



Sen. Napoleon Harris, III

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1 AMENDMENT TO SENATE BILL 822

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 822 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 6-205, 6-500, 6-507.5, and 6-508.1 as  
6 follows:

7 (625 ILCS 5/6-205)

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

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

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

16 2. Violation of Section 11-501 of this Code or a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 19. Violation of subsection (a-5) of Section 11-1414 of  
20 this Code, or a similar provision of a local ordinance,  
21 relating to the offense of overtaking or passing of a  
22 school bus when the driver, in committing the violation, is  
23 involved in a motor vehicle accident that results in death  
24 to another and the violation is a proximate cause of the  
25 death.

26 (b) The Secretary of State shall also immediately revoke

1 the license or permit of any driver in the following  
2 situations:

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

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

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

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

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

20 (1.5) A person subject to the provisions of paragraph 4  
21 of subsection (b) of Section 6-208 of this Code may make  
22 application for a restricted driving permit at a hearing  
23 conducted under Section 2-118 of this Code after the  
24 expiration of 5 years from the effective date of the most  
25 recent revocation, or after 5 years from the date of  
26 release from a period of imprisonment resulting from a

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

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

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

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

1 Code shall not be eligible to apply for a restricted  
2 driving permit.

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

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

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



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

7 (3) If:

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

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

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

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

21 arising out of separate occurrences; or

22 (B) a person has been convicted of one violation of  
23 subparagraph (C) or (F) of paragraph (1) of subsection  
24 (d) of Section 11-501 of this Code, Section 9-3 of the  
25 Criminal Code of 1961 or the Criminal Code of 2012,  
26 relating to the offense of reckless homicide where the

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

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

7 (4) The person issued a permit conditioned on the use  
8 of an ignition interlock device must pay to the Secretary  
9 of State DUI Administration Fund an amount not to exceed  
10 \$30 per month. The Secretary shall establish by rule the  
11 amount and the procedures, terms, and conditions relating  
12 to these fees.

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

1 use of an ignition interlock device on every motor vehicle  
2 owned or operated by that person.

3 (6) In each case the Secretary of State may issue a  
4 restricted driving permit for a period he deems  
5 appropriate, except that the permit shall expire within one  
6 year from the date of issuance. A restricted driving permit  
7 issued under this Section shall be subject to cancellation,  
8 revocation, and suspension by the Secretary of State in  
9 like manner and for like cause as a driver's license issued  
10 under this Code may be cancelled, revoked, or suspended;  
11 except that a conviction upon one or more offenses against  
12 laws or ordinances regulating the movement of traffic shall  
13 be deemed sufficient cause for the revocation, suspension,  
14 or cancellation of a restricted driving permit. The  
15 Secretary of State may, as a condition to the issuance of a  
16 restricted driving permit, require the petitioner to  
17 participate in a designated driver remedial or  
18 rehabilitative program. The Secretary of State is  
19 authorized to cancel a restricted driving permit if the  
20 permit holder does not successfully complete the program.  
21 However, if an individual's driving privileges have been  
22 revoked in accordance with paragraph 13 of subsection (a)  
23 of this Section, no restricted driving permit shall be  
24 issued until the individual has served 6 months of the  
25 revocation period.

26 (c-5) (Blank).

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

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

20 (d) (1) Whenever a person under the age of 21 is convicted  
21 under Section 11-501 of this Code or a similar provision of a  
22 local ordinance or a similar out-of-state offense, the  
23 Secretary of State shall revoke the driving privileges of that  
24 person. One year after the date of revocation, and upon  
25 application, the Secretary of State may, if satisfied that the  
26 person applying will not endanger the public safety or welfare,

1 issue a restricted driving permit granting the privilege of  
2 driving a motor vehicle only between the hours of 5 a.m. and 9  
3 p.m. or as otherwise provided by this Section for a period of  
4 one year. After this one-year period, and upon reapplication  
5 for a license as provided in Section 6-106, upon payment of the  
6 appropriate reinstatement fee provided under paragraph (b) of  
7 Section 6-118, the Secretary of State, in his discretion, may  
8 reinstate the petitioner's driver's license and driving  
9 privileges, or extend the restricted driving permit as many  
10 times as the Secretary of State deems appropriate, by  
11 additional periods of not more than 12 months each.

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

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

26 (A) a single conviction of violating Section

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

7 (B) a statutory summary suspension or revocation  
8 under Section 11-501.1; or

9 (C) a suspension pursuant to Section 6-203.1;

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

14 (3.5) If a person's license or permit is revoked or  
15 suspended due to a conviction for a violation of  
16 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
17 of Section 11-501 of this Code, or a similar provision of a  
18 local ordinance or similar out-of-state offense, that  
19 person, if issued a restricted driving permit, may not  
20 operate a vehicle unless it has been equipped with an  
21 ignition interlock device as defined in Section 1-129.1.

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

1 fees.

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

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

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

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

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

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

20 (h) The Secretary of State shall require the use of  
21 ignition interlock devices for a period not less than 5 years  
22 on all vehicles owned by a person who has been convicted of a  
23 second or subsequent offense under Section 11-501 of this Code  
24 or a similar provision of a local ordinance. The person must  
25 pay to the Secretary of State DUI Administration Fund an amount  
26 not to exceed \$30 for each month that he or she uses the



1 device. The Secretary shall establish by rule and regulation  
2 the procedures for certification and use of the interlock  
3 system, the amount of the fee, and the procedures, terms, and  
4 conditions relating to these fees. During the time period in  
5 which a person is required to install an ignition interlock  
6 device under this subsection (h), that person shall only  
7 operate vehicles in which ignition interlock devices have been  
8 installed, except as allowed by subdivision (c) (5) or (d) (5) of  
9 this Section.

10 (i) (Blank).

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

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

21 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;  
22 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;  
23 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff.  
24 7-28-16.)

25 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

1           Sec. 6-500. Definitions of words and phrases.  
2 Notwithstanding the definitions set forth elsewhere in this  
3 Code, for purposes of the Uniform Commercial Driver's License  
4 Act (UCDLA), the words and phrases listed below have the  
5 meanings ascribed to them as follows:

6           (1) Alcohol. "Alcohol" means any substance containing any  
7 form of alcohol, including but not limited to ethanol,  
8 methanol, propanol, and isopropanol.

9           (2) Alcohol concentration. "Alcohol concentration" means:

10           (A) the number of grams of alcohol per 210 liters of  
11 breath; or

12           (B) the number of grams of alcohol per 100 milliliters  
13 of blood; or

14           (C) the number of grams of alcohol per 67 milliliters  
15 of urine.

16           Alcohol tests administered within 2 hours of the driver  
17 being "stopped or detained" shall be considered that driver's  
18 "alcohol concentration" for the purposes of enforcing this  
19 UCDLA.

20           (3) (Blank).

21           (4) (Blank).

22           (5) (Blank).

23           (5.3) CDLIS driver record. "CDLIS driver record" means the  
24 electronic record of the individual CDL driver's status and  
25 history stored by the State-of-Record as part of the Commercial  
26 Driver's License Information System, or CDLIS, established

1 under 49 U.S.C. 31309.

2 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle  
3 record" or "CDLIS MVR" means a report generated from the CDLIS  
4 driver record meeting the requirements for access to CDLIS  
5 information and provided by states to users authorized in 49  
6 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the  
7 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

8 (5.7) Commercial driver's license downgrade. "Commercial  
9 driver's license downgrade" or "CDL downgrade" means either:

10 (A) a state allows the driver to change his or her  
11 self-certification to interstate, but operating  
12 exclusively in transportation or operation excepted from  
13 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),  
14 391.2, 391.68, or 398.3;

15 (B) a state allows the driver to change his or her  
16 self-certification to intrastate only, if the driver  
17 qualifies under that state's physical qualification  
18 requirements for intrastate only;

19 (C) a state allows the driver to change his or her  
20 certification to intrastate, but operating exclusively in  
21 transportation or operations excepted from all or part of  
22 the state driver qualification requirements; or

23 (D) a state removes the CDL privilege from the driver  
24 license.

25 (6) Commercial Motor Vehicle.

26 (A) "Commercial motor vehicle" or "CMV" means a motor

1 vehicle or combination of motor vehicles used in commerce,  
2 except those referred to in subdivision (B), designed to  
3 transport passengers or property if the motor vehicle:

4 (i) has a gross combination weight rating or gross  
5 combination weight of 11,794 kilograms or more (26,001  
6 pounds or more), whichever is greater, inclusive of any  
7 towed unit with a gross vehicle weight rating or gross  
8 vehicle weight of more than 4,536 kilograms (10,000  
9 pounds), whichever is greater; or

10 (i-5) has a gross vehicle weight rating or gross  
11 vehicle weight of 11,794 or more kilograms (26,001  
12 pounds or more), whichever is greater; or

13 (ii) is designed to transport 16 or more persons,  
14 including the driver; or

15 (iii) is of any size and is used in transporting  
16 hazardous materials as defined in 49 C.F.R. 383.5.

17 (B) Pursuant to the interpretation of the Commercial  
18 Motor Vehicle Safety Act of 1986 by the Federal Highway  
19 Administration, the definition of "commercial motor  
20 vehicle" does not include:

21 (i) recreational vehicles, when operated primarily  
22 for personal use;

23 (ii) vehicles owned by or operated under the  
24 direction of the United States Department of Defense or  
25 the United States Coast Guard only when operated by  
26 non-civilian personnel. This includes any operator on

1 active military duty; members of the Reserves;  
2 National Guard; personnel on part-time training; and  
3 National Guard military technicians (civilians who are  
4 required to wear military uniforms and are subject to  
5 the Code of Military Justice); or

6 (iii) firefighting, police, and other emergency  
7 equipment (including, without limitation, equipment  
8 owned or operated by a HazMat or technical rescue team  
9 authorized by a county board under Section 5-1127 of  
10 the Counties Code), with audible and visual signals,  
11 owned or operated by or for a governmental entity,  
12 which is necessary to the preservation of life or  
13 property or the execution of emergency governmental  
14 functions which are normally not subject to general  
15 traffic rules and regulations.

16 (7) Controlled Substance. "Controlled substance" shall  
17 have the same meaning as defined in Section 102 of the Illinois  
18 Controlled Substances Act, and shall also include cannabis as  
19 defined in Section 3 of the Cannabis Control Act and  
20 methamphetamine as defined in Section 10 of the Methamphetamine  
21 Control and Community Protection Act.

22 (8) Conviction. "Conviction" means an unvacated  
23 adjudication of guilt or a determination that a person has  
24 violated or failed to comply with the law in a court of  
25 original jurisdiction or by an authorized administrative  
26 tribunal; an unvacated forfeiture of bail or collateral

1 deposited to secure the person's appearance in court; a plea of  
2 guilty or nolo contendere accepted by the court; the payment of  
3 a fine or court cost regardless of whether the imposition of  
4 sentence is deferred and ultimately a judgment dismissing the  
5 underlying charge is entered; or a violation of a condition of  
6 release without bail, regardless of whether or not the penalty  
7 is rebated, suspended or probated.

8 (8.5) Day. "Day" means calendar day.

9 (9) (Blank).

10 (10) (Blank).

11 (11) (Blank).

12 (12) (Blank).

13 (13) Driver. "Driver" means any person who drives,  
14 operates, or is in physical control of a commercial motor  
15 vehicle, any person who is required to hold a CDL, or any  
16 person who is a holder of a CDL while operating a  
17 non-commercial motor vehicle.

18 (13.5) Driver applicant. "Driver applicant" means an  
19 individual who applies to a state or other jurisdiction to  
20 obtain, transfer, upgrade, or renew a CDL or to obtain or renew  
21 a CLP.

22 (13.8) Electronic device. "Electronic device" includes,  
23 but is not limited to, a cellular telephone, personal digital  
24 assistant, pager, computer, or any other device used to input,  
25 write, send, receive, or read text.

26 (14) Employee. "Employee" means a person who is employed as

1 a commercial motor vehicle driver. A person who is  
2 self-employed as a commercial motor vehicle driver must comply  
3 with the requirements of this UCDLA pertaining to employees. An  
4 owner-operator on a long-term lease shall be considered an  
5 employee.

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

11 (15.1) Endorsement. "Endorsement" means an authorization  
12 to an individual's CLP or CDL required to permit the individual  
13 to operate certain types of commercial motor vehicles.

14 (15.3) Excepted interstate. "Excepted interstate" means a  
15 person who operates or expects to operate in interstate  
16 commerce, but engages exclusively in transportation or  
17 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or  
18 398.3 from all or part of the qualification requirements of 49  
19 C.F.R. Part 391 and is not required to obtain a medical  
20 examiner's certificate by 49 C.F.R. 391.45.

21 (15.5) Excepted intrastate. "Excepted intrastate" means a  
22 person who operates in intrastate commerce but engages  
23 exclusively in transportation or operations excepted from all  
24 or parts of the state driver qualification requirements.

25 (16) (Blank).

26 (16.5) Fatality. "Fatality" means the death of a person as

1 a result of a motor vehicle accident.

2 (16.7) Foreign commercial driver. "Foreign commercial  
3 driver" means a person licensed to operate a commercial motor  
4 vehicle by an authority outside the United States, or a citizen  
5 of a foreign country who operates a commercial motor vehicle in  
6 the United States.

7 (17) Foreign jurisdiction. "Foreign jurisdiction" means a  
8 sovereign jurisdiction that does not fall within the definition  
9 of "State".

10 (18) (Blank).

11 (19) (Blank).

12 (20) Hazardous materials. "Hazardous Material" means any  
13 material that has been designated under 49 U.S.C. 5103 and is  
14 required to be placarded under subpart F of 49 C.F.R. part 172  
15 or any quantity of a material listed as a select agent or toxin  
16 in 42 C.F.R. part 73.

17 (20.5) Imminent Hazard. "Imminent hazard" means the  
18 existence of any condition of a vehicle, employee, or  
19 commercial motor vehicle operations that substantially  
20 increases the likelihood of serious injury or death if not  
21 discontinued immediately; or a condition relating to hazardous  
22 material that presents a substantial likelihood that death,  
23 serious illness, severe personal injury, or a substantial  
24 endangerment to health, property, or the environment may occur  
25 before the reasonably foreseeable completion date of a formal  
26 proceeding begun to lessen the risk of that death, illness,



1 injury or endangerment.

2 (20.6) Issuance. "Issuance" means initial issuance,  
3 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled  
4 CLP or CDL.

5 (20.7) Issue. "Issue" means initial issuance, transfer,  
6 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or  
7 non-domiciled CDL.

8 (21) Long-term lease. "Long-term lease" means a lease of a  
9 commercial motor vehicle by the owner-lessor to a lessee, for a  
10 period of more than 29 days.

11 (21.01) Manual transmission. "Manual transmission" means a  
12 transmission utilizing a driver-operated clutch that is  
13 activated by a pedal or lever and a gear-shift mechanism  
14 operated either by hand or foot including those known as a  
15 stick shift, stick, straight drive, or standard transmission.  
16 All other transmissions, whether semi-automatic or automatic,  
17 shall be considered automatic for the purposes of the  
18 standardized restriction code.

19 (21.1) Medical examiner. "Medical examiner" means an  
20 individual certified by the Federal Motor Carrier Safety  
21 Administration and listed on the National Registry of Certified  
22 Medical Examiners in accordance with Federal Motor Carrier  
23 Safety Regulations, 49 CFR 390.101 et seq.

24 (21.2) Medical examiner's certificate. "Medical examiner's  
25 certificate" means either (1) prior to June 22, 2018, a  
26 document prescribed or approved by the Secretary of State that

1 is issued by a medical examiner to a driver to medically  
2 qualify him or her to drive; or (2) beginning June 22, 2018, an  
3 electronic submission of results of an examination conducted by  
4 a medical examiner listed on the National Registry of Certified  
5 Medical Examiners to the Federal Motor Carrier Safety  
6 Administration of a driver to medically qualify him or her to  
7 drive.

8 (21.5) Medical variance. "Medical variance" means a driver  
9 has received one of the following from the Federal Motor  
10 Carrier Safety Administration which allows the driver to be  
11 issued a medical certificate: (1) an exemption letter  
12 permitting operation of a commercial motor vehicle pursuant to  
13 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a  
14 skill performance evaluation (SPE) certificate permitting  
15 operation of a commercial motor vehicle pursuant to 49 C.F.R.  
16 391.49.

17 (21.7) Mobile telephone. "Mobile telephone" means a mobile  
18 communication device that falls under or uses any commercial  
19 mobile radio service, as defined in regulations of the Federal  
20 Communications Commission, 47 CFR 20.3. It does not include  
21 two-way or citizens band radio services.

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

1 (22.2) Motor vehicle record. "Motor vehicle record" means a  
2 report of the driving status and history of a driver generated  
3 from the driver record provided to users, such as drivers or  
4 employers, and is subject to the provisions of the Driver  
5 Privacy Protection Act, 18 U.S.C. 2721-2725.

6 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or  
7 combination of motor vehicles not defined by the term  
8 "commercial motor vehicle" or "CMV" in this Section.

9 (22.7) Non-excepted interstate. "Non-excepted interstate"  
10 means a person who operates or expects to operate in interstate  
11 commerce, is subject to and meets the qualification  
12 requirements under 49 C.F.R. Part 391, and is required to  
13 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

14 (22.8) Non-excepted intrastate. "Non-excepted intrastate"  
15 means a person who operates only in intrastate commerce and is  
16 subject to State driver qualification requirements.

17 (23) Non-domiciled CLP or Non-domiciled CDL.  
18 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,  
19 respectively, issued by a state or other jurisdiction under  
20 either of the following two conditions:

21 (i) to an individual domiciled in a foreign country  
22 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.  
23 of the Federal Motor Carrier Safety Administration.

24 (ii) to an individual domiciled in another state  
25 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.  
26 of the Federal Motor Carrier Safety Administration.

1 (24) (Blank).

2 (25) (Blank).

3 (25.5) Railroad-Highway Grade Crossing Violation.

4 "Railroad-highway grade crossing violation" means a violation,  
5 while operating a commercial motor vehicle, of any of the  
6 following:

7 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

8 (B) Any other similar law or local ordinance of any  
9 state relating to railroad-highway grade crossing.

10 (25.7) School Bus. "School bus" means a commercial motor  
11 vehicle used to transport pre-primary, primary, or secondary  
12 school students from home to school, from school to home, or to  
13 and from school-sponsored events. "School bus" does not include  
14 a bus used as a common carrier.

15 (26) Serious Traffic Violation. "Serious traffic  
16 violation" means:

17 (A) a conviction when operating a commercial motor  
18 vehicle, or when operating a non-CMV while holding a CLP or  
19 CDL, of:

20 (i) a violation relating to excessive speeding,  
21 involving a single speeding charge of 15 miles per hour  
22 or more above the legal speed limit; or

23 (ii) a violation relating to reckless driving; or

24 (iii) a violation of any State law or local  
25 ordinance relating to motor vehicle traffic control  
26 (other than parking violations) arising in connection

1 with a fatal traffic accident; or

2 (iv) a violation of Section 6-501, relating to

3 having multiple driver's licenses; or

4 (v) a violation of paragraph (a) of Section 6-507,

5 relating to the requirement to have a valid CLP or CDL;

6 or

7 (vi) a violation relating to improper or erratic

8 traffic lane changes; or

9 (vii) a violation relating to following another

10 vehicle too closely; or

11 (viii) a violation relating to texting while

12 driving; or

13 (ix) a violation relating to the use of a hand-held

14 mobile telephone while driving; or

15 (B) any other similar violation of a law or local

16 ordinance of any state relating to motor vehicle traffic

17 control, other than a parking violation, which the

18 Secretary of State determines by administrative rule to be

19 serious.

20 (27) State. "State" means a state of the United States, the

21 District of Columbia and any province or territory of Canada.

22 (28) (Blank).

23 (29) (Blank).

24 (30) (Blank).

25 (31) (Blank).

26 (32) Texting. "Texting" means manually entering

1 alphanumeric text into, or reading text from, an electronic  
2 device.

3 (1) Texting includes, but is not limited to, short  
4 message service, emailing, instant messaging, a command or  
5 request to access a World Wide Web page, pressing more than  
6 a single button to initiate or terminate a voice  
7 communication using a mobile telephone, or engaging in any  
8 other form of electronic text retrieval or entry for  
9 present or future communication.

10 (2) Texting does not include:

11 (i) inputting, selecting, or reading information  
12 on a global positioning system or navigation system; or

13 (ii) pressing a single button to initiate or  
14 terminate a voice communication using a mobile  
15 telephone; or

16 (iii) using a device capable of performing  
17 multiple functions (for example, a fleet management  
18 system, dispatching device, smart phone, citizens band  
19 radio, or music player) for a purpose that is not  
20 otherwise prohibited by Part 392 of the Federal Motor  
21 Carrier Safety Regulations.

22 (32.3) Third party skills test examiner. "Third party  
23 skills test examiner" means a person employed by a third party  
24 tester who is authorized by the State to administer the CDL  
25 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

26 (32.5) Third party tester. "Third party tester" means a

1 person (including, but not limited to, another state, a motor  
2 carrier, a private driver training facility or other private  
3 institution, or a department, agency, or instrumentality of a  
4 local government) authorized by the State to employ skills test  
5 examiners to administer the CDL skills tests specified in 49  
6 C.F.R. Part 383, subparts G and H.

7 (32.7) United States. "United States" means the 50 states  
8 and the District of Columbia.

9 (33) Use a hand-held mobile telephone. "Use a hand-held  
10 mobile telephone" means:

11 (1) using at least one hand to hold a mobile telephone  
12 to conduct a voice communication;

13 (2) dialing or answering a mobile telephone by pressing  
14 more than a single button; or

15 (3) reaching for a mobile telephone in a manner that  
16 requires a driver to maneuver so that he or she is no  
17 longer in a seated driving position, restrained by a seat  
18 belt that is installed in accordance with 49 CFR 393.93 and  
19 adjusted in accordance with the vehicle manufacturer's  
20 instructions.

21 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
22 10 of P.A. 99-414 for the effective date of changes made by  
23 P.A. 98-176); 98-463, eff. 8-16-13; 98-722, eff. 7-16-14;  
24 99-57, eff. 7-16-15.)

25 (625 ILCS 5/6-507.5)

1           Sec. 6-507.5. Application for Commercial Learner's Permit  
2 (CLP).

3           (a) The application for a CLP must include, but is not  
4 limited to, the following:

5           (1) the driver applicant's full legal name and current  
6 Illinois domiciliary address, unless the driver applicant  
7 is from a foreign country and is applying for a  
8 non-domiciled CLP in which case the driver applicant shall  
9 submit proof of Illinois residency or the driver applicant  
10 is from another state and is applying for a non-domiciled  
11 CLP in which case the driver applicant shall submit proof  
12 of domicile in the state which issued the driver  
13 applicant's Non-CDL;

14           (2) a physical description of the driver applicant  
15 including gender, height, weight, color of eyes, and hair  
16 color;

17           (3) date of birth;

18           (4) the driver applicant's social security number;

19           (5) the driver applicant's signature;

20           (6) the names of all states where the driver applicant  
21 has previously been licensed to drive any type of motor  
22 vehicle during the previous 10 years under 49 C.F.R. Part  
23 383;

24           (7) proof of citizenship or lawful permanent residency  
25 as set forth in Table 1 of 49 C.F.R. 383.71, unless the  
26 driver applicant is from a foreign country and is applying



1 for a non-domiciled CLP, in which case the applicant must  
2 provide an unexpired employment authorization document  
3 (EAD) issued by USCIS or an unexpired foreign passport  
4 accompanied by an approved I-94 form documenting the  
5 applicant's most recent admittance into the United States;  
6 and

7 (8) any other information required by the Secretary of  
8 State.

9 (b) Except as provided in subsection (b-5), no ~~No~~ CLP shall  
10 be issued to a driver applicant unless the applicant has taken  
11 and passed a general knowledge test that meets the federal  
12 standards contained in 49 C.F.R. Part 383, subparts F, G, and H  
13 for the commercial motor vehicle the applicant expects to  
14 operate.

15 (b-5) The Secretary of State may waive the general  
16 knowledge test specified in 49 CFR 383.71(a)(2)(ii) for a  
17 qualifying driver applicant of a commercial learner's permit. A  
18 qualifying driver applicant shall:

19 (1) be a current resident of this State;

20 (2) be a current or former member of the military  
21 services, including a member of any reserve component or  
22 National Guard unit;

23 (3) within one year prior to the application, have been  
24 regularly employed in a military position that requires the  
25 operation of large trucks;

26 (4) have received formal military training in the

1       operation of a vehicle similar to the commercial motor  
2       vehicle the applicant expects to operate; and

3       (5) provide the Secretary of State with a general  
4       knowledge test waiver form signed by the applicant and his  
5       or her commanding officer certifying that the applicant  
6       qualifies for the general knowledge test waiver.

7       (c) No CLP shall be issued to a driver applicant unless the  
8       applicant possesses a valid Illinois driver's license or if the  
9       applicant is applying for a non-domiciled CLP under subsection  
10      (b) of Section 6-509 of this Code, in which case the driver  
11      applicant must possess a valid driver's license from his or her  
12      state of domicile.

13      (d) No CLP shall be issued to a person under 18 years of  
14      age.

15      (e) No person shall be issued a CLP unless the person  
16      certifies to the Secretary one of the following types of  
17      driving operations in which he or she will be engaged:

18           (1) non-excepted interstate;

19           (2) non-excepted intrastate;

20           (3) excepted interstate; or

21           (4) excepted intrastate.

22      (f) No person shall be issued a CLP unless the person  
23      certifies to the Secretary that he or she is not subject to any  
24      disqualification under 49 C.F.R. 383.51, or any license  
25      disqualification under State law, and that he or she does not  
26      have a driver's license from more than one state or

1 jurisdiction.

2 (g) No CLP shall be issued to a person while the person is  
3 subject to a disqualification from driving a commercial motor  
4 vehicle, unless otherwise permitted by this Code, while the  
5 person's driver's license is suspended, revoked, or cancelled  
6 in any state, or any territory or province of Canada; nor may a  
7 CLP be issued to a person who has a CLP or CDL issued by any  
8 other state or foreign jurisdiction, unless the person  
9 surrenders all of these licenses. No CLP shall be issued to or  
10 renewed for a person who does not meet the requirement of 49  
11 C.F.R. 391.41(b)(11). The requirement may be met with the aid  
12 of a hearing aid.

13 (h) No CLP with a Passenger, School Bus or Tank Vehicle  
14 endorsement shall be issued to a person unless the driver  
15 applicant has taken and passed the knowledge test for each  
16 endorsement.

17 (1) A CLP holder with a Passenger (P) endorsement is  
18 prohibited from operating a CMV carrying passengers, other  
19 than federal or State auditors and inspectors, test  
20 examiners, or other trainees, and the CDL holder  
21 accompanying the CLP holder as prescribed by subsection (a)  
22 of Section 6-507 of this Code. The P endorsement must be  
23 class specific.

24 (2) A CLP holder with a School Bus (S) endorsement is  
25 prohibited from operating a school bus with passengers  
26 other than federal or State auditors and inspectors, test

1 examiners, or other trainees, and the CDL holder  
2 accompanying the CLP holder as prescribed by subsection (a)  
3 of Section 6-507 of this Code.

4 (3) A CLP holder with a Tank Vehicle (N) endorsement  
5 may only operate an empty tank vehicle and is prohibited  
6 from operating any tank vehicle that previously contained  
7 hazardous material that has not been purged of all residue.

8 (4) All other federal endorsements are prohibited on a  
9 CLP.

10 (i) No CLP holder may operate a commercial motor vehicle  
11 transporting hazardous material as defined in paragraph (20) of  
12 Section 6-500 of this Code.

13 (j) The CLP holder must be accompanied by the holder of a  
14 valid CDL who has the proper CDL group and endorsement  
15 necessary to operate the CMV. The CDL holder must at all times  
16 be physically present in the front seat of the vehicle next to  
17 the CLP holder or, in the case of a passenger vehicle, directly  
18 behind or in the first row behind the driver and must have the  
19 CLP holder under observation and direct supervision.

20 (k) A CLP is valid for 180 days from the date of issuance.  
21 A CLP may be renewed for an additional 180 days without  
22 requiring the CLP holder to retake the general and endorsement  
23 knowledge tests.

24 (l) A CLP issued prior to July 1, 2014 for a limited time  
25 period according to state requirements, shall be considered a  
26 valid commercial driver's license for purposes of

1 behind-the-wheel training on public roads or highways.

2 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
3 10 of P.A. 99-414 for the effective date of changes made by  
4 P.A. 98-176).)

5 (625 ILCS 5/6-508.1)

6 Sec. 6-508.1. Medical examiner's certificate.

7 (a) It shall be unlawful for any person to drive a CMV in  
8 non-excepted interstate commerce unless the person holds a CLP  
9 or CDL and is medically certified as physically qualified to do  
10 so.

11 (b) No person who has certified to non-excepted interstate  
12 driving as provided in Sections 6-507.5 and 6-508 of this Code  
13 shall be issued a CLP ~~commercial learner's permit~~ or CDL unless  
14 that person ~~presents to the Secretary a medical examiner's~~  
15 ~~certificate or~~ has a current medical examiner's certificate on  
16 the CDLIS driver record.

17 (c) (Blank). ~~Persons who hold a commercial driver~~  
18 ~~instruction permit or CDL on January 30, 2012 who have~~  
19 ~~certified as non-excepted interstate as provided in Section~~  
20 ~~6-508 of this Code must provide to the Secretary a medical~~  
21 ~~examiner's certificate no later than January 30, 2014.~~

22 (d) On and after January 30, 2014, all persons who hold a  
23 commercial driver instruction permit or CDL who have certified  
24 as non-excepted interstate shall maintain a current medical  
25 examiner's certificate on file with the Secretary. On and after

1 July 1, 2014, all persons issued a CLP who have certified as  
2 non-excepted interstate shall maintain a current medical  
3 examiner's certificate on file with the Secretary.

4 (e) Before June 22, 2018, ~~Within 10 calendar days of~~  
5 ~~receipt of a medical examiner's certificate of a driver who has~~  
6 ~~certified as non-excepted interstate,~~ the Secretary shall post  
7 the following to the CDLIS driver record within 10 calendar  
8 days of receipt of a medical examiner's certificate of a driver  
9 who has certified as non-excepted interstate:

10 (1) the medical examiner's name;

11 (2) the medical examiner's telephone number;

12 (3) the date of issuance of the medical examiner's  
13 certificate;

14 (4) the medical examiner's license number and the state  
15 that issued it;

16 (5) the medical certification status;

17 (6) the expiration date of the medical examiner's  
18 certificate;

19 (7) the existence of any medical variance on the  
20 medical examiner's certificate, including, but not limited  
21 to, an exemption, Skills Performance Evaluation  
22 certification, issuance and expiration date of the medical  
23 variance, or any grandfather provisions;

24 (8) any restrictions noted on the medical examiner's  
25 certificate; ~~and~~

26 (9) the date the medical examiner's certificate

1 information was posted to the CDLIS driver record; and -

2 (10) the medical examiner's National Registry of  
3 Certified Medical Examiners identification number.

4 (e-5) Beginning June 22, 2018, the Secretary shall post the  
5 following to the CDLIS driver record within one business day of  
6 electronic receipt from the Federal Motor Carrier Safety  
7 Administration of a driver's identification, examination  
8 results, restriction information, and medical variance  
9 information resulting from an examination performed by a  
10 medical examiner on the National Registry of Certified Medical  
11 Examiners for any driver who has certified as non-excepted  
12 interstate:

13 (1) the medical examiner's name;

14 (2) the medical examiner's telephone number;

15 (3) the date of issuance of the medical examiner's  
16 certificate;

17 (4) the medical examiner's license number and the state  
18 that issued it;

19 (5) the medical certification status;

20 (6) the expiration date of the medical examiner's  
21 certificate;

22 (7) the existence of any medical variance on the  
23 medical examiner's certificate, including, but not limited  
24 to, an exemption, Skills Performance Evaluation  
25 certification, issue and expiration date of a medical  
26 variance, or any grandfather provisions;

1           (8) any restrictions noted on the medical examiner's  
2           certificate;

3           (9) the date the medical examiner's certificate  
4           information was posted to the CDLIS driver record; and

5           (10) the medical examiner's National Registry of  
6           Certified Medical Examiners identification number.

7           (f) Within 10 calendar days of the expiration or rescission  
8           of the driver's medical examiner's certificate or medical  
9           variance or both, the Secretary shall update the medical  
10          certification status to "not certified".

11          (g) Within 10 calendar days of receipt of information from  
12          the Federal Motor Carrier Safety Administration regarding  
13          issuance or renewal of a medical variance, the Secretary shall  
14          update the CDLIS driver record to include the medical variance  
15          information provided by the Federal Motor Carrier Safety  
16          Administration.

17          (g-5) Beginning June 22, 2018, within one business day of  
18          electronic receipt of information from the Federal Motor  
19          Carrier Safety Administration regarding issuance or renewal of  
20          a medical variance, the Secretary shall update the CDLIS driver  
21          record to include the medical variance information provided by  
22          the Federal Motor Carrier Safety Administration.

23          (h) The Secretary shall notify the driver of his or her  
24          non-certified status and that his or her CDL will be canceled  
25          unless the driver submits a current medical examiner's  
26          certificate or medical variance or changes his or her



1 self-certification to driving only in excepted or intrastate  
2 commerce.

3 (i) Within 60 calendar days of a driver's medical  
4 certification status becoming non-certified, the Secretary  
5 shall cancel the CDL.

6 (j) As required under the Code of Federal Regulations 49  
7 CFR 390.39, an operator of a covered farm vehicle, as defined  
8 under Section 18b-101 of this Code, is exempt from the  
9 requirements of this Section.

10 (k) For purposes of ensuring a person is medically fit to  
11 drive a commercial motor vehicle, the Secretary may release  
12 medical information provided by an applicant or a holder of a  
13 CDL or CLP to the Federal Motor Carrier Safety Administration.  
14 Medical information includes, but is not limited to, a medical  
15 examiner's certificate, a medical report that the Secretary  
16 requires to be submitted, statements regarding medical  
17 conditions made by an applicant or a holder of a CDL or CLP, or  
18 statements made by his or her physician.

19 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
20 10 of P.A. 99-414 for the effective date of changes made by  
21 P.A. 98-176); 99-57, eff. 7-16-15; 99-607, eff. 7-22-16.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law."