

HB5955



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5955

by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-103

from Ch. 95 1/2, par. 6-103

Amends the Illinois Vehicle Code. Exempts persons who have served in the United States Armed Forces from the requirement that persons at least 18 years of age but less than 21 years of age successfully complete an adult driver's education course in order to receive, renew, or retain a driver's license or permit.

LRB099 16469 AXK 40803 b

A BILL FOR

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

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

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

11 1. To any person, as a driver, who is under the age of
12 18 years except as provided in Section 6-107, and except
13 that an instruction permit may be issued under Section
14 6-107.1 to a child who is not less than 15 years of age if
15 the child is enrolled in an approved driver education
16 course as defined in Section 1-103 of this Code and
17 requires an instruction permit to participate therein,
18 except that an instruction permit may be issued under the
19 provisions of Section 6-107.1 to a child who is 17 years
20 and 3 months of age without the child having enrolled in an
21 approved driver education course and except that an
22 instruction permit may be issued to a child who is at least
23 15 years and 3 months of age, is enrolled in school, meets

1 the educational requirements of the Driver Education Act,
2 and has passed examinations the Secretary of State in his
3 or her discretion may prescribe;

4 1.5. To any person at least 18 years of age but less
5 than 21 years of age unless the person has, in addition to
6 any other requirements of this Code, successfully
7 completed an adult driver education course as provided in
8 Section 6-107.5 of this Code; however, this subsection
9 (1.5) shall not apply to any person at least 18 years of
10 age but less than 21 years of age who has served in the
11 United States Armed Forces;

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

20 3. To any person, as a driver, whose driver's license
21 or permit has been suspended, during the suspension, nor to
22 any person whose driver's license or permit has been
23 revoked, except as provided in Sections 6-205, 6-206, and
24 6-208;

25 4. To any person, as a driver, who is a user of alcohol
26 or any other drug to a degree that renders the person

1 incapable of safely driving a motor vehicle;

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

7 6. To any person, as a driver, who is required by the
8 Secretary of State to submit an alcohol and drug evaluation
9 or take an examination provided for in this Code unless the
10 person has successfully passed the examination and
11 submitted any required evaluation;

12 7. To any person who is required under the provisions
13 of the laws of this State to deposit security or proof of
14 financial responsibility and who has not deposited the
15 security or proof;

16 8. To any person when the Secretary of State has good
17 cause to believe that the person by reason of physical or
18 mental disability would not be able to safely operate a
19 motor vehicle upon the highways, unless the person shall
20 furnish to the Secretary of State a verified written
21 statement, acceptable to the Secretary of State, from a
22 competent medical specialist, a licensed physician
23 assistant, or a licensed advanced practice nurse, to the
24 effect that the operation of a motor vehicle by the person
25 would not be inimical to the public safety;

26 9. To any person, as a driver, who is 69 years of age

1 or older, unless the person has successfully complied with
2 the provisions of Section 6-109;

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

7 11. To any person who is under the age of 21 years with
8 a classification prohibited in paragraph (b) of Section
9 6-104 and to any person who is under the age of 18 years
10 with a classification prohibited in paragraph (c) of
11 Section 6-104;

12 12. To any person who has been either convicted of or
13 adjudicated under the Juvenile Court Act of 1987 based upon
14 a violation of the Cannabis Control Act, the Illinois
15 Controlled Substances Act, or the Methamphetamine Control
16 and Community Protection Act while that person was in
17 actual physical control of a motor vehicle. For purposes of
18 this Section, any person placed on probation under Section
19 10 of the Cannabis Control Act, Section 410 of the Illinois
20 Controlled Substances Act, or Section 70 of the
21 Methamphetamine Control and Community Protection Act shall
22 not be considered convicted. Any person found guilty of
23 this offense, while in actual physical control of a motor
24 vehicle, shall have an entry made in the court record by
25 the judge that this offense did occur while the person was
26 in actual physical control of a motor vehicle and order the

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

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

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

15 14.5. To any person certified by the Illinois
16 Department of Healthcare and Family Services as being 90
17 days or more delinquent in payment of support under an
18 order of support entered by a court or administrative body
19 of this or any other State, subject to the requirements and
20 procedures of Article VII of Chapter 7 of this Code
21 regarding those certifications;

22 15. To any person released from a term of imprisonment
23 for violating Section 9-3 of the Criminal Code of 1961 or
24 the Criminal Code of 2012, or a similar provision of a law
25 of another state relating to reckless homicide or for
26 violating subparagraph (F) of paragraph (1) of subsection

1 (d) of Section 11-501 of this Code relating to aggravated
2 driving under the influence of alcohol, other drug or
3 drugs, intoxicating compound or compounds, or any
4 combination thereof, if the violation was the proximate
5 cause of a death, within 24 months of release from a term
6 of imprisonment;

7 16. To any person who, with intent to influence any act
8 related to the issuance of any driver's license or permit,
9 by an employee of the Secretary of State's Office, or the
10 owner or employee of any commercial driver training school
11 licensed by the Secretary of State, or any other individual
12 authorized by the laws of this State to give driving
13 instructions or administer all or part of a driver's
14 license examination, promises or tenders to that person any
15 property or personal advantage which that person is not
16 authorized by law to accept. Any persons promising or
17 tendering such property or personal advantage shall be
18 disqualified from holding any class of driver's license or
19 permit for 120 consecutive days. The Secretary of State
20 shall establish by rule the procedures for implementing
21 this period of disqualification and the procedures by which
22 persons so disqualified may obtain administrative review
23 of the decision to disqualify;

24 17. To any person for whom the Secretary of State
25 cannot verify the accuracy of any information or
26 documentation submitted in application for a driver's

1 license; or

2 18. To any person who has been adjudicated under the
3 Juvenile Court Act of 1987 based upon an offense that is
4 determined by the court to have been committed in
5 furtherance of the criminal activities of an organized
6 gang, as provided in Section 5-710 of that Act, and that
7 involved the operation or use of a motor vehicle or the use
8 of a driver's license or permit. The person shall be denied
9 a license or permit for the period determined by the court.

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

13 (Source: P.A. 98-167, eff. 7-1-14; 98-756, eff. 7-16-14;
14 99-173, eff. 7-29-15.)