



Patrick Welch

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LRB093 15724 RLC 46291 a

1 AMENDMENT TO SENATE BILL 2167

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2167 on page 1,  
3 line 1, by replacing "criminal law" with "the Office of the  
4 Secretary of State"; and

5 on page 1, by inserting between lines 3 and 4 the following:

6 "Section 2. The Illinois Vehicle Code is amended by  
7 changing Section 6-103 as follows:

8 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

9 Sec. 6-103. What persons shall not be licensed as drivers  
10 or granted permits. The Secretary of State shall not issue,  
11 renew, or allow the retention of any driver's license nor issue  
12 any permit under this Code:

13 1. To any person, as a driver, who is under the age of  
14 18 years except as provided in Section 6-107, and except  
15 that an instruction permit may be issued under paragraphs  
16 (a) and (b) of Section 6-105 to a child who is not less  
17 than 15 years of age if the child is enrolled in an  
18 approved driver education course as defined in Section  
19 1-103 of this Code and requires an instruction permit to  
20 participate therein, except that an instruction permit may  
21 be issued under the provisions of Section 6-107.1 to a  
22 child who is 17 years and 9 months of age without the child  
23 having enrolled in an approved driver education course and

1       except that an instruction permit may be issued to a child  
2       who is at least 15 years and 6 months of age, is enrolled  
3       in school, meets the educational requirements of the Driver  
4       Education Act, and has passed examinations the Secretary of  
5       State in his or her discretion may prescribe;

6             2. To any person who is under the age of 18 as an  
7       operator of a motorcycle other than a motor driven cycle  
8       unless the person has, in addition to meeting the  
9       provisions of Section 6-107 of this Code, successfully  
10      completed a motorcycle training course approved by the  
11      Illinois Department of Transportation and successfully  
12      completes the required Secretary of State's motorcycle  
13      driver's examination;

14            3. To any person, as a driver, whose driver's license  
15      or permit has been suspended, during the suspension, nor to  
16      any person whose driver's license or permit has been  
17      revoked, except as provided in Sections 6-205, 6-206, and  
18      6-208;

19            4. To any person, as a driver, who is a user of alcohol  
20      or any other drug to a degree that renders the person  
21      incapable of safely driving a motor vehicle;

22            5. To any person, as a driver, who has previously been  
23      adjudged to be afflicted with or suffering from any mental  
24      or physical disability or disease and who has not at the  
25      time of application been restored to competency by the  
26      methods provided by law;

27            6. To any person, as a driver, who is required by the  
28      Secretary of State to submit an alcohol and drug evaluation  
29      or take an examination provided for in this Code unless the  
30      person has successfully passed the examination and  
31      submitted any required evaluation;

32            7. To any person who is required under the provisions  
33      of the laws of this State to deposit security or proof of  
34      financial responsibility and who has not deposited the

1 security or proof;

2 8. To any person when the Secretary of State has good  
3 cause to believe that the person by reason of physical or  
4 mental disability would not be able to safely operate a  
5 motor vehicle upon the highways, unless the person shall  
6 furnish to the Secretary of State a verified written  
7 statement, acceptable to the Secretary of State, from a  
8 competent medical specialist to the effect that the  
9 operation of a motor vehicle by the person would not be  
10 inimical to the public safety;

11 9. To any person, as a driver, who is 69 years of age  
12 or older, unless the person has successfully complied with  
13 the provisions of Section 6-109;

14 10. To any person convicted, within 12 months of  
15 application for a license, of any of the sexual offenses  
16 enumerated in paragraph 2 of subsection (b) of Section  
17 6-205;

18 11. To any person who is under the age of 21 years with  
19 a classification prohibited in paragraph (b) of Section  
20 6-104 and to any person who is under the age of 18 years  
21 with a classification prohibited in paragraph (c) of  
22 Section 6-104;

23 12. To any person who has been either convicted of or  
24 adjudicated under the Juvenile Court Act of 1987 based upon  
25 a violation of the Cannabis Control Act or the Illinois  
26 Controlled Substances Act while that person was in actual  
27 physical control of a motor vehicle. For purposes of this  
28 Section, any person placed on probation under Section 10 of  
29 the Cannabis Control Act or Section 410 of the Illinois  
30 Controlled Substances Act shall not be considered  
31 convicted. Any person found guilty of this offense, while  
32 in actual physical control of a motor vehicle, shall have  
33 an entry made in the court record by the judge that this  
34 offense did occur while the person was in actual physical

1 control of a motor vehicle and order the clerk of the court  
2 to report the violation to the Secretary of State as such.  
3 The Secretary of State shall not issue a new license or  
4 permit for a period of one year;

5 13. To any person who is under the age of 18 years and  
6 who has committed the offense of operating a motor vehicle  
7 without a valid license or permit in violation of Section  
8 6-101;

9 14. To any person who is 90 days or more delinquent in  
10 court ordered child support payments or has been  
11 adjudicated in arrears in an amount equal to 90 days'  
12 obligation or more and who has been found in contempt of  
13 court for failure to pay the support, subject to the  
14 requirements and procedures of Article VII of Chapter 7 of  
15 the Illinois Vehicle Code; ~~or~~

16 15. To any person released from a term of imprisonment  
17 for violating Section 9-3 of the Criminal Code of 1961  
18 relating to reckless homicide within 24 months of release  
19 from a term of imprisonment; or

20 16. To any person who, with intent to influence any act  
21 related to the issuance of any driver's license or permit,  
22 by an employee of the Secretary of State's Office, or the  
23 owner or employee of any commercial driver training school  
24 licensed by the Secretary of State, or any other individual  
25 authorized by the laws of this State to give driving  
26 instructions or administer all or part of a driver's  
27 license examination, promises or tenders to that person any  
28 property or personal advantage which that person is not  
29 authorized by law to accept. Any persons promising or  
30 tendering such property or personal advantage shall be  
31 disqualified from holding any class of driver's license or  
32 permit for 120 consecutive days. The Secretary of State  
33 shall establish by rule the procedures for implementing  
34 this period of disqualification and the procedures by which

1       persons so disqualified may obtain administrative review  
2       of the decision to disqualify.

3       The Secretary of State shall retain all conviction  
4 information, if the information is required to be held  
5 confidential under the Juvenile Court Act of 1987.

6       (Source: P.A. 92-343, eff. 1-1-02; 93-174, eff. 1-1-04.)".