revocation, suspension, or
15 cancellation of a restricted driving permit.

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

25 (e) This Section is subject to the provisions of the Driver
26 License Compact.

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

5 (g) The Secretary of State shall not issue a restricted
6 driving permit to a person under the age of 16 years whose
7 driving privileges have been revoked under any provisions of
8 this Code.

9 (h) The Secretary of State shall require the use of
10 ignition interlock devices for a period not less than 5 years
11 on all vehicles owned by a person who has been convicted of a
12 second or subsequent offense under Section 11-501 of this Code
13 or a similar provision of a local ordinance. The person must
14 pay to the Secretary of State DUI Administration Fund an amount
15 not to exceed \$30 for each month that he or she uses the
16 device. The Secretary shall establish by rule and regulation
17 the procedures for certification and use of the interlock
18 system, the amount of the fee, and the procedures, terms, and
19 conditions relating to these fees. During the time period in
20 which a person is required to install an ignition interlock
21 device under this subsection (h), that person shall only
22 operate vehicles in which ignition interlock devices have been
23 installed, except as allowed by subdivision (c) (5) or (d) (5) of
24 this Section.

25 (i) (Blank).

26 (j) In accordance with 49 C.F.R. 384, the Secretary of

1 State may not issue a restricted driving permit for the
2 operation of a commercial motor vehicle to a person holding a
3 CDL whose driving privileges have been revoked, suspended,
4 cancelled, or disqualified under any provisions of this Code.

5 (k) The Secretary of State shall notify by mail any person
6 whose driving privileges have been revoked under paragraph 16
7 of subsection (a) of this Section that his or her driving
8 privileges and driver's license will be revoked 90 days from
9 the date of the mailing of the notice.

10 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
11 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
12 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff. 7-28-16;
13 100-223, eff. 8-18-17.)

14 (625 ILCS 5/6-206)

15 Sec. 6-206. Discretionary authority to suspend or revoke
16 license or permit; right to a hearing.

17 (a) The Secretary of State is authorized to suspend or
18 revoke the driving privileges of any person without preliminary
19 hearing upon a showing of the person's records or other
20 sufficient evidence that the person:

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

24 2. Has been convicted of not less than 3 offenses
25 against traffic regulations governing the movement of

1 vehicles committed within any 12 month period. No
2 revocation or suspension shall be entered more than 6
3 months after the date of last conviction;

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

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

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

25 6. Has been lawfully convicted of an offense or
26 offenses in another state, including the authorization

1 contained in Section 6-203.1, which if committed within
2 this State would be grounds for suspension or revocation;

3 7. Has refused or failed to submit to an examination
4 provided for by Section 6-207 or has failed to pass the
5 examination;

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

8 9. Has made a false statement or knowingly concealed a
9 material fact or has used false information or
10 identification in any application for a license,
11 identification card, or permit;

12 10. Has possessed, displayed, or attempted to
13 fraudulently use any license, identification card, or
14 permit not issued to the person;

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

23 12. Has submitted to any portion of the application
24 process for another person or has obtained the services of
25 another person to submit to any portion of the application
26 process for the purpose of obtaining a license,

1 identification card, or permit for some other person;

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

5 14. Has committed a violation of Section 6-301,
6 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
7 14B of the Illinois Identification Card Act;

8 15. Has been convicted of violating Section 21-2 of the
9 Criminal Code of 1961 or the Criminal Code of 2012 relating
10 to criminal trespass to vehicles if the violation involves
11 operating the vehicle, in which case, the suspension shall
12 be for one year;

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

15 17. Has refused to submit to a test, or tests, as
16 required under Section 11-501.1 of this Code and the person
17 has not sought a hearing as provided for in Section
18 11-501.1;

19 18. (Blank); ~~Has, since issuance of a driver's license~~
20 ~~or permit, been adjudged to be afflicted with or suffering~~
21 ~~from any mental disability or disease;~~

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

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

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

5 22. Has used a motor vehicle in violating paragraph
6 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
7 the Criminal Code of 1961 or the Criminal Code of 2012
8 relating to unlawful use of weapons, in which case the
9 suspension shall be for one year;

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

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

20 25. Has permitted any form of identification to be used
21 by another in the application process in order to obtain or
22 attempt to obtain a license, identification card, or
23 permit;

24 26. Has altered or attempted to alter a license or has
25 possessed an altered license, identification card, or
26 permit;

1 27. (Blank); ~~Has violated Section 6-16 of the Liquor~~
2 ~~Control Act of 1934;~~

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

17 29. Has been convicted of the following offenses that
18 were committed while the person was operating or in actual
19 physical control, as a driver, of a motor vehicle: criminal
20 sexual assault, predatory criminal sexual assault of a
21 child, aggravated criminal sexual assault, criminal sexual
22 abuse, aggravated criminal sexual abuse, juvenile pimping,
23 soliciting for a juvenile prostitute, promoting juvenile
24 prostitution as described in subdivision (a)(1), (a)(2),
25 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
26 or the Criminal Code of 2012, and the manufacture, sale or

1 delivery of controlled substances or instruments used for
2 illegal drug use or abuse in which case the driver's
3 driving privileges shall be suspended for one year;

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

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

20 32. Has been convicted of Section 24-1.2 of the
21 Criminal Code of 1961 or the Criminal Code of 2012 relating
22 to the aggravated discharge of a firearm if the offender
23 was located in a motor vehicle at the time the firearm was
24 discharged, in which case the suspension shall be for 3
25 years;

26 33. Has as a driver, who was less than 21 years of age

1 on the date of the offense, been convicted a first time of
2 a violation of paragraph (a) of Section 11-502 of this Code
3 or a similar provision of a local ordinance;

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

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

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

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

17 38. (Blank); ~~Has been convicted of a violation of~~
18 ~~Section 6-20 of the Liquor Control Act of 1934 or a similar~~
19 ~~provision of a local ordinance;~~

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

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

24 41. Has committed a second or subsequent violation of
25 Section 11-605.1 of this Code, a similar provision of a
26 local ordinance, or a similar violation in any other state

1 within 2 years of the date of the previous violation, in
2 which case the suspension shall be for 90 days;

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

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

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

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

24 46. (Blank); ~~Has committed a violation of subsection~~
25 ~~(j) of Section 3-413 of this Code;~~

26 47. Has committed a violation of subsection (a) of

1 Section 11-502.1 of this Code; or

2 48. Has submitted a falsified or altered medical
3 examiner's certificate to the Secretary of State or
4 provided false information to obtain a medical examiner's
5 certificate.

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

10 (A) If a person's license or permit is 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, or Section 9-3
14 of the Criminal Code of 1961 or the Criminal Code of 2012,
15 where the use of alcohol or other drugs is recited as an
16 element of the offense, or a similar out-of-state offense,
17 or a combination of these offenses, arising out of separate
18 occurrences, that person, if issued a restricted driving
19 permit, may not operate a vehicle unless it has been
20 equipped with an ignition interlock device as defined in
21 Section 1-129.1.

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

24 (i) a single conviction of violating Section
25 11-501 of this Code or a similar provision of a local
26 ordinance or a similar out-of-state offense or Section

1 9-3 of the Criminal Code of 1961 or the Criminal Code
2 of 2012, where the use of alcohol or other drugs is
3 recited as an element of the offense, or a similar
4 out-of-state offense; or

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

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

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

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

20 (C) The person issued a permit conditioned upon the use
21 of an ignition interlock device must pay to the Secretary
22 of State DUI Administration Fund an amount not to exceed
23 \$30 per month. The Secretary shall establish by rule the
24 amount and the procedures, terms, and conditions relating
25 to these fees.

26 (D) If the restricted driving permit is issued for

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

16 (E) In each case the Secretary may issue a restricted
17 driving permit for a period deemed appropriate, except that
18 all permits shall expire within one year from the date of
19 issuance. 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. The Secretary
2 of State may, as a condition to the issuance of a
3 restricted driving permit, require the applicant to
4 participate in a designated driver remedial or
5 rehabilitative program. The Secretary of State is
6 authorized to cancel a restricted driving permit if the
7 permit holder does not successfully complete the program.

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

18 (i) a minimum of 3 years of uninterrupted
19 abstinence from alcohol and the unlawful use or
20 consumption of cannabis under the Cannabis Control
21 Act, a controlled substance under the Illinois
22 Controlled Substances Act, an intoxicating compound
23 under the Use of Intoxicating Compounds Act, or
24 methamphetamine under the Methamphetamine Control and
25 Community Protection Act; and

26 (ii) the successful completion of any

1 rehabilitative treatment and involvement in any
2 ongoing rehabilitative activity that may be
3 recommended by a properly licensed service provider
4 according to an assessment of the person's alcohol or
5 drug use under Section 11-501.01 of this Code.

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

17 A restricted driving permit issued under this
18 subparagraph (F) shall provide that the holder may only
19 operate motor vehicles equipped with an ignition interlock
20 device as required under paragraph (2) of subsection (c) of
21 Section 6-205 of this Code and subparagraph (A) of
22 paragraph 3 of subsection (c) of this Section. The
23 Secretary may revoke a restricted driving permit or amend
24 the conditions of a restricted driving permit issued under
25 this subparagraph (F) if the holder operates a vehicle that
26 is not equipped with an ignition interlock device, or for

1 any other reason authorized under this Code.

2 A restricted driving permit issued under this
3 subparagraph (F) shall be revoked, and the holder barred
4 from applying for or being issued a restricted driving
5 permit in the future, if the holder is convicted of a
6 violation of Section 11-501 of this Code, a similar
7 provision of a local ordinance, or a similar offense in
8 another state.

9 (c-3) In the case of a suspension under paragraph 43 of
10 subsection (a), reports received by the Secretary of State
11 under this Section shall, except during the actual time the
12 suspension is in effect, be privileged information and for use
13 only by the courts, police officers, prosecuting authorities,
14 the driver licensing administrator of any other state, the
15 Secretary of State, or the parent or legal guardian of a driver
16 under the age of 18. However, beginning January 1, 2008, if the
17 person is a CDL holder, the suspension shall also be made
18 available to the driver licensing administrator of any other
19 state, the U.S. Department of Transportation, and the affected
20 driver or motor carrier or prospective motor carrier upon
21 request.

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

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

8 (d) This Section is subject to the provisions of the
9 Drivers License Compact.

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

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

19 (Source: P.A. 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; 98-726,
20 eff. 1-1-15; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15;
21 99-290, eff. 1-1-16; 99-467, eff. 1-1-16; 99-483, eff. 1-1-16;
22 99-607, eff. 7-22-16; 99-642, eff. 7-28-16.)

23 (625 ILCS 5/6-209.1 new)

24 Sec. 6-209.1. Restoration of driving privileges;
25 suspension; cancellation. The Secretary shall rescind the

1 suspension or cancellation of a person's driver's license that
2 has been suspended or cancelled prior to the effective date of
3 this amendatory Act of the 100th General Assembly due to:

4 (1) a conviction of theft of motor fuel under Section 16-25
5 or 16K-15 of the Criminal Code of 1961 or the Criminal Code of
6 2012;

7 (2) the person, since the issuance of the driver's license,
8 being adjudged to be afflicted with or suffering from any
9 mental disability or disease;

10 (3) a violation of Section 6-16 or 6-20 of the Liquor
11 Control Act of 1934 or a similar provision of a local
12 ordinance;

13 (4) the person receiving a disposition of court supervision
14 for a violation of subsection (a), (b), or (c) of Section 6-20
15 of the Liquor Control Act of 1934 or a similar provision of a
16 local ordinance;

17 (5) a violation of subsection (j) of Section 3-413 of this
18 Code;

19 (6) the person failing to pay any fine or penalty due or
20 owing as a result of 10 or more violations of a municipality's
21 or county's vehicular standing, parking, or compliance
22 regulations established by ordinance under Section 11-208.3 of
23 this Code;

24 (7) the person failing to satisfy any fine or penalty
25 resulting from a final order issued by the Authority relating
26 directly or indirectly to 5 or more toll violations, toll

1 evasions, or both; or

2 (8) a conviction of a sex offense as defined in the Sex
3 Offender Registration Act.

4 (625 ILCS 5/6-213 new)

5 Sec. 6-213. Rescinding suspension. A person whose driver's
6 license was suspended under Section 6-205.2 of this Code,
7 paragraphs (18), (27), (38), (43) or (46) of subsection (a) of
8 Section 6-206 of this Code, Section 6-306.5 of this Code
9 relating to 10 or more unpaid vehicular standing, parking, or
10 compliance regulations, or Section 6-306.7 of this Code before
11 the effective date of this amendatory Act of the 100th General
12 Assembly and remains suspended shall have his or her driver's
13 license suspension rescinded.

14 (625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

15 Sec. 6-306.5. Failure to pay fine or penalty for standing,
16 parking, compliance, automated speed enforcement system, or
17 automated traffic law violations; suspension of driving
18 privileges.

19 (a) Upon receipt of a certified report, as prescribed by
20 subsection (c) of this Section, from any municipality or county
21 stating that the owner of a registered vehicle: ~~(1) has failed~~
22 ~~to pay any fine or penalty due and owing as a result of 10 or~~
23 ~~more violations of a municipality's or county's vehicular~~
24 ~~standing, parking, or compliance regulations established by~~

1 ~~ordinance pursuant to Section 11-208.3 of this Code, (2)~~ has
2 failed to pay any fine or penalty due and owing as a result of 5
3 offenses for automated speed enforcement system violations or
4 automated traffic violations as defined in Sections 11-208.6,
5 11-208.8, 11-208.9, or 11-1201.1, or combination thereof, or
6 (3) is more than 14 days in default of a payment plan pursuant
7 to which a suspension had been terminated under subsection (c)
8 of this Section, the Secretary of State shall suspend the
9 driving privileges of such person in accordance with the
10 procedures set forth in this Section. The Secretary shall also
11 suspend the driving privileges of an owner of a registered
12 vehicle upon receipt of a certified report, as prescribed by
13 subsection (f) of this Section, from any municipality or county
14 stating that such person has failed to satisfy any fines or
15 penalties imposed by final judgments for 5 or more automated
16 speed enforcement system or automated traffic law violations,
17 or combination thereof, ~~or 10 or more violations of local~~
18 ~~standing, parking, or compliance regulations~~ after exhaustion
19 of judicial review procedures.

20 (b) Following receipt of the certified report of the
21 municipality or county as specified in this Section, the
22 Secretary of State shall notify the person whose name appears
23 on the certified report that the person's drivers license will
24 be suspended at the end of a specified period of time unless
25 the Secretary of State is presented with a notice from the
26 municipality or county certifying that the fine or penalty due

1 and owing the municipality or county has been paid or that
2 inclusion of that person's name on the certified report was in
3 error. The Secretary's notice shall state in substance the
4 information contained in the municipality's or county's
5 certified report to the Secretary, and shall be effective as
6 specified by subsection (c) of Section 6-211 of this Code.

7 (c) The report of the appropriate municipal or county
8 official notifying the Secretary of State of unpaid fines or
9 penalties pursuant to this Section shall be certified and shall
10 contain the following:

11 (1) The name, last known address as recorded with the
12 Secretary of State, as provided by the lessor of the cited
13 vehicle at the time of lease, or as recorded in a United
14 States Post Office approved database if any notice sent
15 under Section 11-208.3 of this Code is returned as
16 undeliverable, and drivers license number of the person who
17 failed to pay the fine or penalty or who has defaulted in a
18 payment plan and the registration number of any vehicle
19 known to be registered to such person in this State.

20 (2) The name of the municipality or county making the
21 report pursuant to this Section.

22 (3) A statement that the municipality or county sent a
23 notice of impending drivers license suspension as
24 prescribed by ordinance enacted pursuant to Section
25 11-208.3 of this Code or a notice of default in a payment
26 plan, to the person named in the report at the address

1 recorded with the Secretary of State or at the last address
2 known to the lessor of the cited vehicle at the time of
3 lease or, if any notice sent under Section 11-208.3 of this
4 Code is returned as undeliverable, at the last known
5 address recorded in a United States Post Office approved
6 database; the date on which such notice was sent; and the
7 address to which such notice was sent. In a municipality or
8 county with a population of 1,000,000 or more, the report
9 shall also include a statement that the alleged violator's
10 State vehicle registration number and vehicle make, if
11 specified on the automated speed enforcement system
12 violation or automated traffic law violation notice, are
13 correct as they appear on the citations.

14 (4) A unique identifying reference number for each
15 request of suspension sent whenever a person has failed to
16 pay the fine or penalty or has defaulted on a payment plan.

17 (d) Any municipality or county making a certified report to
18 the Secretary of State pursuant to this Section shall notify
19 the Secretary of State, in a form prescribed by the Secretary,
20 whenever a person named in the certified report has paid the
21 previously reported fine or penalty, whenever a person named in
22 the certified report has entered into a payment plan pursuant
23 to which the municipality or county has agreed to terminate the
24 suspension, or whenever the municipality or county determines
25 that the original report was in error. A certified copy of such
26 notification shall also be given upon request and at no

1 additional charge to the person named therein. Upon receipt of
2 the municipality's or county's notification or presentation of
3 a certified copy of such notification, the Secretary of State
4 shall terminate the suspension.

5 (e) Any municipality or county making a certified report to
6 the Secretary of State pursuant to this Section shall also by
7 ordinance establish procedures for persons to challenge the
8 accuracy of the certified report. The ordinance shall also
9 state the grounds for such a challenge, which may be limited to
10 (1) the person not having been the owner or lessee of the
11 vehicle or vehicles receiving ~~10 or more standing, parking, or~~
12 ~~compliance violation notices~~ or a combination of 5 or more
13 automated speed enforcement system or automated traffic law
14 violations on the date or dates such notices were issued; and
15 (2) the person having already paid the fine or penalty for the
16 ~~10 or more standing, parking, or compliance violations~~ or
17 combination of 5 or more automated speed enforcement system or
18 automated traffic law violations indicated on the certified
19 report.

20 (f) Any municipality or county, other than a municipality
21 or county establishing ~~vehicular standing, parking, and~~
22 ~~compliance regulations pursuant to Section 11-208.3,~~ automated
23 speed enforcement system regulations under Section 11-208.8,
24 or automated traffic law regulations under Section 11-208.6,
25 11-208.9, or 11-1201.1, may also cause a suspension of a
26 person's drivers license pursuant to this Section. Such

1 municipality or county may invoke this sanction by making a
2 certified report to the Secretary of State upon a person's
3 failure to satisfy any fine or penalty imposed by final
4 judgment for ~~10 or more violations of local standing, parking,~~
5 ~~or compliance regulations~~ or a combination of 5 or more
6 automated speed enforcement system or automated traffic law
7 violations after exhaustion of judicial review procedures, but
8 only if:

9 (1) the municipality or county complies with the
10 provisions of this Section in all respects except in regard
11 to enacting an ordinance pursuant to Section 11-208.3;

12 (2) the municipality or county has sent a notice of
13 impending drivers license suspension as prescribed by an
14 ordinance enacted pursuant to subsection (g) of this
15 Section; and

16 (3) in municipalities or counties with a population of
17 1,000,000 or more, the municipality or county has verified
18 that the alleged violator's State vehicle registration
19 number and vehicle make are correct as they appear on the
20 citations.

21 (g) Any municipality or county, other than a municipality
22 or county establishing ~~standing, parking, and compliance~~
23 ~~regulations pursuant to Section 11-208.3,~~ automated speed
24 enforcement system regulations under Section 11-208.8, or
25 automated traffic law regulations under Section 11-208.6,
26 11-208.9, or 11-1201.1, may provide by ordinance for the

1 sending of a notice of impending drivers license suspension to
2 the person who has failed to satisfy any fine or penalty
3 imposed by final judgment for ~~10 or more violations of local~~
4 ~~standing, parking, or compliance regulations~~ or a combination
5 of 5 or more automated speed enforcement system or automated
6 traffic law violations after exhaustion of judicial review
7 procedures. An ordinance so providing shall specify that the
8 notice sent to the person liable for any fine or penalty shall
9 state that failure to pay the fine or penalty owing within 45
10 days of the notice's date will result in the municipality or
11 county notifying the Secretary of State that the person's
12 drivers license is eligible for suspension pursuant to this
13 Section. The notice of impending drivers license suspension
14 shall be sent by first class United States mail, postage
15 prepaid, to the address recorded with the Secretary of State or
16 at the last address known to the lessor of the cited vehicle at
17 the time of lease or, if any notice sent under Section 11-208.3
18 of this Code is returned as undeliverable, to the last known
19 address recorded in a United States Post Office approved
20 database.

21 (h) An administrative hearing to contest an impending
22 suspension or a suspension made pursuant to this Section may be
23 had upon filing a written request with the Secretary of State.
24 The filing fee for this hearing shall be \$20, to be paid at the
25 time the request is made. A municipality or county which files
26 a certified report with the Secretary of State pursuant to this

1 Section shall reimburse the Secretary for all reasonable costs
2 incurred by the Secretary as a result of the filing of the
3 report, including but not limited to the costs of providing the
4 notice required pursuant to subsection (b) and the costs
5 incurred by the Secretary in any hearing conducted with respect
6 to the report pursuant to this subsection and any appeal from
7 such a hearing.

8 (i) The provisions of this Section shall apply on and after
9 January 1, 1988.

10 (j) For purposes of this Section, the term "compliance
11 violation" is defined as in Section 11-208.3.

12 (Source: P.A. 97-333, eff. 8-12-11; 97-672, eff. 7-1-12;
13 98-556, eff. 1-1-14.)

14 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

15 Sec. 11-208.3. Administrative adjudication of violations
16 of traffic regulations concerning the standing, parking, or
17 condition of vehicles, automated traffic law violations, and
18 automated speed enforcement system violations.

19 (a) Any municipality or county may provide by ordinance for
20 a system of administrative adjudication of vehicular standing
21 and parking violations and vehicle compliance violations as
22 described in this subsection, automated traffic law violations
23 as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and
24 automated speed enforcement system violations as defined in
25 Section 11-208.8. The administrative system shall have as its

1 purpose the fair and efficient enforcement of municipal or
2 county regulations through the administrative adjudication of
3 automated speed enforcement system or automated traffic law
4 violations and violations of municipal or county ordinances
5 regulating the standing and parking of vehicles, the condition
6 and use of vehicle equipment, and the display of municipal or
7 county wheel tax licenses within the municipality's or county's
8 borders. The administrative system shall only have authority to
9 adjudicate civil offenses carrying fines not in excess of \$500
10 or requiring the completion of a traffic education program, or
11 both, that occur after the effective date of the ordinance
12 adopting such a system under this Section. For purposes of this
13 Section, "compliance violation" means a violation of a
14 municipal or county regulation governing the condition or use
15 of equipment on a vehicle or governing the display of a
16 municipal or county wheel tax license.

17 (b) Any ordinance establishing a system of administrative
18 adjudication under this Section shall provide for:

19 (1) A traffic compliance administrator authorized to
20 adopt, distribute and process parking, compliance, and
21 automated speed enforcement system or automated traffic
22 law violation notices and other notices required by this
23 Section, collect money paid as fines and penalties for
24 violation of parking and compliance ordinances and
25 automated speed enforcement system or automated traffic
26 law violations, and operate an administrative adjudication

1 system. The traffic compliance administrator also may make
2 a certified report to the Secretary of State under Section
3 6-306.5.

4 (2) A parking, standing, compliance, automated speed
5 enforcement system, or automated traffic law violation
6 notice that shall specify the date, time, and place of
7 violation of a parking, standing, compliance, automated
8 speed enforcement system, or automated traffic law
9 regulation; the particular regulation violated; any
10 requirement to complete a traffic education program; the
11 fine and any penalty that may be assessed for late payment
12 or failure to complete a required traffic education
13 program, or both, when so provided by ordinance; the
14 vehicle make and state registration number; and the
15 identification number of the person issuing the notice.
16 With regard to automated speed enforcement system or
17 automated traffic law violations, vehicle make shall be
18 specified on the automated speed enforcement system or
19 automated traffic law violation notice if the make is
20 available and readily discernible. With regard to
21 municipalities or counties with a population of 1 million
22 or more, it shall be grounds for dismissal of a parking
23 violation if the state registration number or vehicle make
24 specified is incorrect. The violation notice shall state
25 that the completion of any required traffic education
26 program, the payment of any indicated fine, and the payment

1 of any applicable penalty for late payment or failure to
2 complete a required traffic education program, or both,
3 shall operate as a final disposition of the violation. The
4 notice also shall contain information as to the
5 availability of a hearing in which the violation may be
6 contested on its merits. The violation notice shall specify
7 the time and manner in which a hearing may be had.

8 (3) Service of the parking, standing, or compliance
9 violation notice by affixing the original or a facsimile of
10 the notice to an unlawfully parked vehicle or by handing
11 the notice to the operator of a vehicle if he or she is
12 present and service of an automated speed enforcement
13 system or automated traffic law violation notice by mail to
14 the address of the registered owner or lessee of the cited
15 vehicle as recorded with the Secretary of State or the
16 lessor of the motor vehicle within 30 days after the
17 Secretary of State or the lessor of the motor vehicle
18 notifies the municipality or county of the identity of the
19 owner or lessee of the vehicle, but not later than 90 days
20 after the violation, except that in the case of a lessee of
21 a motor vehicle, service of an automated traffic law
22 violation notice may occur no later than 210 days after the
23 violation. A person authorized by ordinance to issue and
24 serve parking, standing, and compliance violation notices
25 shall certify as to the correctness of the facts entered on
26 the violation notice by signing his or her name to the

1 notice at the time of service or in the case of a notice
2 produced by a computerized device, by signing a single
3 certificate to be kept by the traffic compliance
4 administrator attesting to the correctness of all notices
5 produced by the device while it was under his or her
6 control. In the case of an automated traffic law violation,
7 the ordinance shall require a determination by a technician
8 employed or contracted by the municipality or county that,
9 based on inspection of recorded images, the motor vehicle
10 was being operated in violation of Section 11-208.6,
11 11-208.9, or 11-1201.1 or a local ordinance. If the
12 technician determines that the vehicle entered the
13 intersection as part of a funeral procession or in order to
14 yield the right-of-way to an emergency vehicle, a citation
15 shall not be issued. In municipalities with a population of
16 less than 1,000,000 inhabitants and counties with a
17 population of less than 3,000,000 inhabitants, the
18 automated traffic law ordinance shall require that all
19 determinations by a technician that a motor vehicle was
20 being operated in violation of Section 11-208.6, 11-208.9,
21 or 11-1201.1 or a local ordinance must be reviewed and
22 approved by a law enforcement officer or retired law
23 enforcement officer of the municipality or county issuing
24 the violation. In municipalities with a population of
25 1,000,000 or more inhabitants and counties with a
26 population of 3,000,000 or more inhabitants, the automated

1 traffic law ordinance shall require that all
2 determinations by a technician that a motor vehicle was
3 being operated in violation of Section 11-208.6, 11-208.9,
4 or 11-1201.1 or a local ordinance must be reviewed and
5 approved by a law enforcement officer or retired law
6 enforcement officer of the municipality or county issuing
7 the violation or by an additional fully-trained reviewing
8 technician who is not employed by the contractor who
9 employs the technician who made the initial determination.
10 In the case of an automated speed enforcement system
11 violation, the ordinance shall require a determination by a
12 technician employed by the municipality, based upon an
13 inspection of recorded images, video or other
14 documentation, including documentation of the speed limit
15 and automated speed enforcement signage, and documentation
16 of the inspection, calibration, and certification of the
17 speed equipment, that the vehicle was being operated in
18 violation of Article VI of Chapter 11 of this Code or a
19 similar local ordinance. If the technician determines that
20 the vehicle speed was not determined by a calibrated,
21 certified speed equipment device based upon the speed
22 equipment documentation, or if the vehicle was an emergency
23 vehicle, a citation may not be issued. The automated speed
24 enforcement ordinance shall require that all
25 determinations by a technician that a violation occurred be
26 reviewed and approved by a law enforcement officer or

1 retired law enforcement officer of the municipality
2 issuing the violation or by an additional fully trained
3 reviewing technician who is not employed by the contractor
4 who employs the technician who made the initial
5 determination. Routine and independent calibration of the
6 speeds produced by automated speed enforcement systems and
7 equipment shall be conducted annually by a qualified
8 technician. Speeds produced by an automated speed
9 enforcement system shall be compared with speeds produced
10 by lidar or other independent equipment. Radar or lidar
11 equipment shall undergo an internal validation test no less
12 frequently than once each week. Qualified technicians
13 shall test loop based equipment no less frequently than
14 once a year. Radar equipment shall be checked for accuracy
15 by a qualified technician when the unit is serviced, when
16 unusual or suspect readings persist, or when deemed
17 necessary by a reviewing technician. Radar equipment shall
18 be checked with the internal frequency generator and the
19 internal circuit test whenever the radar is turned on.
20 Technicians must be alert for any unusual or suspect
21 readings, and if unusual or suspect readings of a radar
22 unit persist, that unit shall immediately be removed from
23 service and not returned to service until it has been
24 checked by a qualified technician and determined to be
25 functioning properly. Documentation of the annual
26 calibration results, including the equipment tested, test

1 date, technician performing the test, and test results,
2 shall be maintained and available for use in the
3 determination of an automated speed enforcement system
4 violation and issuance of a citation. The technician
5 performing the calibration and testing of the automated
6 speed enforcement equipment shall be trained and certified
7 in the use of equipment for speed enforcement purposes.
8 Training on the speed enforcement equipment may be
9 conducted by law enforcement, civilian, or manufacturer's
10 personnel and if applicable may be equivalent to the
11 equipment use and operations training included in the Speed
12 Measuring Device Operator Program developed by the
13 National Highway Traffic Safety Administration (NHTSA).
14 The vendor or technician who performs the work shall keep
15 accurate records on each piece of equipment the technician
16 calibrates and tests. As used in this paragraph,
17 "fully-trained reviewing technician" means a person who
18 has received at least 40 hours of supervised training in
19 subjects which shall include image inspection and
20 interpretation, the elements necessary to prove a
21 violation, license plate identification, and traffic
22 safety and management. In all municipalities and counties,
23 the automated speed enforcement system or automated
24 traffic law ordinance shall require that no additional fee
25 shall be charged to the alleged violator for exercising his
26 or her right to an administrative hearing, and persons

1 shall be given at least 25 days following an administrative
2 hearing to pay any civil penalty imposed by a finding that
3 Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a
4 similar local ordinance has been violated. The original or
5 a facsimile of the violation notice or, in the case of a
6 notice produced by a computerized device, a printed record
7 generated by the device showing the facts entered on the
8 notice, shall be retained by the traffic compliance
9 administrator, and shall be a record kept in the ordinary
10 course of business. A parking, standing, compliance,
11 automated speed enforcement system, or automated traffic
12 law violation notice issued, signed and served in
13 accordance with this Section, a copy of the notice, or the
14 computer generated record shall be prima facie correct and
15 shall be prima facie evidence of the correctness of the
16 facts shown on the notice. The notice, copy, or computer
17 generated record shall be admissible in any subsequent
18 administrative or legal proceedings.

19 (4) An opportunity for a hearing for the registered
20 owner of the vehicle cited in the parking, standing,
21 compliance, automated speed enforcement system, or
22 automated traffic law violation notice in which the owner
23 may contest the merits of the alleged violation, and during
24 which formal or technical rules of evidence shall not
25 apply; provided, however, that under Section 11-1306 of
26 this Code the lessee of a vehicle cited in the violation

1 notice likewise shall be provided an opportunity for a
2 hearing of the same kind afforded the registered owner. The
3 hearings shall be recorded, and the person conducting the
4 hearing on behalf of the traffic compliance administrator
5 shall be empowered to administer oaths and to secure by
6 subpoena both the attendance and testimony of witnesses and
7 the production of relevant books and papers. Persons
8 appearing at a hearing under this Section may be
9 represented by counsel at their expense. The ordinance may
10 also provide for internal administrative review following
11 the decision of the hearing officer.

12 (5) Service of additional notices, sent by first class
13 United States mail, postage prepaid, to the address of the
14 registered owner of the cited vehicle as recorded with the
15 Secretary of State or, if any notice to that address is
16 returned as undeliverable, to the last known address
17 recorded in a United States Post Office approved database,
18 or, under Section 11-1306 or subsection (p) of Section
19 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8
20 of this Code, to the lessee of the cited vehicle at the
21 last address known to the lessor of the cited vehicle at
22 the time of lease or, if any notice to that address is
23 returned as undeliverable, to the last known address
24 recorded in a United States Post Office approved database.
25 The service shall be deemed complete as of the date of
26 deposit in the United States mail. The notices shall be in

1 the following sequence and shall include but not be limited
2 to the information specified herein:

3 (i) A second notice of parking, standing, or
4 compliance violation. This notice shall specify the
5 date and location of the violation cited in the
6 parking, standing, or compliance violation notice, the
7 particular regulation violated, the vehicle make and
8 state registration number, any requirement to complete
9 a traffic education program, the fine and any penalty
10 that may be assessed for late payment or failure to
11 complete a traffic education program, or both, when so
12 provided by ordinance, the availability of a hearing in
13 which the violation may be contested on its merits, and
14 the time and manner in which the hearing may be had.
15 The notice of violation shall also state that failure
16 to complete a required traffic education program, to
17 pay the indicated fine and any applicable penalty, or
18 to appear at a hearing on the merits in the time and
19 manner specified, will result in a final determination
20 of violation liability for the cited violation in the
21 amount of the fine or penalty indicated, and that, upon
22 the occurrence of a final determination of violation
23 liability for the failure, and the exhaustion of, or
24 failure to exhaust, available administrative or
25 judicial procedures for review, any incomplete traffic
26 education program or any unpaid fine or penalty, or

1 both, will constitute a debt due and owing the
2 municipality or county.

3 (ii) A notice of final determination of parking,
4 standing, compliance, automated speed enforcement
5 system, or automated traffic law violation liability.
6 This notice shall be sent following a final
7 determination of parking, standing, compliance,
8 automated speed enforcement system, or automated
9 traffic law violation liability and the conclusion of
10 judicial review procedures taken under this Section.
11 The notice shall state that the incomplete traffic
12 education program or the unpaid fine or penalty, or
13 both, is a debt due and owing the municipality or
14 county. The notice shall contain warnings that failure
15 to complete any required traffic education program or
16 to pay any fine or penalty due and owing the
17 municipality or county, or both, within the time
18 specified may result in the municipality's or county's
19 filing of a petition in the Circuit Court to have the
20 incomplete traffic education program or unpaid fine or
21 penalty, or both, rendered a judgment as provided by
22 this Section, or, where applicable, may result in
23 suspension of the person's drivers license for failure
24 to complete a traffic education program or to pay fines
25 or penalties, or both, for ~~10 or more parking~~
26 ~~violations under Section 6 306.5, or a combination of 5~~

1 or more automated traffic law violations under Section
2 11-208.6 or 11-208.9 or automated speed enforcement
3 system violations under Section 11-208.8.

4 (6) A notice of impending drivers license suspension.

5 This notice shall be sent to the person liable for failure
6 to complete a required traffic education program or to pay
7 any fine or penalty that remains due and owing, or both, on
8 ~~10 or more parking violations or combination of~~ 5 or more
9 unpaid automated speed enforcement system or automated
10 traffic law violations. The notice shall state that failure
11 to complete a required traffic education program or to pay
12 the fine or penalty owing, or both, within 45 days of the
13 notice's date will result in the municipality or county
14 notifying the Secretary of State that the person is
15 eligible for initiation of suspension proceedings under
16 Section 6-306.5 of this Code. The notice shall also state
17 that the person may obtain a photostatic copy of an
18 original ticket imposing a fine or penalty by sending a
19 self addressed, stamped envelope to the municipality or
20 county along with a request for the photostatic copy. The
21 notice of impending drivers license suspension shall be
22 sent by first class United States mail, postage prepaid, to
23 the address recorded with the Secretary of State or, if any
24 notice to that address is returned as undeliverable, to the
25 last known address recorded in a United States Post Office
26 approved database.

1 (7) Final determinations of violation liability. A
2 final determination of violation liability shall occur
3 following failure to complete the required traffic
4 education program or to pay the fine or penalty, or both,
5 after a hearing officer's determination of violation
6 liability and the exhaustion of or failure to exhaust any
7 administrative review procedures provided by ordinance.
8 Where a person fails to appear at a hearing to contest the
9 alleged violation in the time and manner specified in a
10 prior mailed notice, the hearing officer's determination
11 of violation liability shall become final: (A) upon denial
12 of a timely petition to set aside that determination, or
13 (B) upon expiration of the period for filing the petition
14 without a filing having been made.

15 (8) A petition to set aside a determination of parking,
16 standing, compliance, automated speed enforcement system,
17 or automated traffic law violation liability that may be
18 filed by a person owing an unpaid fine or penalty. A
19 petition to set aside a determination of liability may also
20 be filed by a person required to complete a traffic
21 education program. The petition shall be filed with and
22 ruled upon by the traffic compliance administrator in the
23 manner and within the time specified by ordinance. The
24 grounds for the petition may be limited to: (A) the person
25 not having been the owner or lessee of the cited vehicle on
26 the date the violation notice was issued, (B) the person

1 having already completed the required traffic education
2 program or paid the fine or penalty, or both, for the
3 violation in question, and (C) excusable failure to appear
4 at or request a new date for a hearing. With regard to
5 municipalities or counties with a population of 1 million
6 or more, it shall be grounds for dismissal of a parking
7 violation if the state registration number, or vehicle make
8 if specified, is incorrect. After the determination of
9 parking, standing, compliance, automated speed enforcement
10 system, or automated traffic law violation liability has
11 been set aside upon a showing of just cause, the registered
12 owner shall be provided with a hearing on the merits for
13 that violation.

14 (9) Procedures for non-residents. Procedures by which
15 persons who are not residents of the municipality or county
16 may contest the merits of the alleged violation without
17 attending a hearing.

18 (10) A schedule of civil fines for violations of
19 vehicular standing, parking, compliance, automated speed
20 enforcement system, or automated traffic law regulations
21 enacted by ordinance pursuant to this Section, and a
22 schedule of penalties for late payment of the fines or
23 failure to complete required traffic education programs,
24 provided, however, that the total amount of the fine and
25 penalty for any one violation shall not exceed \$250, except
26 as provided in subsection (c) of Section 11-1301.3 of this

1 Code.

2 (11) Other provisions as are necessary and proper to
3 carry into effect the powers granted and purposes stated in
4 this Section.

5 (c) Any municipality or county establishing vehicular
6 standing, parking, compliance, automated speed enforcement
7 system, or automated traffic law regulations under this Section
8 may also provide by ordinance for a program of vehicle
9 immobilization for the purpose of facilitating enforcement of
10 those regulations. The program of vehicle immobilization shall
11 provide for immobilizing any eligible vehicle upon the public
12 way by presence of a restraint in a manner to prevent operation
13 of the vehicle. Any ordinance establishing a program of vehicle
14 immobilization under this Section shall provide:

15 (1) Criteria for the designation of vehicles eligible
16 for immobilization. A vehicle shall be eligible for
17 immobilization when the registered owner of the vehicle has
18 accumulated the number of incomplete traffic education
19 programs or unpaid final determinations of parking,
20 standing, compliance, automated speed enforcement system,
21 or automated traffic law violation liability, or both, as
22 determined by ordinance.

23 (2) A notice of impending vehicle immobilization and a
24 right to a hearing to challenge the validity of the notice
25 by disproving liability for the incomplete traffic
26 education programs or unpaid final determinations of

1 parking, standing, compliance, automated speed enforcement
2 system, or automated traffic law violation liability, or
3 both, listed on the notice.

4 (3) The right to a prompt hearing after a vehicle has
5 been immobilized or subsequently towed without the
6 completion of the required traffic education program or
7 payment of the outstanding fines and penalties on parking,
8 standing, compliance, automated speed enforcement system,
9 or automated traffic law violations, or both, for which
10 final determinations have been issued. An order issued
11 after the hearing is a final administrative decision within
12 the meaning of Section 3-101 of the Code of Civil
13 Procedure.

14 (4) A post immobilization and post-towing notice
15 advising the registered owner of the vehicle of the right
16 to a hearing to challenge the validity of the impoundment.

17 (d) Judicial review of final determinations of parking,
18 standing, compliance, automated speed enforcement system, or
19 automated traffic law violations and final administrative
20 decisions issued after hearings regarding vehicle
21 immobilization and impoundment made under this Section shall be
22 subject to the provisions of the Administrative Review Law.

23 (e) Any fine, penalty, incomplete traffic education
24 program, or part of any fine or any penalty remaining unpaid
25 after the exhaustion of, or the failure to exhaust,
26 administrative remedies created under this Section and the

1 conclusion of any judicial review procedures shall be a debt
2 due and owing the municipality or county and, as such, may be
3 collected in accordance with applicable law. Completion of any
4 required traffic education program and payment in full of any
5 fine or penalty resulting from a standing, parking, compliance,
6 automated speed enforcement system, or automated traffic law
7 violation shall constitute a final disposition of that
8 violation.

9 (f) After the expiration of the period within which
10 judicial review may be sought for a final determination of
11 parking, standing, compliance, automated speed enforcement
12 system, or automated traffic law violation, the municipality or
13 county may commence a proceeding in the Circuit Court for
14 purposes of obtaining a judgment on the final determination of
15 violation. Nothing in this Section shall prevent a municipality
16 or county from consolidating multiple final determinations of
17 parking, standing, compliance, automated speed enforcement
18 system, or automated traffic law violations against a person in
19 a proceeding. Upon commencement of the action, the municipality
20 or county shall file a certified copy or record of the final
21 determination of parking, standing, compliance, automated
22 speed enforcement system, or automated traffic law violation,
23 which shall be accompanied by a certification that recites
24 facts sufficient to show that the final determination of
25 violation was issued in accordance with this Section and the
26 applicable municipal or county ordinance. Service of the

1 summons and a copy of the petition may be by any method
2 provided by Section 2-203 of the Code of Civil Procedure or by
3 certified mail, return receipt requested, provided that the
4 total amount of fines and penalties for final determinations of
5 parking, standing, compliance, automated speed enforcement
6 system, or automated traffic law violations does not exceed
7 \$2500. If the court is satisfied that the final determination
8 of parking, standing, compliance, automated speed enforcement
9 system, or automated traffic law violation was entered in
10 accordance with the requirements of this Section and the
11 applicable municipal or county ordinance, and that the
12 registered owner or the lessee, as the case may be, had an
13 opportunity for an administrative hearing and for judicial
14 review as provided in this Section, the court shall render
15 judgment in favor of the municipality or county and against the
16 registered owner or the lessee for the amount indicated in the
17 final determination of parking, standing, compliance,
18 automated speed enforcement system, or automated traffic law
19 violation, plus costs. The judgment shall have the same effect
20 and may be enforced in the same manner as other judgments for
21 the recovery of money.

22 (g) The fee for participating in a traffic education
23 program under this Section shall not exceed \$25.

24 A low-income individual required to complete a traffic
25 education program under this Section who provides proof of
26 eligibility for the federal earned income tax credit under

1 Section 32 of the Internal Revenue Code or the Illinois earned
2 income tax credit under Section 212 of the Illinois Income Tax
3 Act shall not be required to pay any fee for participating in a
4 required traffic education program.

5 (Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672,
6 eff. 7-1-12; 98-556, eff. 1-1-14; 98-1028, eff. 8-22-14.)

7 (625 ILCS 5/6-205.2 rep.)

8 (625 ILCS 5/6-306.7 rep.)

9 Section 10. The Illinois Vehicle Code is amended by
10 repealing Sections 6-205.2 and 6-306.7.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 625 ILCS 5/3-704.2

4 625 ILCS 5/6-201

5 625 ILCS 5/6-204 from Ch. 95 1/2, par. 6-204

6 625 ILCS 5/6-205

7 625 ILCS 5/6-206

8 625 ILCS 5/6-209.1 new

9 625 ILCS 5/6-213 new

10 625 ILCS 5/6-306.5 from Ch. 95 1/2, par. 6-306.5

11 625 ILCS 5/11-208.3 from Ch. 95 1/2, par. 11-208.3

12 625 ILCS 5/6-205.2 rep.

13 625 ILCS 5/6-306.7 rep.