



Rep. Ryan Spain

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10400HB2273ham001

LRB104 11821 LNS 36346 a

1 AMENDMENT TO HOUSE BILL 2273

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2273 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Identification Card Act is  
5 amended by changing Sections 4 and 14D as follows:

6 (15 ILCS 335/4)

7 (Text of Section before amendment by P.A. 104-457)

8 Sec. 4. Identification card.

9 (a) In accordance with the requirements of this Section,  
10 the Secretary of State shall issue a standard Illinois  
11 Identification Card, as well as a mobile Illinois  
12 Identification Card, to any natural person who is a resident  
13 of the State of Illinois who applies for such a card, or  
14 renewal thereof. No identification card shall be issued to any  
15 person who holds a valid foreign state identification card,  
16 license, or permit unless the person first surrenders to the

1 Secretary of State the valid foreign state identification  
2 card, license, or permit. The card shall be prepared and  
3 supplied by the Secretary of State and shall include a  
4 photograph and signature or mark of the applicant. However,  
5 the Secretary of State may provide by rule for the issuance of  
6 Illinois Identification Cards without photographs if the  
7 applicant has a bona fide religious objection to being  
8 photographed or to the display of his or her photograph. The  
9 Illinois Identification Card may be used for identification  
10 purposes in any lawful situation only by the person to whom it  
11 was issued. As used in this Act, "photograph" means any color  
12 photograph or digitally produced and captured image of an  
13 applicant for an identification card. As used in this Act,  
14 "signature" means the name of a person as written by that  
15 person and captured in a manner acceptable to the Secretary of  
16 State.

17 (a-5) If an applicant for an identification card has a  
18 current driver's license or instruction permit issued by the  
19 Secretary of State, the Secretary may require the applicant to  
20 utilize the same residence address and name on the  
21 identification card, driver's license, and instruction permit  
22 records maintained by the Secretary. The Secretary may  
23 promulgate rules to implement this provision.

24 (a-10) If the applicant is a judicial officer as defined  
25 in Section 1-10 of the Judicial Privacy Act, a public official  
26 as defined in Section 10 of the Public Official Safety and

1 Privacy Act, or a peace officer, the applicant may elect to  
2 have his or her office or work address listed on the card  
3 instead of the applicant's residence or mailing address. The  
4 Secretary may promulgate rules to implement this provision.  
5 For the purposes of this subsection (a-10), "peace officer"  
6 means any person who by virtue of his or her office or public  
7 employment is vested by law with a duty to maintain public  
8 order or to make arrests for a violation of any penal statute  
9 of this State, whether that duty extends to all violations or  
10 is limited to specific violations.

11 (a-15) The Secretary of State may provide for an expedited  
12 process for the issuance of an Illinois Identification Card.  
13 The Secretary shall charge an additional fee for the expedited  
14 issuance of an Illinois Identification Card, to be set by  
15 rule, not to exceed \$75. All fees collected by the Secretary  
16 for expedited Illinois Identification Card service shall be  
17 deposited into the Secretary of State Special Services Fund.  
18 The Secretary may adopt rules regarding the eligibility,  
19 process, and fee for an expedited Illinois Identification  
20 Card. If the Secretary of State determines that the volume of  
21 expedited identification card requests received on a given day  
22 exceeds the ability of the Secretary to process those requests  
23 in an expedited manner, the Secretary may decline to provide  
24 expedited services, and the additional fee for the expedited  
25 service shall be refunded to the applicant.

26 (a-20) The Secretary of State shall issue a standard

1 Illinois Identification Card to a person committed to the  
2 Department of Corrections, the Department of Juvenile Justice,  
3 a Federal Bureau of Prisons facility located in Illinois, or a  
4 county jail or county department of corrections as follows:

5 (1) A committed person who has previously held an  
6 Illinois Identification Card or an Illinois driver's  
7 license shall submit an Identification Card verification  
8 form to the Secretary of State, including a photograph  
9 taken by the correctional facility, proof of residency  
10 upon discharge, and a social security number, if the  
11 committed person has a social security number. If the  
12 committed person does not have a social security number  
13 and is eligible for a social security number, the  
14 Secretary of State shall not issue a standard Illinois  
15 Identification Card until the committed person obtains a  
16 social security number. If the committed person's  
17 photograph and demographic information matches an existing  
18 Illinois Identification Card or Illinois driver's license  
19 and the Secretary of State verifies the applicant's social  
20 security number with the Social Security Administration,  
21 the Secretary of State shall issue the committed person a  
22 standard Illinois Identification Card. If the photograph  
23 or demographic information matches an existing Illinois  
24 Identification Card or Illinois driver's license in  
25 another person's name or identity, a standard Illinois  
26 Identification Card shall not be issued until the

1 committed person submits a certified birth certificate and  
2 social security card to the Secretary of State and the  
3 Secretary of State verifies the identity of the committed  
4 person. If the Secretary of State cannot find a match to an  
5 existing Illinois Identification Card or Illinois driver's  
6 license, the committed person may apply for a standard  
7 Illinois Identification card as described in paragraph  
8 (2).

9 (2) A committed person who has not previously held an  
10 Illinois Identification Card or Illinois driver's license  
11 or for whom a match cannot be found as described in  
12 paragraph (1) shall submit an Illinois Identification Card  
13 verification form, including a photograph taken by the  
14 correctional facility, a certified birth certificate,  
15 proof of residency upon discharge, and a social security  
16 number, if the committed person has a social security  
17 number. If the committed person does not have a social  
18 security number and is eligible for a social security  
19 number, the Secretary of State shall not issue a standard  
20 Illinois Identification Card until the committed person  
21 obtains a social security number. If the Secretary of  
22 State verifies the applicant's social security number with  
23 the Social Security Administration, the Secretary of State  
24 shall issue the committed person a standard Illinois  
25 Identification Card.

26 The Illinois Identification Card verification form

1 described in this subsection shall be prescribed by the  
2 Secretary of State. The Secretary of State and correctional  
3 facilities in this State shall establish a secure method to  
4 transfer the form.

5 (a-25) The Secretary of State shall issue a limited-term  
6 Illinois Identification Card valid for 90 days to a committed  
7 person upon release on parole, mandatory supervised release,  
8 aftercare release, final discharge, or pardon from the  
9 Department of Corrections, the Department of Juvenile Justice,  
10 a Federal Bureau of Prisons facility located in Illinois, or a  
11 county jail or county department of corrections, if the  
12 released person does not obtain a standard Illinois  
13 Identification Card as described in subsection (a-20) prior to  
14 release but does present a Secretary of State prescribed  
15 Identification Card verification form completed by the  
16 correctional facility, verifying the released person's date of  
17 birth, social security number, if the person has a social  
18 security number, and his or her Illinois residence address.  
19 The verification form must have been completed no more than 30  
20 days prior to the date of application for the Illinois  
21 Identification Card.

22 Prior to the expiration of the 90-day period of the  
23 limited-term Illinois Identification Card, if the released  
24 person submits to the Secretary of State a certified copy of  
25 his or her birth certificate and his or her social security  
26 card, if the person has a social security number, or other

1 documents authorized by the Secretary, a standard Illinois  
2 Identification Card shall be issued. A limited-term Illinois  
3 Identification Card may not be renewed.

4 This subsection shall not apply to a released person who  
5 was unable to obtain a standard Illinois Identification Card  
6 because his or her photograph or demographic information  
7 matched an existing Illinois Identification Card or Illinois  
8 driver's license in another person's name or identity or to a  
9 released person who does not have a social security number and  
10 is eligible for a social security number.

11 (a-30) The Secretary of State shall issue a standard  
12 Illinois Identification Card to a person upon conditional  
13 release or absolute discharge from the custody of the  
14 Department of Human Services, if the person presents a  
15 certified copy of his or her birth certificate, social  
16 security card, if the person has a social security number, or  
17 other documents authorized by the Secretary, and a document  
18 proving his or her Illinois residence address. The Secretary  
19 of State shall issue a standard Illinois Identification Card  
20 to a person prior to his or her conditional release or absolute  
21 discharge if personnel from the Department of Human Services  
22 bring the person to a Secretary of State location with the  
23 required documents. Documents proving residence address may  
24 include any official document of the Department of Human  
25 Services showing the person's address after release and a  
26 Secretary of State prescribed verification form, which may be

1 executed by personnel of the Department of Human Services.

2 (a-35) The Secretary of State shall issue a limited-term  
3 Illinois Identification Card valid for 90 days to a person  
4 upon conditional release or absolute discharge from the  
5 custody of the Department of Human Services, if the person is  
6 unable to present a certified copy of his or her birth  
7 certificate and social security card, if the person has a  
8 social security number, or other documents authorized by the  
9 Secretary, but does present a Secretary of State prescribed  
10 verification form completed by the Department of Human  
11 Services, verifying the person's date of birth and social  
12 security number, if the person has a social security number,  
13 and a document proving his or her Illinois residence address.  
14 The verification form must have been completed no more than 30  
15 days prior to the date of application for the Illinois  
16 Identification Card. The Secretary of State shall issue a  
17 limited-term Illinois Identification Card to a person no  
18 sooner than 14 days prior to his or her conditional release or  
19 absolute discharge if personnel from the Department of Human  
20 Services bring the person to a Secretary of State location  
21 with the required documents. Documents proving residence  
22 address shall include any official document of the Department  
23 of Human Services showing the person's address after release  
24 and a Secretary of State prescribed verification form, which  
25 may be executed by personnel of the Department of Human  
26 Services.

1           (b) The Secretary of State shall issue a special Illinois  
2 Identification Card, which shall be known as an Illinois  
3 Person with a Disability Identification Card, to any natural  
4 person who is a resident of the State of Illinois, who is a  
5 person with a disability as defined in Section 4A of this Act,  
6 who applies for such card, or renewal thereof. No Illinois  
7 Person with a Disability Identification Card shall be issued  
8 to any person who holds a valid foreign state identification  
9 card, license, or permit unless the person first surrenders to  
10 the Secretary of State the valid foreign state identification  
11 card, license, or permit. The Secretary of State shall charge  
12 no fee to issue such card. The card shall be prepared and  
13 supplied by the Secretary of State, and shall include a  
14 photograph and signature or mark of the applicant, a  
15 designation indicating that the card is an Illinois Person  
16 with a Disability Identification Card, and shall include a  
17 comprehensible designation of the type and classification of  
18 the applicant's disability as set out in Section 4A of this  
19 Act. However, the Secretary of State may provide by rule for  
20 the issuance of Illinois Person with a Disability  
21 Identification Cards without photographs if the applicant has  
22 a bona fide religious objection to being photographed or to  
23 the display of his or her photograph. If the applicant so  
24 requests, the card shall include a description of the  
25 applicant's disability and any information about the  
26 applicant's disability or medical history which the Secretary

1 determines would be helpful to the applicant in securing  
2 emergency medical care. If a mark is used in lieu of a  
3 signature, such mark shall be affixed to the card in the  
4 presence of 2 witnesses who attest to the authenticity of the  
5 mark. The Illinois Person with a Disability Identification  
6 Card may be used for identification purposes in any lawful  
7 situation by the person to whom it was issued.

8 The Illinois Person with a Disability Identification Card  
9 may be used as adequate documentation of disability in lieu of  
10 a physician's determination of disability, a determination of  
11 disability from a physician assistant, a determination of  
12 disability from an advanced practice registered nurse, or any  
13 other documentation of disability whenever any State law  
14 requires that a person with a disability provide such  
15 documentation of disability, however an Illinois Person with a  
16 Disability Identification Card shall not qualify the  
17 cardholder to participate in any program or to receive any  
18 benefit which is not available to all persons with like  
19 disabilities. Notwithstanding any other provisions of law, an  
20 Illinois Person with a Disability Identification Card, or  
21 evidence that the Secretary of State has issued an Illinois  
22 Person with a Disability Identification Card, shall not be  
23 used by any person other than the person named on such card to  
24 prove that the person named on such card is a person with a  
25 disability or for any other purpose unless the card is used for  
26 the benefit of the person named on such card, and the person

1 named on such card consents to such use at the time the card is  
2 so used.

3 An optometrist's determination of a visual disability  
4 under Section 4A of this Act is acceptable as documentation  
5 for the purpose of issuing an Illinois Person with a  
6 Disability Identification Card.

7 When medical information is contained on an Illinois  
8 Person with a Disability Identification Card, the Office of  
9 the Secretary of State shall not be liable for any actions  
10 taken based upon that medical information.

11 (c) The Secretary of State shall provide that each  
12 original or renewal Illinois Identification Card or Illinois  
13 Person with a Disability Identification Card issued to a  
14 person under the age of 21 shall be of a distinct nature from  
15 those Illinois Identification Cards or Illinois Person with a  
16 Disability Identification Cards issued to individuals 21 years  
17 of age or older. The color designated for Illinois  
18 Identification Cards or Illinois Person with a Disability  
19 Identification Cards for persons under the age of 21 shall be  
20 at the discretion of the Secretary of State.

21 (c-1) Each original or renewal Illinois Identification  
22 Card or Illinois Person with a Disability Identification Card  
23 issued to a person under the age of 21 shall display the date  
24 upon which the person becomes 18 years of age and the date upon  
25 which the person becomes 21 years of age.

26 (c-3) The General Assembly recognizes the need to identify

1 military veterans living in this State for the purpose of  
2 ensuring that they receive all of the services and benefits to  
3 which they are legally entitled, including healthcare,  
4 education assistance, and job placement. To assist the State  
5 in identifying these veterans and delivering these vital  
6 services and benefits, the Secretary of State is authorized to  
7 issue Illinois Identification Cards and Illinois Person with a  
8 Disability Identification Cards with the word "veteran"  
9 appearing on the face of the cards. This authorization is  
10 predicated on the unique status of veterans. The Secretary may  
11 not issue any other identification card which identifies an  
12 occupation, status, affiliation, hobby, or other unique  
13 characteristics of the identification card holder which is  
14 unrelated to the purpose of the identification card.

15 (c-5) Beginning on or before July 1, 2015, the Secretary  
16 of State shall designate a space on each original or renewal  
17 identification card where, at the request of the applicant,  
18 the word "veteran" shall be placed. The veteran designation  
19 shall be available to a person identified as a veteran under  
20 subsection (b) of Section 5 of this Act who was discharged or  
21 separated under honorable conditions.

22 (d) The Secretary of State may issue a Senior Citizen  
23 discount card, to any natural person who is a resident of the  
24 State of Illinois who is 60 years of age or older and who  
25 applies for such a card or renewal thereof. The Secretary of  
26 State shall charge no fee to issue such card. The card shall be

1 issued in every county and applications shall be made  
2 available at, but not limited to, nutrition sites, senior  
3 citizen centers and Area Agencies on Aging. The applicant,  
4 upon receipt of such card and prior to its use for any purpose,  
5 shall have affixed thereon in the space provided therefor his  
6 signature or mark.

7 (e) The Secretary of State, in his or her discretion, may  
8 designate on each Illinois Identification Card or Illinois  
9 Person with a Disability Identification Card a space where the  
10 card holder may place a sticker or decal, issued by the  
11 Secretary of State, of uniform size as the Secretary may  
12 specify, that shall indicate in appropriate language that the  
13 card holder has renewed his or her Illinois Identification  
14 Card or Illinois Person with a Disability Identification Card.

15 (f)(1) The Secretary of State may issue a mobile  
16 identification card to an individual who is otherwise eligible  
17 to hold a physical credential in addition to, and not instead  
18 of, an identification card if the Secretary of State has  
19 issued an identification card to the person. The data elements  
20 that are used to build an electronic credential must match the  
21 individual's current Department record.

22 (2) The Secretary may enter into agreements or contract  
23 with an agency of the State, another state, the United States,  
24 or a third party to facilitate the issuance, use, and  
25 verification of a mobile identification card issued by the  
26 Secretary or another state.

1           (3) Any mobile identification card issued by the Secretary  
2 shall be in accordance with the most recent AAMVA standards.

3           (4) The Secretary shall design the mobile identification  
4 card in a manner that allows the credential holder to maintain  
5 physical possession of the device on which the mobile  
6 identification card is accessed during verification.

7           (g) The verification process shall be implemented to  
8 require:

9                 (1) the relying parties to authenticate electronic  
10 credentials in accordance with applicable AAMVA standards  
11 prior to acceptance of the electronic credential;

12                 (2) the Secretary to ensure that electronic credential  
13 data is subject to all jurisdictional data security and  
14 privacy protection laws and regulations; and

15                 (3) the relying parties to request only electronic  
16 credential data elements that are necessary to complete  
17 the transaction for which data is being requested.

18           (h) Privacy and tracking of data shall be restricted by  
19 implementing the following requirements:

20                 (1) the relying parties shall retain only electronic  
21 credential data elements for which the relying party  
22 explicitly obtained consent from the electronic credential  
23 holder and shall inform the electronic credential holder  
24 of the use and retention period of the electronic data  
25 elements;

26                 (2) the Secretary shall use an electronic credential

1 system that is designed to maximize the privacy of the  
2 credential holder in accordance with State and federal law  
3 and shall not track or compile information without the  
4 credential holder's consent; and

5 (3) the Department shall only compile and disclose  
6 information regarding the use of the credential as  
7 required by State or federal law.

8 (i) (1) The electronic credential holder shall be required  
9 to have the holder's physical credential on the holder's  
10 person for all purposes for which an identification card is  
11 required. No person, public entity, private entity, or agency  
12 shall establish a policy that requires an electronic  
13 credential instead of a physical credential.

14 (2) Electronic credential systems shall be designed so  
15 that there is no requirement for the electronic credential  
16 holder to display or relinquish possession of the credential  
17 holder's mobile device to relying parties for the acceptance  
18 of an electronic credential.

19 (3) When required by law and upon request by law  
20 enforcement, a credential holder must provide the credential  
21 holder's physical credential.

22 (4) Any law or regulation that requires an individual to  
23 surrender the individual's physical credential to law  
24 enforcement does not apply to the device on which an  
25 electronic credential has been provisioned.

26 (j) A person may be required to produce when so requested a

1 physical identification card to a law enforcement officer, a  
2 representative of a State or federal department or agency, or  
3 a private entity and is subject to all applicable laws and  
4 consequences for failure to produce such an identification  
5 card.

6 (k) The Secretary of State shall adopt such rules as are  
7 necessary to implement a mobile identification card.

8 (l) The display of a mobile identification card shall not  
9 serve as consent or authorization for a law enforcement  
10 officer, or any other person, to search, view, or access any  
11 other data or application on the mobile device. If a person  
12 presents the person's mobile device to a law enforcement  
13 officer for purposes of displaying a mobile identification  
14 card, the law enforcement officer shall promptly return the  
15 mobile device to the person once the officer has had an  
16 opportunity to verify the identity of the person. Except for  
17 willful and wanton misconduct, any law enforcement officer,  
18 court, or officer of the court presented with the device shall  
19 be immune from any liability resulting from damage to the  
20 mobile device.

21 (m) The fee to install the application to display a mobile  
22 identification card as defined in this subsection shall not  
23 exceed \$6.

24 (n) As used in this Section:

25 "AAMVA" means the American Association of Motor Vehicle  
26 Administrators.

1 "Credential" means a driver's license, learner's permit,  
2 or identification card.

3 "Credential holder" means the individual to whom a mobile  
4 driver's license or a mobile identification card is issued.

5 "Data element" means a distinct component of a customer's  
6 information that is found on the Department's customer record.

7 "Department" means the Secretary of State Department of  
8 Driver Services.

9 "Electronic credential" means an electronic extension of  
10 the departmental issued physical credential that conveys  
11 identity and complies with AAMVA's mobile driver license  
12 Implementation guidelines and the ISO/IEC 18013-5 standard.

13 "Electronic credential system" means a digital process  
14 that includes a method for provisioning electronic  
15 credentials, requesting and transmitting electronic credential  
16 data elements, and performing tasks to maintain the system.

17 "Full profile" means all the information provided on an  
18 identification card.

19 "ISO" means the International Organization for  
20 Standardization, which creates uniform processes and  
21 procedures.

22 "Limited profile" means a portion of the information  
23 provided on an Identification Card.

24 "Mobile identification card" means a data file that is  
25 available on any mobile device that has connectivity to the  
26 Internet through an application that allows the mobile device

1 to download the data file from the Secretary of State, that  
2 contains all the data elements visible on the face and back of  
3 an identification card, and that displays the current status  
4 of the identification card. "Mobile identification card" does  
5 not include a copy, photograph, or image of an Illinois  
6 Identification Card that is not downloaded through the  
7 application on a mobile device.

8 "Physical credential" means a Department-issued document  
9 that conveys identity in accordance with the Illinois  
10 Identification Card Act.

11 "Provision" means the initial loading of an electronic  
12 credential onto a device.

13 "Relying party" means the entity to which the credential  
14 holder presents the electronic credential.

15 "Verification process" means a method of authenticating  
16 the electronic credential through the use of secured  
17 encryption communication.

18 (o) Upon providing the required documentation, at the  
19 request of the applicant, the identification card may reflect  
20 Gold Star Family designation. The Secretary shall designate a  
21 space on each original or renewal of an identification card  
22 for such designation. This designation shall be available to a  
23 person eligible for Gold Star license plates under subsection  
24 (f) of Section 6-106 of the Illinois Vehicle Code.

25 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;  
26 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.

1 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,  
2 eff. 1-1-26; revised 1-7-26.)

3 (Text of Section after amendment by P.A. 104-457)

4 Sec. 4. Identification card.

5 (a) In accordance with the requirements of this Section,  
6 the Secretary of State shall issue a standard Illinois  
7 Identification Card, as well as a mobile Illinois  
8 Identification Card, to any natural person who is a resident  
9 of the State of Illinois who applies for such a card, or  
10 renewal thereof. No identification card shall be issued to any  
11 person who holds a valid foreign state identification card,  
12 license, or permit unless the person first surrenders to the  
13 Secretary of State the valid foreign state identification  
14 card, license, or permit. The card shall be prepared and  
15 supplied by the Secretary of State and shall include a  
16 photograph and signature or mark of the applicant. However,  
17 the Secretary of State may provide by rule for the issuance of  
18 Illinois Identification Cards without photographs if the  
19 applicant has a bona fide religious objection to being  
20 photographed or to the display of his or her photograph. The  
21 Illinois Identification Card may be used for identification  
22 purposes in any lawful situation only by the person to whom it  
23 was issued. As used in this Act, "photograph" means any color  
24 photograph or digitally produced and captured image of an  
25 applicant for an identification card. As used in this Act,

1 "signature" means the name of a person as written by that  
2 person and captured in a manner acceptable to the Secretary of  
3 State.

4 (a-5) If an applicant for an identification card has a  
5 current driver's license or instruction permit issued by the  
6 Secretary of State, the Secretary may require the applicant to  
7 utilize the same residence address and name on the  
8 identification card, driver's license, and instruction permit  
9 records maintained by the Secretary. The Secretary may  
10 promulgate rules to implement this provision.

11 (a-10) If the applicant is a judicial officer as defined  
12 in Section 1-10 of the Judicial Privacy Act, a public official  
13 as defined in Section 10 of the Public Official Safety and  
14 Privacy Act, or a peace officer, the applicant may elect to  
15 have his or her office or work address listed on the card  
16 instead of the applicant's residence or mailing address. The  
17 Secretary may promulgate rules to implement this provision.  
18 For the purposes of this subsection (a-10), "peace officer"  
19 means any person who by virtue of his or her office or public  
20 employment is vested by law with a duty to maintain public  
21 order or to make arrests for a violation of any penal statute  
22 of this State, whether that duty extends to all violations or  
23 is limited to specific violations.

24 (a-15) The Secretary of State may provide for an expedited  
25 process for the issuance of an Illinois Identification Card.  
26 The Secretary shall charge an additional fee for the expedited

1 issuance of an Illinois Identification Card, to be set by  
2 rule, not to exceed \$75. All fees collected by the Secretary  
3 for expedited Illinois Identification Card service shall be  
4 deposited into the Secretary of State Special Services Fund.  
5 The Secretary may adopt rules regarding the eligibility,  
6 process, and fee for an expedited Illinois Identification  
7 Card. If the Secretary of State determines that the volume of  
8 expedited identification card requests received on a given day  
9 exceeds the ability of the Secretary to process those requests  
10 in an expedited manner, the Secretary may decline to provide  
11 expedited services, and the additional fee for the expedited  
12 service shall be refunded to the applicant.

13 (a-20) The Secretary of State shall issue a standard  
14 Illinois Identification Card to a person committed to the  
15 Department of Corrections, the Department of Juvenile Justice,  
16 a Federal Bureau of Prisons facility located in Illinois, or a  
17 county jail or county department of corrections as follows:

18 (1) A committed person who has previously held an  
19 Illinois Identification Card or an Illinois driver's  
20 license shall submit an Identification Card verification  
21 form to the Secretary of State, including a photograph  
22 taken by the correctional facility, proof of residency  
23 upon discharge, and a social security number, if the  
24 committed person has a social security number. If the  
25 committed person does not have a social security number  
26 and is eligible for a social security number, the

1 Secretary of State shall not issue a standard Illinois  
2 Identification Card until the committed person obtains a  
3 social security number. If the committed person's  
4 photograph and demographic information matches an existing  
5 Illinois Identification Card or Illinois driver's license  
6 and the Secretary of State verifies the applicant's social  
7 security number with the Social Security Administration,  
8 the Secretary of State shall issue the committed person a  
9 standard Illinois Identification Card. If the photograph  
10 or demographic information matches an existing Illinois  
11 Identification Card or Illinois driver's license in  
12 another person's name or identity, a standard Illinois  
13 Identification Card shall not be issued until the  
14 committed person submits a certified birth certificate and  
15 social security card to the Secretary of State and the  
16 Secretary of State verifies the identity of the committed  
17 person. If the Secretary of State cannot find a match to an  
18 existing Illinois Identification Card or Illinois driver's  
19 license, the committed person may apply for a standard  
20 Illinois Identification card as described in paragraph  
21 (2).

22 (2) A committed person who has not previously held an  
23 Illinois Identification Card or Illinois driver's license  
24 or for whom a match cannot be found as described in  
25 paragraph (1) shall submit an Illinois Identification Card  
26 verification form, including a photograph taken by the

1 correctional facility, a certified birth certificate,  
2 proof of residency upon discharge, and a social security  
3 number, if the committed has a social security number. If  
4 the committed person does not have a social security  
5 number and is eligible for a social security number, the  
6 Secretary of State shall not issue a standard Illinois  
7 Identification Card until the committed person obtains a  
8 social security number. If the Secretary of State verifies  
9 the applicant's social security number with the Social  
10 Security Administration, the Secretary of State shall  
11 issue the committed person a standard Illinois  
12 Identification Card.

13 The Illinois Identification Card verification form  
14 described in this subsection shall be prescribed by the  
15 Secretary of State. The Secretary of State and correctional  
16 facilities in this State shall establish a secure method to  
17 transfer the form.

18 (a-25) The Secretary of State shall issue a limited-term  
19 Illinois Identification Card valid for 90 days to a committed  
20 person upon release on parole, mandatory supervised release,  
21 aftercare release, final discharge, or pardon from the  
22 Department of Corrections, the Department of Juvenile Justice,  
23 a Federal Bureau of Prisons facility located in Illinois, or a  
24 county jail or county department of corrections, if the  
25 released person does not obtain a standard Illinois  
26 Identification Card as described in subsection (a-20) prior to

1 release but does present a Secretary of State prescribed  
2 Identification Card verification form completed by the  
3 correctional facility, verifying the released person's date of  
4 birth, social security number, if the person has a social  
5 security number, and his or her Illinois residence address.  
6 The verification form must have been completed no more than 30  
7 days prior to the date of application for the Illinois  
8 Identification Card.

9 Prior to the expiration of the 90-day period of the  
10 limited-term Illinois Identification Card, if the released  
11 person submits to the Secretary of State a certified copy of  
12 his or her birth certificate and his or her social security  
13 card, if the person has a social security number, or other  
14 documents authorized by the Secretary, a standard Illinois  
15 Identification Card shall be issued. A limited-term Illinois  
16 Identification Card may not be renewed.

17 This subsection shall not apply to a released person who  
18 was unable to obtain a standard Illinois Identification Card  
19 because his or her photograph or demographic information  
20 matched an existing Illinois Identification Card or Illinois  
21 driver's license in another person's name or identity or to a  
22 released person who does not have a social security number and  
23 is eligible for a social security number.

24 (a-30) The Secretary of State shall issue a standard  
25 Illinois Identification Card to a person upon conditional  
26 release or absolute discharge from the custody of the

1 Department of Human Services, if the person presents a  
2 certified copy of his or her birth certificate, social  
3 security card, if the person has a social security number, or  
4 other documents authorized by the Secretary, and a document  
5 proving his or her Illinois residence address. The Secretary  
6 of State shall issue a standard Illinois Identification Card  
7 to a person prior to his or her conditional release or absolute  
8 discharge if personnel from the Department of Human Services  
9 bring the person to a Secretary of State location with the  
10 required documents. Documents proving residence address may  
11 include any official document of the Department of Human  
12 Services showing the person's address after release and a  
13 Secretary of State prescribed verification form, which may be  
14 executed by personnel of the Department of Human Services.

15 (a-35) The Secretary of State shall issue a limited-term  
16 Illinois Identification Card valid for 90 days to a person  
17 upon conditional release or absolute discharge from the  
18 custody of the Department of Human Services, if the person is  
19 unable to present a certified copy of his or her birth  
20 certificate and social security card, if the person has a  
21 social security number, or other documents authorized by the  
22 Secretary, but does present a Secretary of State prescribed  
23 verification form completed by the Department of Human  
24 Services, verifying the person's date of birth and social  
25 security number, if the person has a social security number,  
26 and a document proving his or her Illinois residence address.

1 The verification form must have been completed no more than 30  
2 days prior to the date of application for the Illinois  
3 Identification Card. The Secretary of State shall issue a  
4 limited-term Illinois Identification Card to a person no  
5 sooner than 14 days prior to his or her conditional release or  
6 absolute discharge if personnel from the Department of Human  
7 Services bring the person to a Secretary of State location  
8 with the required documents. Documents proving residence  
9 address shall include any official document of the Department  
10 of Human Services showing the person's address after release  
11 and a Secretary of State prescribed verification form, which  
12 may be executed by personnel of the Department of Human  
13 Services.

14 (b) The Secretary of State shall issue a special Illinois  
15 Identification Card, which shall be known as an Illinois  
16 Person with a Disability Identification Card, to any natural  
17 person who is a resident of the State of Illinois, who is a  
18 person with a disability as defined in Section 4A of this Act,  
19 who applies for such card, or renewal thereof. No Illinois  
20 Person with a Disability Identification Card shall be issued  
21 to any person who holds a valid foreign state identification  
22 card, license, or permit unless the person first surrenders to  
23 the Secretary of State the valid foreign state identification  
24 card, license, or permit. The Secretary of State shall charge  
25 no fee to issue such card. The card shall be prepared and  
26 supplied by the Secretary of State, and shall include a

1 photograph and signature or mark of the applicant, a  
2 designation indicating that the card is an Illinois Person  
3 with a Disability Identification Card, and shall include a  
4 comprehensible designation of the type and classification of  
5 the applicant's disability as set out in Section 4A of this  
6 Act. However, the Secretary of State may provide by rule for  
7 the issuance of Illinois Person with a Disability  
8 Identification Cards without photographs if the applicant has  
9 a bona fide religious objection to being photographed or to  
10 the display of his or her photograph. If the applicant so  
11 requests, the card shall include a description of the  
12 applicant's disability and any information about the  
13 applicant's disability or medical history which the Secretary  
14 determines would be helpful to the applicant in securing  
15 emergency medical care. If a mark is used in lieu of a  
16 signature, such mark shall be affixed to the card in the  
17 presence of 2 witnesses who attest to the authenticity of the  
18 mark. The Illinois Person with a Disability Identification  
19 Card may be used for identification purposes in any lawful  
20 situation by the person to whom it was issued.

21 The Illinois Person with a Disability Identification Card  
22 may be used as adequate documentation of disability in lieu of  
23 a physician's determination of disability, a determination of  
24 disability from a physician assistant, a determination of  
25 disability from an advanced practice registered nurse, or any  
26 other documentation of disability whenever any State law

1 requires that a person with a disability provide such  
2 documentation of disability, however an Illinois Person with a  
3 Disability Identification Card shall not qualify the  
4 cardholder to participate in any program or to receive any  
5 benefit which is not available to all persons with like  
6 disabilities. Notwithstanding any other provisions of law, an  
7 Illinois Person with a Disability Identification Card, or  
8 evidence that the Secretary of State has issued an Illinois  
9 Person with a Disability Identification Card, shall not be  
10 used by any person other than the person named on such card to  
11 prove that the person named on such card is a person with a  
12 disability or for any other purpose unless the card is used for  
13 the benefit of the person named on such card, and the person  
14 named on such card consents to such use at the time the card is  
15 so used.

16 An optometrist's determination of a visual disability  
17 under Section 4A of this Act is acceptable as documentation  
18 for the purpose of issuing an Illinois Person with a  
19 Disability Identification Card.

20 When medical information is contained on an Illinois  
21 Person with a Disability Identification Card, the Office of  
22 the Secretary of State shall not be liable for any actions  
23 taken based upon that medical information.

24 The Secretary of State shall add a marker or box to the  
25 Illinois Person with a Disability Identification Card that can  
26 be used to record and demonstrate that the holder of the card

1 has presented documentation of certification of eligibility to  
2 receive complementary paratransit services under 49 CFR Part  
3 37, Subpart F by an entity that is required to provide those  
4 services in the State.

5 (c) The Secretary of State shall provide that each  
6 original or renewal Illinois Identification Card or Illinois  
7 Person with a Disability Identification Card issued to a  
8 person under the age of 21 shall be of a distinct nature from  
9 those Illinois Identification Cards or Illinois Person with a  
10 Disability Identification Cards issued to individuals 21 years  
11 of age or older. The color designated for Illinois  
12 Identification Cards or Illinois Person with a Disability  
13 Identification Cards for persons under the age of 21 shall be  
14 at the discretion of the Secretary of State.

15 (c-1) Each original or renewal Illinois Identification  
16 Card or Illinois Person with a Disability Identification Card  
17 issued to a person under the age of 21 shall display the date  
18 upon which the person becomes 18 years of age and the date upon  
19 which the person becomes 21 years of age.

20 (c-3) The General Assembly recognizes the need to identify  
21 military veterans living in this State for the purpose of  
22 ensuring that they receive all of the services and benefits to  
23 which they are legally entitled, including healthcare,  
24 education assistance, and job placement. To assist the State  
25 in identifying these veterans and delivering these vital  
26 services and benefits, the Secretary of State is authorized to

1 issue Illinois Identification Cards and Illinois Person with a  
2 Disability Identification Cards with the word "veteran"  
3 appearing on the face of the cards. This authorization is  
4 predicated on the unique status of veterans. The Secretary may  
5 not issue any other identification card which identifies an  
6 occupation, status, affiliation, hobby, or other unique  
7 characteristics of the identification card holder which is  
8 unrelated to the purpose of the identification card.

9 (c-5) Beginning on or before July 1, 2015, the Secretary  
10 of State shall designate a space on each original or renewal  
11 identification card where, at the request of the applicant,  
12 the word "veteran" shall be placed. The veteran designation  
13 shall be available to a person identified as a veteran under  
14 subsection (b) of Section 5 of this Act who was discharged or  
15 separated under honorable conditions.

16 (d) The Secretary of State may issue a Senior Citizen  
17 discount card, to any natural person who is a resident of the  
18 State of Illinois who is 60 years of age or older and who  
19 applies for such a card or renewal thereof. The Secretary of  
20 State shall charge no fee to issue such card. The card shall be  
21 issued in every county and applications shall be made  
22 available at, but not limited to, nutrition sites, senior  
23 citizen centers and Area Agencies on Aging. The applicant,  
24 upon receipt of such card and prior to its use for any purpose,  
25 shall have affixed thereon in the space provided therefor his  
26 signature or mark.

1           (e) The Secretary of State, in his or her discretion, may  
2 designate on each Illinois Identification Card or Illinois  
3 Person with a Disability Identification Card a space where the  
4 card holder may place a sticker or decal, issued by the  
5 Secretary of State, of uniform size as the Secretary may  
6 specify, that shall indicate in appropriate language that the  
7 card holder has renewed his or her Illinois Identification  
8 Card or Illinois Person with a Disability Identification Card.

9           (f) (1) The Secretary of State may issue a mobile  
10 identification card to an individual who holds a valid and  
11 unexpired ~~is otherwise eligible to hold a physical~~  
12 identification card issued by the Secretary of State  
13 ~~credential in addition to, and not instead of, an~~  
14 ~~identification card if the Secretary of State has issued an~~  
15 ~~identification card to the person.~~ The data elements of a  
16 mobile identification card ~~that are used to build an~~  
17 ~~electronic credential~~ must match the individual's current  
18 identification card Department record.

19           (2) The Secretary may enter into agreements or contract  
20 with an agency of the State, another state, the United States,  
21 or a third party to facilitate the issuance, use, and  
22 verification of a mobile identification card issued by the  
23 Secretary or another state.

24           (3) Any mobile identification card issued by the Secretary  
25 shall be in accordance with the AAMVA's Mobile Driver's  
26 License (mDL) Implementation Guidelines Version 1.5 (May

1 2025), as may be amended or updated from time to time ~~most~~  
2 ~~recent AAMVA standards.~~

3 (4) The Secretary shall design the mobile identification  
4 card in a manner that allows the mobile identification card  
5 ~~credential~~ holder to maintain physical possession of the  
6 device on which the mobile identification card is provisioned  
7 ~~accessed~~ during verification by a relying party.

8 (g) The verification process shall be implemented to  
9 require:

10 (1) a ~~the~~ relying party ~~parties~~ to authenticate a  
11 mobile identification card ~~electronic credential~~ in  
12 accordance with applicable AAMVA standards prior to  
13 acceptance of the mobile identification card ~~electronic~~  
14 ~~credential~~;

15 (2) the Secretary to ensure that mobile identification  
16 card ~~electronic credential~~ data is subject to all  
17 jurisdictional data security and privacy protection laws  
18 and regulations; and

19 (3) a ~~the~~ relying party ~~parties~~ to request only mobile  
20 identification card ~~electronic credential~~ data elements  
21 that are necessary to complete the transaction for which  
22 data is being requested.

23 (h) Privacy and tracking of data shall be restricted by  
24 implementing the following requirements:

25 (1) a ~~the~~ relying party ~~parties~~ shall retain only  
26 mobile identification card ~~electronic credential~~ data

1 elements for which the relying party explicitly obtained  
2 consent from the mobile identification card ~~electronic~~  
3 ~~credential~~ holder and shall inform the mobile  
4 identification card ~~electronic credential~~ holder of the  
5 use and retention period of the electronic data elements;

6 (2) the Secretary shall use a mobile identification  
7 card ~~an electronic credential~~ system that is designed to  
8 maximize the privacy of the mobile identification card  
9 ~~credential~~ holder in accordance with State and federal law  
10 and shall not track or compile information without the  
11 mobile identification card ~~credential~~ holder's consent;  
12 and

13 (3) the Department shall only compile and disclose  
14 information regarding the use of a mobile identification  
15 card ~~the credential~~ as required by State or federal law.

16 (i)(1) A mobile identification card ~~The electronic~~  
17 ~~credential~~ holder shall be required to have the holder's  
18 physical identification card ~~credential~~ on the holder's person  
19 for all purposes for which an identification card is required.  
20 No person, public entity, private entity, or agency shall  
21 establish a policy that requires a mobile identification card  
22 ~~an electronic credential~~ instead of a physical identification  
23 card ~~credential~~.

24 (2) A mobile identification card ~~Electronic credential~~  
25 ~~systems~~ shall be designed so that there is no requirement for  
26 the mobile identification card ~~electronic credential~~ holder to

1 display or relinquish possession of the mobile identification  
2 card credential holder's mobile device to a relying party  
3 ~~parties~~ for the acceptance of a mobile identification card. No  
4 relying party, including law enforcement, may take physical  
5 possession of a mobile identification card holder's mobile  
6 device for purposes of verifying the mobile identification  
7 card holder's identity ~~an electronic credential~~.

8 (3) When required by law and upon request by law  
9 enforcement, a representative of a State or federal department  
10 or agency, or a private entity, a mobile identification card  
11 ~~credential~~ holder must provide the holder's physical  
12 identification card and is subject to all applicable laws and  
13 consequences for failure to produce such an identification  
14 card ~~the credential holder's physical credential~~.

15 (4) Any law or regulation that requires an individual to  
16 surrender the individual's physical identification card  
17 ~~credential~~ to law enforcement does not apply to the device on  
18 which a mobile identification card ~~an electronic credential~~  
19 has been provisioned.

20 (j) (Blank). ~~A person may be required to produce when so~~  
21 ~~requested a physical identification card to a law enforcement~~  
22 ~~officer, a representative of a State or federal department or~~  
23 ~~agency, or a private entity and is subject to all applicable~~  
24 ~~laws and consequences for failure to produce such an~~  
25 ~~identification card.~~

26 (k) The Secretary of State shall adopt such rules as are

1 necessary to implement a mobile identification card.

2 (l) The use ~~display~~ of a mobile identification card shall  
3 not serve as consent or authorization for a law enforcement  
4 officer, or any other person, to search, view, or access any  
5 other data or application on the mobile device. ~~If a person  
6 presents the person's mobile device to a law enforcement  
7 officer for purposes of displaying a mobile identification  
8 card, the law enforcement officer shall promptly return the  
9 mobile device to the person once the officer has had an  
10 opportunity to verify the identity of the person. Except for  
11 willful and wanton misconduct, any law enforcement officer,  
12 court, or officer of the court presented with the device shall  
13 be immune from any liability resulting from damage to the  
14 mobile device.~~

15 (m) (Blank). ~~The fee to install the application to display  
16 a mobile identification card as defined in this subsection  
17 shall not exceed \$6.~~

18 (n) As used in this Section:

19 "AAMVA" means the American Association of Motor Vehicle  
20 Administrators.

21 ~~"Credential" means a driver's license, learner's permit,  
22 or identification card.~~

23 ~~"Credential holder" means the individual to whom a mobile  
24 driver's license or a mobile identification card is issued.~~

25 "Data element" means a distinct component of a customer's  
26 information that is found on the Department's customer record.

1 "Department" means the Secretary of State Department of  
2 Driver Services.

3 ~~"Electronic credential" means an electronic extension of~~  
4 ~~the departmental issued physical credential that conveys~~  
5 ~~identity and complies with AAMVA's mobile driver license~~  
6 ~~Implementation guidelines and the ISO/IEC 18013-5 standard.~~

7 ~~"Electronic credential system" means a digital process~~  
8 ~~that includes a method for provisioning electronic~~  
9 ~~credentials, requesting and transmitting electronic credential~~  
10 ~~data elements, and performing tasks to maintain the system.~~

11 ~~"Full profile" means all the information provided on an~~  
12 ~~identification card.~~

13 ~~"ISO" means the International Organization for~~  
14 ~~Standardization, which creates uniform processes and~~  
15 ~~procedures.~~

16 ~~"Limited profile" means a portion of the information~~  
17 ~~provided on an Identification Card.~~

18 "Mobile credential system" means a digital process that  
19 includes a method for provisioning a mobile identification  
20 card, requesting and transmitting mobile identification data  
21 elements, and performing tasks to maintain the system.

22 "Mobile identification card" means an identification card  
23 that resides on a mobile device or requires a mobile device as  
24 part of the process to gain access to the related information ~~a~~  
25 ~~data file that is available on any mobile device that has~~  
26 ~~connectivity to the Internet through an application that~~

1 ~~allows the mobile device to download the data file from the~~  
2 ~~Secretary of State, that contains all the data elements~~  
3 ~~visible on the face and back of an identification card, and~~  
4 ~~that displays the current status of the identification card.~~

5 "Mobile identification card" does not include a copy,  
6 photograph, or image of an Illinois Identification Card that  
7 is not provisioned ~~downloaded~~ through a participating wallet  
8 provider ~~the application on a mobile device.~~

9 ~~"Physical credential" means a Department issued document~~  
10 ~~that conveys identity in accordance with the Illinois~~  
11 ~~Identification Card Act.~~

12 "Provision" means the initial loading of a mobile  
13 identification card ~~an electronic credential~~ onto a device.

14 "Relying party" means the entity to which the  
15 identification card ~~credential~~ holder presents the holder's  
16 mobile identification card ~~the electronic credential~~.

17 "Verification process" means a method of authenticating  
18 the mobile identification card ~~electronic credential~~ through  
19 the use of secured encryption communication.

20 (o) Upon providing the required documentation, at the  
21 request of the applicant, the identification card may reflect  
22 Gold Star Family designation. The Secretary shall designate a  
23 space on each original or renewal of an identification card  
24 for such designation. This designation shall be available to a  
25 person eligible for Gold Star license plates under subsection  
26 (f) of Section 6-106 of the Illinois Vehicle Code.

1 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;  
2 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.  
3 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,  
4 eff. 1-1-26; 104-457, eff. 6-1-26; revised 1-7-26.)

5 (15 ILCS 335/14D)

6 Sec. 14D. Limitations on use of identification card  
7 information.

8 (a) When information is obtained from an identification  
9 card issued by the Secretary of State to identify or prove the  
10 age of the holder of the card, or in the course of a commercial  
11 transaction, that information may be used only for purposes of  
12 identification of the individual or for completing the  
13 commercial transaction in which the information was obtained,  
14 including all subsequent payment, processing, collection, and  
15 other related actions and may not be maintained or stored for  
16 longer than what is strictly necessary for the purpose for  
17 which the information was provided. Information obtained from  
18 an identification card issued by the Secretary of State may  
19 not be used for purposes unrelated to the transaction in which  
20 it was obtained, including, but not limited to, commercial  
21 solicitations. Information obtained from an identification  
22 card issued by the Secretary of State to identify or prove the  
23 age of the holder of the card, or in the course of a commercial  
24 transaction, may not be sold, leased or otherwise provided to  
25 any third party.

1 (b) As used in this Section: 7

2 "Identification card" includes a mobile identification  
3 card as that term is defined in subsection (n) of Section 4.

4 "Information" ~~"information"~~ on an identification card  
5 issued by the Secretary of State includes readable text on the  
6 face of the card and information encoded or encrypted into a  
7 bar code, magnetic strip, or other electronically readable  
8 device on or in the card.

9 (c) Any individual whose identification card information  
10 has been used in violation of this Section has a cause of  
11 action against the person who violated this Section. Upon a  
12 finding that a violation did occur, the individual whose  
13 information was used in violation of this Section is entitled  
14 to recover actual damages, but not less than liquidated  
15 damages in the amount of \$250 for each violation, plus  
16 attorney's fees and the costs of bringing the action.

17 (d) Use of information contained on an identification card  
18 issued by the Secretary of State is not a violation of this  
19 Section if the individual whose information has been used gave  
20 express permission for that use, or if the information  
21 relating to the individual was obtained from a source other  
22 than the individual's identification card issued by the  
23 Secretary of State.

24 (e) This Section does not apply to any agency of the United  
25 States or to the State of Illinois or any of its political  
26 subdivisions.

1 (f) This Section does not apply to the transfer of  
2 information to a third party if (i) a federal or State law,  
3 rule, or regulation requires that the information be  
4 transferred to a third party after being recorded in specified  
5 transactions or (ii) the information is transferred to a third  
6 party for purposes of the detection or possible prosecution of  
7 criminal offenses or fraud. If information is transferred to a  
8 third party under this subsection (f), it may be used only for  
9 the purposes authorized by this subsection (f).

10 (g) This Section does not apply to the use of information  
11 obtained from an identification card which has been provided  
12 by the holder of the card in the course of a potential or  
13 completed employment, commercial, business or professional  
14 transaction for the purpose of completing written documents  
15 including, but not limited to, contracts, agreements, purchase  
16 orders, retail installment contracts, buyer's orders, purchase  
17 contracts, repair orders, applications, disclosure forms or  
18 waiver forms.

19 (Source: P.A. 94-892, eff. 1-1-07.)

20 Section 10. The Illinois Vehicle Code is amended by  
21 changing Sections 6-101 and 6-117.1 as follows:

22 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

23 Sec. 6-101. Drivers must have licenses or permits.

24 (a) No person, except those expressly exempted by Section

1 6-102, shall drive any motor vehicle upon a highway in this  
2 State unless such person has a valid license or permit, an  
3 Illinois mobile driver's license, or a restricted driving  
4 permit, issued under the provisions of this Act.

5 (b) No person shall drive a motor vehicle unless the  
6 person holds a valid license or permit, an Illinois mobile  
7 driver's license, or a restricted driving permit issued under  
8 this Act. Any person to whom a license is issued under the  
9 provisions of this Act must surrender to the Secretary of  
10 State all valid licenses or permits, except that an applicant  
11 for a non-domiciled commercial learner's permit or commercial  
12 driver's license shall not be required to surrender a license  
13 or permit issued by the applicant's state or country of  
14 domicile. No driver's license or instruction permit shall be  
15 issued to any person who holds a valid Foreign State license,  
16 identification card, or permit unless such person first  
17 surrenders to the Secretary of State any such valid Foreign  
18 State license, identification card, or permit.

19 (b-5) Any person who commits a violation of subsection (a)  
20 or (b) of this Section is guilty of a Class A misdemeanor, if  
21 at the time of the violation the person's driver's license or  
22 permit was cancelled under clause (a)9 of Section 6-201 of  
23 this Code.

24 (c) Any person licensed as a driver hereunder shall not be  
25 required by any city, village, incorporated town or other  
26 municipal corporation to obtain any other license to exercise

1 the privilege thereby granted.

2 (d) In addition to other penalties imposed under this  
3 Section, any person in violation of this Section who is also in  
4 violation of Section 7-601 of this Code relating to mandatory  
5 insurance requirements shall have his or her motor vehicle  
6 immediately impounded by the arresting law enforcement  
7 officer. The motor vehicle may be released to any licensed  
8 driver upon a showing of proof of insurance for the motor  
9 vehicle that was impounded and the notarized written consent  
10 for the release by the vehicle owner.

11 (e) In addition to other penalties imposed under this  
12 Section, the vehicle of any person in violation of this  
13 Section who is also in violation of Section 7-601 of this Code  
14 relating to mandatory insurance requirements and who, in  
15 violating this Section, has caused death or personal injury to  
16 another person is subject to forfeiture under Sections 36-1  
17 and 36-2 of the Criminal Code of 2012. For the purposes of this  
18 Section, a personal injury shall include any type A injury as  
19 indicated on the traffic crash report completed by a law  
20 enforcement officer that requires immediate professional  
21 attention in either a doctor's office or a medical facility. A  
22 type A injury shall include severely bleeding wounds,  
23 distorted extremities, and injuries that require the injured  
24 party to be carried from the scene.

25 (f) (1) The Secretary of State may issue a mobile driver's  
26 license to an individual who holds a valid and unexpired

1 physical driver's license. The data elements of a mobile  
2 driver's license card must match the individual's current  
3 driver's license Department record ~~in addition to, and not~~  
4 ~~instead of, a license or an identification card if the~~  
5 ~~Secretary of State has issued a driver's license to the~~  
6 ~~person.~~

7 (2) The Secretary may enter into agreements with an agency  
8 of the State, another state, or the United States to  
9 facilitate the issuance, use, and verification of a mobile  
10 driver's license issued by the Secretary or another state.

11 (3) Any mobile driver's license issued by the Secretary  
12 shall be in accordance with American Association of Motor  
13 Vehicle Administrator's Mobile Driver's License (mDL)  
14 Implementation Guidelines, Version 1.5 (May 2025), as may be  
15 amended or updated from time to time ~~1.1~~.

16 (4) The Secretary shall design the mobile driver's license  
17 in a manner that allows the mobile driver's license ~~credential~~  
18 holder to maintain physical possession of the device on which  
19 the mobile driver's license ~~electronic credential~~ is  
20 provisioned ~~accessed~~ during verification by a relying party.

21 (g) (Blank). ~~As used in this Section:~~

22 ~~"Mobile driver's license" means an electronic extension of~~  
23 ~~the Secretary of State issued physical driver's license that~~  
24 ~~conveys identity and driving privilege information and is in~~  
25 ~~compliance with the American Association of Motor Vehicle~~  
26 ~~Administrator's Mobile Driver's License Implementation~~

1 ~~Guidelines and the ISO/IEC 18013-5 standard. "Mobile driver's~~  
2 ~~license" does not include a digital copy, photograph, or image~~  
3 ~~of a driver's license that is not downloaded through the~~  
4 ~~Secretary of State's application on a mobile device.~~

5 (h) ~~(Blank). A person may be required to produce when so~~  
6 ~~requested a physical driver's license to a law enforcement~~  
7 ~~officer, a representative of a State or federal department or~~  
8 ~~agency, or a private entity and is subject to all applicable~~  
9 ~~laws and consequences for failure to produce such a license.~~

10 (i) The Secretary of State shall adopt such rules as are  
11 necessary to implement a mobile driver's license.

12 (i-5) The verification process shall be implemented to  
13 require:

14 (1) a relying party to authenticate a mobile driver's  
15 license in accordance with applicable AAMVA standards  
16 prior to acceptance of the mobile driver's license;

17 (2) the Secretary to ensure that mobile driver's  
18 license data is subject to all jurisdictional data  
19 security and privacy protection laws and regulations; and

20 (3) a relying party to request only mobile driver's  
21 license data elements that are necessary to complete the  
22 transaction for which data is being requested.

23 (i-10) Privacy and tracking of data shall be restricted by  
24 implementing the following requirements:

25 (1) a relying party shall retain only mobile driver's  
26 license data elements for which the relying party

1 explicitly obtained consent from the mobile driver's  
2 license holder and shall inform the mobile driver's  
3 license holder of the use and retention period of the  
4 electronic data elements;

5 (2) the Secretary shall use a mobile driver's license  
6 system that is designed to maximize the privacy of the  
7 mobile driver's license holder in accordance with State  
8 and federal law and shall not track or compile information  
9 without the mobile driver's license holder's consent; and

10 (3) the Department shall only compile and disclose  
11 information regarding the use of a mobile driver's license  
12 as required by State or federal law.

13 (i-15)(1) A mobile driver's license holder shall be  
14 required to have the holder's physical driver's license on the  
15 holder's person for all purposes for which a driver's license  
16 is required. No person, public entity, private entity, or  
17 agency shall establish a policy that requires a mobile  
18 driver's license instead of a physical driver's license.

19 (2) A mobile driver's license system shall be designed so  
20 that there is no requirement for the mobile driver's license  
21 holder to display or relinquish possession of the mobile  
22 driver's license holder's mobile device to a relying party for  
23 the acceptance of a mobile driver's license. No relying party,  
24 including law enforcement, may take physical possession of a  
25 mobile driver's license holder's mobile device for purposes of  
26 verifying the mobile driver's license holder's identity.

1       (3) When required by law and upon request by law  
2 enforcement, a representative of a State or federal department  
3 or agency, or a private entity a mobile driver's license  
4 holder must provide the holder's physical driver's license and  
5 is subject to all applicable laws and consequences for failure  
6 to produce such a driver's license.

7       (4) Any law or regulation that requires an individual to  
8 surrender the individual's physical driver's license to law  
9 enforcement does not apply to the device on which a mobile  
10 driver's license been provisioned.

11       (j) The use ~~display~~ of a mobile driver's license shall not  
12 serve as consent or authorization for a law enforcement  
13 officer, or any other person, to search, view, or access any  
14 other data or application on the mobile device. ~~If a person~~  
15 ~~presents his or her mobile device to a law enforcement officer~~  
16 ~~for purposes of displaying a mobile driver's license, the law~~  
17 ~~enforcement officer shall promptly return the mobile device to~~  
18 ~~the person once the officer has had an opportunity to verify~~  
19 ~~the identity and license status of the person. Except for~~  
20 ~~willful and wanton misconduct, any law enforcement officer,~~  
21 ~~court, or officer of the court presented with the device shall~~  
22 ~~be immune from any liability resulting from damage to the~~  
23 ~~mobile device.~~

24       (k) (Blank). ~~The fee to install the application to~~  
25 ~~display a mobile driver's license as defined in this~~  
26 ~~subsection shall not exceed \$6.~~

1       (l) As used in this Section:

2       "AAMVA" means the American Association of Motor Vehicle  
3 Administrators.

4       "Data element" means a distinct component of a customer's  
5 information that is found on the Department's customer record.

6       "Department" means the Secretary of State Department of  
7 Driver Services.

8       Mobile driver's license" means a driver's license that  
9 resides on a mobile device or requires a mobile device as part  
10 of the process to gain access to the related information.  
11 Mobile driver's license" does not include a digital copy,  
12 photograph, or image of a driver's license that is not  
13 provisioned through a participating digital wallet provider.

14       "Mobile driver's license system" means a digital process  
15 that includes a method for provisioning a mobile driver's  
16 license, requesting and transmitting driver's license data  
17 elements, and performing tasks to maintain the system.

18       "Provision" means the initial loading of a driver's  
19 license onto a device.

20       "Relying party" means the entity to which the driver's  
21 license holder presents the holder's driver's license.

22       "Verification process" means a method of authenticating  
23 the mobile driver's license through the use of secured  
24 encryption communication.

25       (o) The Secretary of State shall adopt rules as are  
26 necessary to implement a mobile driver's license.

1 (Source: P.A. 102-982, eff. 7-1-23; 103-824, eff. 1-1-25.)

2 (625 ILCS 5/6-117.1)

3 Sec. 6-117.1. Prohibited use of driver's license  
4 information.

5 (a) When information is obtained from a driver's license  
6 to identify or prove the age of the holder of the license, or  
7 in the course of a commercial transaction, that information  
8 may be used only for purposes of identification of the  
9 individual or for completing the commercial transaction in  
10 which the information was obtained, including all subsequent  
11 payment, processing, collection, and other related actions and  
12 may not be maintained or stored for longer than what is  
13 strictly necessary for the purpose for which the information  
14 was provided. Information obtained from a driver's license may  
15 not be used for purposes unrelated to the transaction in which  
16 it was obtained, including, but not limited to, commercial  
17 solicitations. Information obtained from a driver's license to  
18 identify the holder of the license, or in the course of a  
19 commercial transaction, may not be sold, leased, or otherwise  
20 provided to any third party.

21 (b) Any individual whose driver's license information has  
22 been used in violation of this Section has a cause of action  
23 against the person who violated this Section. Upon a finding  
24 that a violation did occur, the individual whose information  
25 was used in violation of this Section is entitled to recover

1 actual damages, but not less than liquidated damages in the  
2 amount of \$250 for each violation, plus attorney's fees and  
3 the costs of bringing the action.

4 (c) Use of information contained on a driver's license is  
5 not a violation of this Section if (i) the individual whose  
6 information has been used gave express permission for that use  
7 or (ii) the information relating to the individual was  
8 obtained from a source other than the individual's driver's  
9 license.

10 (d) This Section does not apply to any agency of the United  
11 States, the State of Illinois, or any other state or political  
12 subdivision thereof.

13 (e) This Section does not apply to the transfer of  
14 information to a third party if (i) a federal or State law,  
15 rule, or regulation requires that the information be  
16 transferred to a third party after being recorded in specified  
17 transactions or (ii) the information is transferred to a third  
18 party for purposes of the detection or possible prosecution of  
19 criminal offenses or fraud. If information is transferred to a  
20 third party under this subsection (e), it may be used only for  
21 the purposes authorized by this subsection (e).

22 (f) This Section does not apply to the use of information  
23 obtained from a driver's license which has been provided by  
24 the holder of the license in the course of a potential or  
25 completed employment, commercial, business or professional  
26 transaction for the purpose of completing written documents

1 including, but not limited to, contracts, agreements, purchase  
2 orders, retail installment contracts, buyer's orders, purchase  
3 contracts, repair orders, applications, disclosure forms or  
4 waiver forms.

5 (g) As used in this Section, "driver's license" includes a  
6 mobile driver's license as that term is defined in subsection  
7 (1) of Section 6-101.

8 (Source: P.A. 94-892, eff. 1-1-07.)

9 Section 95. No acceleration or delay. Where this Act makes  
10 changes in a statute that is represented in this Act by text  
11 that is not yet or no longer in effect (for example, a Section  
12 represented by multiple versions), the use of that text does  
13 not accelerate or delay the taking effect of (i) the changes  
14 made by this Act or (ii) provisions derived from any other  
15 Public Act.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."