

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
5 changing Sections 2-112, 6-106.1, 6-109, 6-117, 6-301, 6-411,
6 6-521, 7-211, 7-503, 11-306, 11-307, 11-501.1, 11-703, and
7 11-1425 as follows:

8 (625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

9 Sec. 2-112. Distribution of synopsis laws.

10 (a) The Secretary of State may publish a synopsis or
11 summary of the laws of this State regulating the operation of
12 vehicles and may deliver a copy thereof without charge with
13 each original vehicle registration and with each original
14 driver's license.

15 (b) The Secretary of State shall make any necessary
16 revisions in its publications, including, but not limited to,
17 the Illinois Rules of the Road, to accurately conform its
18 publications to the provisions of the Pedestrians with
19 Disabilities Safety Act.

20 (c) The Secretary of State shall include, in the Illinois
21 Rules of the Road publication, information advising drivers of
22 the laws and best practices for safely sharing the roadway
23 with bicyclists and pedestrians, including, but not limited

1 to, information advising drivers to use the Dutch Reach method
2 when opening a vehicle door after parallel parking on a street
3 (checking the rear-view mirror, checking the side-view mirror,
4 then opening the door with the right hand, thereby reducing
5 the risk of injuring a bicyclist or opening the door in the
6 path a vehicle approaching from behind).

7 (d) The Secretary of State shall include, in the Illinois
8 Rules of the Road publication, information advising drivers to
9 use the zipper merge method when merging into a reduced number
10 of lanes (drivers in merging lanes are expected to use both
11 lanes to advance to the lane reduction point and merge at that
12 location, alternating turns).

13 (e) The Secretary of State, in consultation with the
14 Illinois State Police, shall include in the Illinois Rules of
15 the Road publication a description of law enforcement
16 procedures during traffic stops and the actions that a
17 motorist should take during a traffic stop, including
18 appropriate interactions with law enforcement officers.

19 (f) The Secretary of State shall include, in the Illinois
20 Rules of Road publication, information advising drivers on
21 best practices related to stranded motorists. This may
22 include, but is not limited to, how to safely pull the vehicle
23 out of traffic, activating hazard lights, when to remain in a
24 vehicle, how to safely exit a stranded vehicle, where to find a
25 safe place outside the stranded vehicle, and emergency numbers
26 to call for assistance.

1 (g) The Secretary of State shall include, in the Illinois
2 Rules of the Road publication, information pertaining to the
3 transportation of hazardous materials. The information shall
4 include an image and description that details the various
5 hazardous material placards used on vehicles that transport
6 hazardous materials.

7 (Source: P.A. 102-455, eff. 1-1-22; 103-249, eff. 1-1-24;
8 103-989, eff. 1-1-25.)

9 (625 ILCS 5/6-106.1)

10 Sec. 6-106.1. School bus driver permit.

11 (a) The Secretary of State shall issue a school bus driver
12 permit for the operation of first or second division vehicles
13 being operated as school buses or a permit valid only for the
14 operation of first division vehicles being operated as school
15 buses to those applicants who have met all the requirements of
16 the application and screening process under this Section to
17 insure the welfare and safety of children who are transported
18 on school buses throughout the State of Illinois. Applicants
19 shall obtain the proper application required by the Secretary
20 of State from their prospective or current employer and submit
21 the completed application to the prospective or current
22 employer along with the necessary fingerprint submission as
23 required by the Illinois State Police to conduct
24 fingerprint-based criminal background checks on current and
25 future information available in the State system and current

1 information available through the Federal Bureau of
2 Investigation's system. Applicants who have completed the
3 fingerprinting requirements shall not be subjected to the
4 fingerprinting process when applying for subsequent permits or
5 submitting proof of successful completion of the annual
6 refresher course. Individuals who on July 1, 1995 (the
7 effective date of Public Act 88-612) possess a valid school
8 bus driver permit that has been previously issued by the
9 appropriate Regional School Superintendent are not subject to
10 the fingerprinting provisions of this Section as long as the
11 permit remains valid and does not lapse. The applicant shall
12 be required to pay all related application and fingerprinting
13 fees as established by rule, including, but not limited to,
14 the amounts established by the Illinois State Police and the
15 Federal Bureau of Investigation to process fingerprint-based
16 criminal background investigations. All fees paid for
17 fingerprint processing services under this Section shall be
18 deposited into the State Police Services Fund for the cost
19 incurred in processing the fingerprint-based criminal
20 background investigations. All other fees paid under this
21 Section shall be deposited into the Road Fund for the purpose
22 of defraying the costs of the Secretary of State in
23 administering this Section. All applicants must:

- 24 1. be 21 years of age or older;
- 25 2. possess a valid and properly classified driver's
26 license issued by the Secretary of State;

1 3. possess a valid driver's license, which has not
2 been revoked, suspended, or canceled for 3 years
3 immediately prior to the date of application, or have not
4 had his or her commercial motor vehicle driving privileges
5 disqualified within the 3 years immediately prior to the
6 date of application;

7 4. unless the applicant holds a valid commercial
8 driver's license or a commercial driver's license that
9 expired in the preceding 30 days issued by another state
10 with a school bus and passenger endorsement, successfully
11 pass a first division or second division written test,
12 administered by the Secretary of State, on school bus
13 operation, school bus safety, and special traffic laws
14 relating to school buses and submit to a review of the
15 applicant's driving habits by the Secretary of State at
16 the time the written test is given. For purposes of this
17 paragraph, "state" means a state of the United States and
18 the District of Columbia;

19 5. demonstrate ability to exercise reasonable care in
20 the operation of school buses in accordance with rules
21 promulgated by the Secretary of State;

22 6. demonstrate physical fitness to operate school
23 buses by submitting the results of a medical examination,
24 including tests for drug use for each applicant not
25 subject to such testing pursuant to federal law, conducted
26 by a licensed physician, a licensed advanced practice

1 registered nurse, or a licensed physician assistant within
2 90 days of the date of application according to standards
3 promulgated by the Secretary of State;

4 7. affirm under penalties of perjury that he or she
5 has not made a false statement or knowingly concealed a
6 material fact in any application for permit;

7 8. have completed an initial classroom course,
8 including first aid procedures, in school bus driver
9 safety as promulgated by the Secretary of State and, after
10 satisfactory completion of said initial course, an annual
11 refresher course; such courses and the agency or
12 organization conducting such courses shall be approved by
13 the Secretary of State; failure to complete the annual
14 refresher course shall result in cancellation of the
15 permit until such course is completed;

16 9. not have been under an order of court supervision
17 for or convicted of 2 or more serious traffic offenses, as
18 defined by rule, within one year prior to the date of
19 application that may endanger the life or safety of any of
20 the driver's passengers within the duration of the permit
21 period;

22 10. not have been under an order of court supervision
23 for or convicted of reckless driving, aggravated reckless
24 driving, driving while under the influence of alcohol,
25 other drug or drugs, intoxicating compound or compounds or
26 any combination thereof, or reckless homicide resulting

1 from the operation of a motor vehicle within 3 years of the
2 date of application;

3 11. not have been convicted of committing or
4 attempting to commit any one or more of the following
5 offenses: (i) those offenses defined in Sections 8-1,
6 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
7 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
8 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
9 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
10 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
11 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
12 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
13 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
14 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
15 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
16 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
17 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
18 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
19 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,
20 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
21 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
22 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
23 of Section 24-3, and those offenses contained in Article
24 29D of the Criminal Code of 1961 or the Criminal Code of
25 2012; (ii) those offenses defined in the Cannabis Control
26 Act except those offenses defined in subsections (a) and

1 (b) of Section 4, and subsection (a) of Section 5 of the
2 Cannabis Control Act; (iii) those offenses defined in the
3 Illinois Controlled Substances Act; (iv) those offenses
4 defined in the Methamphetamine Control and Community
5 Protection Act; (v) any offense committed or attempted in
6 any other state or against the laws of the United States,
7 which if committed or attempted in this State would be
8 punishable as one or more of the foregoing offenses; (vi)
9 the offenses defined in Section 4.1 and 5.1 of the Wrongs
10 to Children Act or Section 11-9.1A of the Criminal Code of
11 1961 or the Criminal Code of 2012; (vii) those offenses
12 defined in Section 6-16 of the Liquor Control Act of 1934;
13 and (viii) those offenses defined in the Methamphetamine
14 Precursor Control Act;

15 12. not have been repeatedly involved as a driver in
16 motor vehicle collisions or been repeatedly convicted of
17 offenses against laws and ordinances regulating the
18 movement of traffic, to a degree which indicates lack of
19 ability to exercise ordinary and reasonable care in the
20 safe operation of a motor vehicle or disrespect for the
21 traffic laws and the safety of other persons upon the
22 highway;

23 13. not have, through the unlawful operation of a
24 motor vehicle, caused a crash resulting in the death of
25 any person;

26 14. not have, within the last 5 years, been adjudged

1 to be afflicted with or suffering from any mental
2 disability or disease;

3 15. consent, in writing, to the release of results of
4 reasonable suspicion drug and alcohol testing under
5 Section 6-106.1c of this Code by the employer of the
6 applicant to the Secretary of State; and

7 16. not have been convicted of committing or
8 attempting to commit within the last 20 years: (i) an
9 offense defined in subsection (c) of Section 4, subsection
10 (b) of Section 5, and subsection (a) of Section 8 of the
11 Cannabis Control Act; or (ii) any offenses in any other
12 state or against the laws of the United States that, if
13 committed or attempted in this State, would be punishable
14 as one or more of the foregoing offenses.

15 (a-5) If an applicant's driver's license has been
16 suspended within the 3 years immediately prior to the date of
17 application for the sole reason of failure to pay child
18 support, that suspension shall not bar the applicant from
19 receiving a school bus driver permit.

20 (a-10) By January 1, 2024, the Secretary of State, in
21 conjunction with the Illinois State Board of Education, shall
22 develop a separate classroom course and refresher course for
23 operation of vehicles of the first division being operated as
24 school buses. Regional superintendents of schools, working
25 with the Illinois State Board of Education, shall offer the
26 course.

1 (b) A school bus driver permit shall be valid for a period
2 specified by the Secretary of State as set forth by rule. It
3 shall be renewable upon compliance with subsection (a) of this
4 Section.

5 (c) A school bus driver permit shall contain the holder's
6 driver's license number, legal name, residence address, zip
7 code, and date of birth, a brief description of the holder, and
8 a space for signature. The Secretary of State may require a
9 suitable photograph of the holder.

10 (d) The employer shall be responsible for conducting a
11 pre-employment interview with prospective school bus driver
12 candidates, distributing school bus driver applications and
13 medical forms to be completed by the applicant, and submitting
14 the applicant's fingerprint cards to the Illinois State Police
15 that are required for the criminal background investigations.
16 The employer shall certify in writing to the Secretary of
17 State that all pre-employment conditions have been
18 successfully completed including the successful completion of
19 an Illinois specific criminal background investigation through
20 the Illinois State Police and the submission of necessary
21 fingerprints to the Federal Bureau of Investigation for
22 criminal history information available through the Federal
23 Bureau of Investigation system. The applicant shall present
24 the certification to the Secretary of State at the time of
25 submitting the school bus driver permit application.

26 (e) Permits shall initially be provisional upon receiving

1 certification from the employer that all pre-employment
2 conditions have been successfully completed, and upon
3 successful completion of all training and examination
4 requirements for the classification of the vehicle to be
5 operated, the Secretary of State shall provisionally issue a
6 School Bus Driver Permit. The permit shall remain in a
7 provisional status pending the completion of the Federal
8 Bureau of Investigation's criminal background investigation
9 based upon fingerprinting specimens submitted to the Federal
10 Bureau of Investigation by the Illinois State Police. The
11 Federal Bureau of Investigation shall report the findings
12 directly to the Secretary of State. The Secretary of State
13 shall remove the bus driver permit from provisional status
14 upon the applicant's successful completion of the Federal
15 Bureau of Investigation's criminal background investigation.

16 (f) A school bus driver permit holder shall notify the
17 employer and the Secretary of State if he or she is issued an
18 order of court supervision for or convicted in another state
19 of an offense that would make him or her ineligible for a
20 permit under subsection (a) of this Section. The written
21 notification shall be made within 5 days of the entry of the
22 order of court supervision or conviction. Failure of the
23 permit holder to provide the notification is punishable as a
24 petty offense for a first violation and a Class B misdemeanor
25 for a second or subsequent violation.

26 (g) Cancellation; suspension; notice and procedure.

1 (1) The Secretary of State shall cancel a school bus
2 driver permit of an applicant whose criminal background
3 investigation discloses that he or she is not in
4 compliance with the provisions of subsection (a) of this
5 Section.

6 (2) The Secretary of State shall cancel a school bus
7 driver permit when he or she receives notice that the
8 permit holder fails to comply with any provision of this
9 Section or any rule promulgated for the administration of
10 this Section.

11 (3) The Secretary of State shall cancel a school bus
12 driver permit if the permit holder's restricted commercial
13 or commercial driving privileges are withdrawn or
14 otherwise invalidated.

15 (4) The Secretary of State may not issue a school bus
16 driver permit for a period of 3 years to an applicant who
17 fails to obtain a negative result on a drug test as
18 required in item 6 of subsection (a) of this Section or
19 under federal law.

20 (5) The Secretary of State shall forthwith suspend a
21 school bus driver permit for a period of 3 years upon
22 receiving notice that the holder has failed to obtain a
23 negative result on a drug test as required in item 6 of
24 subsection (a) of this Section or under federal law.

25 (6) The Secretary of State shall suspend a school bus
26 driver permit for a period of 3 years upon receiving

1 notice from the employer that the holder failed to perform
2 the inspection procedure set forth in subsection (a) or
3 (b) of Section 12-816 of this Code.

4 (7) The Secretary of State shall suspend a school bus
5 driver permit for a period of 3 years upon receiving
6 notice from the employer that the holder refused to submit
7 to an alcohol or drug test as required by Section 6-106.1c
8 or has submitted to a test required by that Section which
9 disclosed an alcohol concentration of more than 0.00 or
10 disclosed a positive result on a National Institute on
11 Drug Abuse five-drug panel, utilizing federal standards
12 set forth in 49 CFR 40.87.

13 The Secretary of State shall notify the State
14 Superintendent of Education and the permit holder's
15 prospective or current employer that the applicant (1) has
16 failed a criminal background investigation or (2) is no longer
17 eligible for a school bus driver permit; and of the related
18 cancellation of the applicant's provisional school bus driver
19 permit. The cancellation shall remain in effect pending the
20 outcome of a hearing pursuant to Section 2-118 of this Code.
21 The scope of the hearing shall be limited to the issuance
22 criteria contained in subsection (a) of this Section. A
23 petition requesting a hearing shall be submitted to the
24 Secretary of State and shall contain the reason the individual
25 feels he or she is entitled to a school bus driver permit. The
26 permit holder's employer shall notify in writing to the

1 Secretary of State that the employer has certified the removal
2 of the offending school bus driver from service prior to the
3 start of that school bus driver's next work shift. An
4 employing school board that fails to remove the offending
5 school bus driver from service is subject to the penalties
6 defined in Section 3-14.23 of the School Code. A school bus
7 contractor who violates a provision of this Section is subject
8 to the penalties defined in Section 6-106.11.

9 All valid school bus driver permits issued under this
10 Section prior to January 1, 1995, shall remain effective until
11 their expiration date unless otherwise invalidated.

12 (h) When a school bus driver permit holder who is a service
13 member is called to active duty, the employer of the permit
14 holder shall notify the Secretary of State, within 30 days of
15 notification from the permit holder, that the permit holder
16 has been called to active duty. Upon notification pursuant to
17 this subsection, (i) the Secretary of State shall characterize
18 the permit as inactive until a permit holder renews the permit
19 as provided in subsection (i) of this Section, and (ii) if a
20 permit holder fails to comply with the requirements of this
21 Section while called to active duty, the Secretary of State
22 shall not characterize the permit as invalid.

23 (i) A school bus driver permit holder who is a service
24 member returning from active duty must, within 90 days, renew
25 a permit characterized as inactive pursuant to subsection (h)
26 of this Section by complying with the renewal requirements of

1 subsection (b) of this Section.

2 (j) For purposes of subsections (h) and (i) of this
3 Section:

4 "Active duty" means active duty pursuant to an executive
5 order of the President of the United States, an act of the
6 Congress of the United States, or an order of the Governor.

7 "Service member" means a member of the Armed Services or
8 reserve forces of the United States or a member of the Illinois
9 National Guard.

10 (k) A private carrier employer of a school bus driver
11 permit holder, having satisfied the employer requirements of
12 this Section, shall be held to a standard of ordinary care for
13 intentional acts committed in the course of employment by the
14 bus driver permit holder. This subsection (k) shall in no way
15 limit the liability of the private carrier employer for
16 violation of any provision of this Section or for the
17 negligent hiring or retention of a school bus driver permit
18 holder.

19 (Source: P.A. 102-168, eff. 7-27-21; 102-299, eff. 8-6-21;
20 102-538, eff. 8-20-21; 102-726, eff. 1-1-23; 102-813, eff.
21 5-13-22; 102-982, eff. 7-1-23; 102-1130, eff. 7-1-23; 103-605,
22 eff. 7-1-24; 103-825, eff. 1-1-25.)

23 (625 ILCS 5/6-109)

24 Sec. 6-109. Examination of applicants.

25 (a) The Secretary of State shall examine every applicant

1 for a driver's license or permit who has not been previously
2 licensed as a driver under the laws of this State or any other
3 state or country, or any applicant for renewal of such
4 driver's license or permit when such license or permit has
5 been expired for more than one year. The Secretary of State
6 shall, subject to the provisions of paragraph (c), examine
7 every licensed driver at least every 8 years, and may examine
8 or re-examine any other applicant or licensed driver, provided
9 that during the years 1984 through 1991 those drivers issued a
10 license for 3 years may be re-examined not less than every 7
11 years or more than every 10 years.

12 The Secretary of State shall require the testing of the
13 eyesight of any driver's license or permit applicant who has
14 not been previously licensed as a driver under the laws of this
15 State and shall promulgate rules and regulations to provide
16 for the orderly administration of all the provisions of this
17 Section.

18 The Secretary of State shall include at least one test
19 question that concerns the provisions of the Pedestrians with
20 Disabilities Safety Act in the question pool used for the
21 written portion of the driver's license examination within one
22 year after July 22, 2010 (the effective date of Public Act
23 96-1167).

24 The Secretary of State shall include, in the question pool
25 used for the written portion of the driver's license
26 examination, test questions concerning safe driving in the

1 presence of bicycles, of which one may be concerning the Dutch
2 Reach method as described in Section 2-112.

3 The Secretary of State shall include, in the question pool
4 used for the written portion of the driver's license
5 examination, at least one test question concerning driver
6 responsibilities when approaching a stationary emergency
7 vehicle as described in Section 11-907. If an applicant gives
8 an incorrect response to a test question concerning subsection
9 (c) of Section 11-907, Section 11-907.5, or subsection (a-1)
10 of Section 11-908, then the Secretary of State shall provide
11 the applicant with information concerning those Sections.

12 (b) Except as provided for those applicants in paragraph
13 (c), such examination shall include a test of the applicant's
14 eyesight, his or her ability to read and understand official
15 traffic control devices, his or her knowledge of safe driving
16 practices and the traffic laws of this State, and may include
17 an actual demonstration of the applicant's ability to exercise
18 ordinary and reasonable control of the operation of a motor
19 vehicle, and such further physical and mental examination as
20 the Secretary of State finds necessary to determine the
21 applicant's fitness to operate a motor vehicle safely on the
22 highways, except the examination of an applicant 75 years of
23 age or older or, if the Secretary adopts rules under Section 37
24 of the Secretary of State Act to raise the age requirement for
25 actual demonstrations, the examination of an applicant who has
26 attained that increased age or is older shall include an

1 actual demonstration of the applicant's ability to exercise
2 ordinary and reasonable control of the operation of a motor
3 vehicle. All portions of written and verbal examinations under
4 this Section, excepting where the English language appears on
5 facsimiles of road signs, may be given in the Spanish language
6 and, at the discretion of the Secretary of State, in any other
7 language as well as in English upon request of the examinee.
8 Deaf persons who are otherwise qualified are not prohibited
9 from being issued a license, other than a commercial driver's
10 license, under this Code. The examination to test an
11 applicant's ability to read and understand official traffic
12 control devices and knowledge of safe driving practices and
13 the traffic laws of this State may be administered at a
14 Secretary of State facility, remotely via the Internet, or in
15 a manner otherwise specified by the Secretary of State by
16 administrative rule.

17 (c) Re-examination for those applicants who at the time of
18 renewing their driver's license possess a driving record
19 devoid of any convictions of traffic violations or evidence of
20 committing an offense for which mandatory revocation would be
21 required upon conviction pursuant to Section 6-205 at the time
22 of renewal shall be in a manner prescribed by the Secretary in
23 order to determine an applicant's ability to safely operate a
24 motor vehicle, except that every applicant for the renewal of
25 a driver's license who is 75 years of age or older or, if the
26 Secretary adopts rules under Section 37 of the Secretary of

1 State Act to raise the age requirement for actual
2 demonstrations, every applicant for the renewal of a driver's
3 license who has attained that increased age or is older must
4 prove, by an actual demonstration, the applicant's ability to
5 exercise reasonable care in the safe operation of a motor
6 vehicle.

7 (d) In the event the applicant is not ineligible under the
8 provisions of Section 6-103 to receive a driver's license, the
9 Secretary of State shall make provision for giving an
10 examination, either in the county where the applicant resides
11 or at a place adjacent thereto reasonably convenient to the
12 applicant, within not more than 30 days from the date said
13 application is received.

14 (e) The Secretary of State may adopt rules regarding the
15 use of foreign language interpreters during the application
16 and examination process.

17 (Source: P.A. 103-140, eff. 6-30-23; 103-680, eff. 1-1-25.)

18 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

19 Sec. 6-117. Records to be kept by the Secretary of State.

20 (a) The Secretary of State shall file every application
21 for a license or permit accepted under this Chapter, and shall
22 maintain suitable indexes thereof. The records of the
23 Secretary of State shall indicate the action taken with
24 respect to such applications.

25 (b) The Secretary of State shall maintain appropriate

1 records of all licenses and permits refused, cancelled,
2 disqualified, revoked, or suspended and of the revocation,
3 suspension, and disqualification of driving privileges of
4 persons not licensed under this Chapter, and such records
5 shall note the reasons for such action.

6 (c) The Secretary of State shall maintain appropriate
7 records of convictions reported under this Chapter. Records of
8 conviction may be maintained in a computer processible medium.

9 (d) The Secretary of State may also maintain appropriate
10 records of any crash reports received.

11 (e) The Secretary of State shall also maintain appropriate
12 records of any disposition of supervision or records relative
13 to a driver's referral to a driver remedial or rehabilitative
14 program, as required by the Secretary of State or the courts.
15 Such records shall only be available for use by the Secretary,
16 the driver licensing administrator of any other state, law
17 enforcement agencies, the courts, and the affected driver or,
18 upon proper verification, such affected driver's attorney.

19 (f) The Secretary of State shall also maintain or contract
20 to maintain appropriate records of all photographs and
21 signatures obtained in the process of issuing any driver's
22 license, permit, or identification card. The record shall be
23 confidential and shall not be disclosed except to those
24 entities listed under Section 6-110.1 of this Code.

25 (g) The Secretary of State may establish a First Person
26 Consent organ and tissue donor registry in compliance with

1 subsection (b-1) of Section 5-20 of the Illinois Anatomical
2 Gift Act, as follows:

3 (1) The Secretary shall offer, to each applicant for
4 issuance or renewal of a driver's license or
5 identification card who is 16 years of age or older, the
6 opportunity to have his or her name included in the First
7 Person Consent organ and tissue donor registry. The
8 Secretary must advise the applicant or licensee that he or
9 she is under no compulsion to have his or her name included
10 in the registry. An individual who agrees to having his or
11 her name included in the First Person Consent organ and
12 tissue donor registry has given full legal consent to the
13 donation of any of his or her organs or tissue upon his or
14 her death. A brochure explaining this method of executing
15 an anatomical gift must be given to each applicant for
16 issuance or renewal of a driver's license or
17 identification card. The brochure must advise the
18 applicant or licensee (i) that he or she is under no
19 compulsion to have his or her name included in this
20 registry and (ii) that he or she may wish to consult with
21 family, friends, or clergy before doing so.

22 (2) The Secretary of State may establish additional
23 methods by which an individual may have his or her name
24 included in the First Person Consent organ and tissue
25 donor registry.

26 (3) When an individual has agreed to have his or her

1 name included in the First Person Consent organ and tissue
2 donor registry, the Secretary of State shall note that
3 agreement in the First Person consent organ and tissue
4 donor registry. Representatives of federally designated
5 organ procurement agencies and tissue banks and the
6 offices of Illinois county coroners and medical examiners
7 may inquire of the Secretary of State whether a potential
8 organ donor's name is included in the First Person Consent
9 organ and tissue donor registry, and the Secretary of
10 State may provide that information to the representative.

11 (4) An individual may withdraw his or her consent to
12 be listed in the First Person Consent organ and tissue
13 donor registry maintained by the Secretary of State by
14 notifying the Secretary of State in writing, or by any
15 other means approved by the Secretary, of the individual's
16 decision to have his or her name removed from the
17 registry.

18 (5) The Secretary of State may undertake additional
19 efforts, including education and awareness activities, to
20 promote organ and tissue donation.

21 (6) In the absence of gross negligence or willful
22 misconduct, the Secretary of State and his or her
23 employees are immune from any civil or criminal liability
24 in connection with an individual's consent to be listed in
25 the organ and tissue donor registry.

26 (h) The Secretary of State may destroy a driving record

1 created 20 or more years ago for a person who was convicted of
2 an offense and who did not have an Illinois driver's license if
3 the record no longer contains any convictions or withdrawal of
4 driving privileges due to the convictions.

5 (Source: P.A. 102-982, eff. 7-1-23.)

6 (625 ILCS 5/6-301) (from Ch. 95 1/2, par. 6-301)

7 Sec. 6-301. Unlawful use of license or permit.

8 (a) It is a violation of this Section for any person:

9 1. To display or cause to be displayed or have in his
10 possession any cancelled, revoked or suspended license or
11 permit;

12 2. To lend his license or permit to any other person or
13 knowingly allow the use thereof by another;

14 3. To display or represent as his own any license or
15 permit issued to another;

16 4. To fail or refuse to surrender to the Secretary of
17 State or his agent or any peace officer upon his lawful
18 demand, any license or permit, which has been suspended,
19 revoked, or cancelled;

20 5. To allow any unlawful use of a license or permit
21 issued to him;

22 6. To submit to an examination or to obtain the
23 services of another person to submit to an examination for
24 the purpose of obtaining a drivers license or permit for
25 some other person. For purposes of this subsection,

1 "submit to an examination" includes providing answers to
2 the person taking the examination, whether those answers
3 are provided in-person or remotely, via any electronic
4 device, including, but not limited to, microphones and
5 cell phones.

6 (b) Sentence.

7 1. Any person convicted of a violation of this Section
8 shall be guilty of a Class A misdemeanor and shall be
9 sentenced to a minimum fine of \$500 or 50 hours of
10 community service, preferably at an alcohol abuse
11 prevention program, if available.

12 2. Any person convicted of a second or subsequent
13 violation of this Section shall be guilty of a Class 4
14 felony.

15 3. In addition to any other sentence imposed under
16 paragraph 1 or 2 of this subsection (b), a person
17 convicted of a violation of paragraph 6 of subsection (a)
18 shall be imprisoned for not less than 7 days.

19 (c) This Section does not prohibit any lawfully authorized
20 investigative, protective, law enforcement or other activity
21 of any agency of the United States, State of Illinois or any
22 other state or political subdivision thereof.

23 (d) This Section does not apply to licenses and permits
24 invalidated under Section 6-301.3 of this Code.

25 (Source: P.A. 92-647, eff. 1-1-03; 92-883, eff. 1-13-03.)

1 (625 ILCS 5/6-411) (from Ch. 95 1/2, par. 6-411)

2 Sec. 6-411. Qualifications of Driver Training Instructors.
3 In order to qualify for a license as an instructor for a
4 driving school, an applicant must:

5 (a) Be of good moral character;

6 (b) Authorize an investigation to include a
7 fingerprint based background check to determine if the
8 applicant has ever been convicted of a crime and if so, the
9 disposition of those convictions; this authorization shall
10 indicate the scope of the inquiry and the agencies which
11 may be contacted. Upon this authorization the Secretary of
12 State may request and receive information and assistance
13 from any federal, state, or local governmental agency as
14 part of the authorized investigation. Each applicant shall
15 submit his or her fingerprints to the Illinois State
16 Police in the form and manner prescribed by the Illinois
17 State Police. These fingerprints shall be checked against
18 the fingerprint records now and hereafter filed in the
19 Illinois State Police and Federal Bureau of Investigation
20 criminal history records databases. The Illinois State
21 Police shall charge a fee for conducting the criminal
22 history records check, which shall be deposited in the
23 State Police Services Fund and shall not exceed the actual
24 cost of the records check. The applicant shall be required
25 to pay all related fingerprint fees, including, but not
26 limited to, the amounts established by the Illinois State

1 Police and the Federal Bureau of Investigation to process
2 fingerprint based criminal background investigations. The
3 Illinois State Police shall provide information concerning
4 any criminal convictions, and their disposition, brought
5 against the applicant upon request of the Secretary of
6 State when the request is made in the form and manner
7 required by the Illinois State Police. Unless otherwise
8 prohibited by law, the information derived from this
9 investigation, including the source of this information,
10 and any conclusions or recommendations derived from this
11 information by the Secretary of State shall be provided to
12 the applicant, or his designee, upon request to the
13 Secretary of State, prior to any final action by the
14 Secretary of State on the application. At any
15 administrative hearing held under Section 2-118 of this
16 Code relating to the denial, cancellation, suspension, or
17 revocation of a driver training school license, the
18 Secretary of State is authorized to utilize at that
19 hearing any criminal histories, criminal convictions, and
20 disposition information obtained under this Section. Any
21 criminal convictions and their disposition information
22 obtained by the Secretary of State shall be confidential
23 and may not be transmitted outside the Office of the
24 Secretary of State, except as required herein, and may not
25 be transmitted to anyone within the Office of the
26 Secretary of State except as needed for the purpose of

1 evaluating the applicant. The information obtained from
2 this investigation may be maintained by the Secretary of
3 State or any agency to which such information was
4 transmitted. Only information and standards which bear a
5 reasonable and rational relation to the performance of a
6 driver training instructor shall be used by the Secretary
7 of State. Any employee of the Secretary of State who gives
8 or causes to be given away any confidential information
9 concerning any criminal charges and their disposition of
10 an applicant shall be guilty of a Class A misdemeanor
11 unless release of such information is authorized by this
12 Section;

13 (c) Pass such examination as the Secretary of State
14 shall require on (1) traffic laws, (2) safe driving
15 practices, (3) operation of motor vehicles, and (4)
16 qualifications of teacher;

17 (d) Be physically able to operate safely a motor
18 vehicle and to train others in the operation of motor
19 vehicles. An instructors license application must be
20 accompanied by a medical examination report completed by a
21 competent medical examiner as defined in Section 6-901 of
22 this Code ~~physician licensed to practice in the State of~~
23 ~~Illinois;~~

24 (e) Hold a valid Illinois drivers license;

25 (f) Have graduated from an accredited high school
26 after at least 4 years of high school education or the

1 equivalent; and

2 (g) Pay to the Secretary of State an application and
3 license fee of \$70.

4 If a driver training school class room instructor teaches
5 an approved driver education course, as defined in Section
6 1-103 of this Code, to students under 18 years of age, he or
7 she shall furnish to the Secretary of State a certificate
8 issued by the State Board of Education that the said
9 instructor is qualified and meets the minimum educational
10 standards for teaching driver education courses in the local
11 public or parochial school systems, except that no State Board
12 of Education certification shall be required of any instructor
13 who teaches exclusively in a commercial driving school. On and
14 after July 1, 1986, the existing rules and regulations of the
15 State Board of Education concerning commercial driving schools
16 shall continue to remain in effect but shall be administered
17 by the Secretary of State until such time as the Secretary of
18 State shall amend or repeal the rules in accordance with the
19 Illinois Administrative Procedure Act. Upon request, the
20 Secretary of State shall issue a certificate of completion to
21 a student under 18 years of age who has completed an approved
22 driver education course at a commercial driving school.

23 (Source: P.A. 102-538, eff. 8-20-21.)

24 (625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

25 Sec. 6-521. Rulemaking Authority.

1 (a) The Secretary of State, using the authority to license
2 motor vehicle operators under this Code, may adopt such rules
3 and regulations as may be necessary to establish standards,
4 policies, and procedures for the licensing and sanctioning of
5 commercial motor vehicle drivers in order to meet the
6 requirements of the Commercial Motor Vehicle Act of 1986
7 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part
8 383 or Part 1572; and administrative and policy decisions of
9 the U.S. Secretary of Transportation and the Federal Motor
10 Carrier Safety Administration. The Secretary may, as provided
11 in the CMVSA, establish stricter requirements for the
12 licensing of commercial motor vehicle drivers than those
13 established by the federal government.

14 (b) By January 1, 1994, the Secretary of State shall
15 establish rules and regulations for the issuance of a
16 restricted commercial driver's license for farm-related
17 service industries consistent with federal guidelines. The
18 restricted license shall be available for a seasonal period or
19 periods not to exceed a total of 210 ~~180~~ days in any 12-month
20 ~~12-month~~ period.

21 (c) (Blank).

22 (d) By July 1, 1995, the Secretary of State shall
23 establish rules and regulations for the issuance and
24 cancellation of a School Bus Driver's Permit. The permit shall
25 be required for the operation of a school bus as provided in
26 subsection (c), a non-restricted CDL with passenger

1 endorsement, or a properly classified driver's license. The
2 permit will establish that the school bus driver has met all
3 the requirements of the application and screening process
4 established by Section 6-106.1 of this Code.

5 (Source: P.A. 98-726, eff. 1-1-15.)

6 (625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

7 Sec. 7-211. Duration of suspension.

8 (a) Unless a suspension is terminated under other
9 provisions of this Code, the driver's license or registration
10 and nonresident's operating privilege suspended as provided in
11 Section 7-205 shall remain suspended and shall not be renewed
12 nor shall any license or registration be issued to the person
13 until:

14 1. The person deposits or there shall be deposited and
15 filed on the person's behalf the security required under
16 Section 7-201;

17 2. (Blank) ~~Two years have elapsed following the date~~
18 ~~the driver's license and registrations were suspended and~~
19 ~~evidence satisfactory to the Secretary of State that~~
20 ~~during the period no action for damages arising out of a~~
21 ~~motor vehicle crash has been properly filed;~~

22 3. Receipt of proper notice that the person has filed
23 bankruptcy which would include all claims for personal
24 injury and property damage resulting from the crash;

25 4. (Blank) ~~After the expiration of 5 years from the~~

1 ~~date of the crash, the Secretary of State has not received~~
2 ~~documentation that any action at law for damages arising~~
3 ~~out of the motor vehicle crash has been filed against the~~
4 ~~person; or~~

5 5. The applicable statute of limitations has expired
6 and the person seeking reinstatement provides evidence
7 satisfactory to the Secretary of State that, during the
8 statute of limitations period, no action for damages
9 arising out of a motor vehicle crash has been properly
10 filed.

11 An affidavit that no action at law for damages arising out
12 of the motor vehicle crash has been filed against the
13 applicant, or if filed that it is not still pending shall be
14 prima facie evidence of that fact. The Secretary of State may
15 take whatever steps are necessary to verify the statement set
16 forth in the applicant's affidavit.

17 (b) The driver's license or registration and nonresident's
18 operating privileges suspended as provided in Section 7-205
19 shall also remain suspended and shall not be renewed nor shall
20 any license or registration be issued to the person until the
21 person gives proof of his or her financial responsibility in
22 the future as provided in Section 1-164.5. The proof is to be
23 maintained by the person in a manner satisfactory to the
24 Secretary of State for a period of 3 years after the date the
25 proof is first filed.

26 (Source: P.A. 102-52, eff. 1-1-22; 102-982, eff. 7-1-23.)

1 (625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

2 Sec. 7-503. Unclaimed Security Deposits. During July,
3 annually, the Secretary shall compile a list of all securities
4 on deposit, pursuant to this Article, for one year since the
5 expiration of the applicable statute of limitations ~~more than~~
6 ~~3 years~~ and concerning which he has received no notice as to
7 the pendency of any judicial proceeding that could affect the
8 disposition thereof. Thereupon, he shall promptly send a
9 notice to the last known address of each depositor advising
10 him that his deposit will be subject to escheat to the State of
11 Illinois if not claimed within 30 days after the mailing date
12 of such notice. At the expiration of such time, the Secretary
13 of State shall file with the State Treasurer an order
14 directing the transfer of such deposit to the general revenue
15 fund in the State Treasury. Upon receipt of such order, the
16 State Treasurer shall make such transfer, after converting to
17 cash any other type of security. Thereafter any person having
18 a legal claim against such deposit may enforce it by
19 appropriate proceedings in the Court of Claims subject to the
20 limitations prescribed for such Court. At the expiration of
21 such limitation period such deposit shall escheat to the State
22 of Illinois.

23 (Source: P.A. 94-239, eff. 1-1-06.)

24 (625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

1 Sec. 11-306. Traffic-control signal legend. Whenever
2 traffic is controlled by traffic-control signals exhibiting
3 different colored lights or color lighted arrows, successively
4 one at a time or in combination, only the colors green, red,
5 and yellow shall be used, except for special pedestrian
6 signals carrying a word legend, and the lights shall indicate
7 and apply to drivers of vehicles, bicyclists, and pedestrians
8 as follows:

9 (a) Green indication.

10 1. Vehicular traffic facing a circular green signal
11 may proceed straight through or turn right or left unless
12 a sign at such place prohibits either such turn. Vehicular
13 traffic, including vehicles turning right or left, shall
14 yield the right of way to other vehicles, to bicyclists,
15 and to pedestrians lawfully within the intersection or an
16 adjacent crosswalk at the time such signal is exhibited.

17 2. Vehicular traffic facing a green arrow signal,
18 shown alone or in combination with another indication, may
19 cautiously enter the intersection only to make the
20 movement indicated by such arrow, or such other movement
21 as is permitted by other indications shown at the same
22 time. Such vehicular traffic shall yield the right of way
23 to bicyclists and pedestrians lawfully within an adjacent
24 crosswalk and to other traffic lawfully using the
25 intersection.

26 3. Unless otherwise directed by a pedestrian-control

1 signal, as provided in Section 11-307, pedestrians or
2 bicyclists facing any green signal, except when the sole
3 green signal is a turn arrow, may proceed across the
4 roadway within any marked or unmarked crosswalk.

5 (b) Steady yellow indication.

6 1. Vehicular traffic facing a steady circular yellow
7 or yellow arrow signal is thereby warned that the related
8 green movement is being terminated or that a red
9 indication will be exhibited immediately thereafter.

10 2. Pedestrians facing a steady circular yellow or
11 yellow arrow signal, unless otherwise directed by a
12 pedestrian-control signal as provided in Section 11-307,
13 are thereby advised that there is insufficient time to
14 cross the roadway before a red indication is shown and no
15 pedestrian shall then start to cross the roadway.

16 (b-5) Flashing yellow arrow indication.

17 1. Vehicular traffic facing a flashing yellow arrow
18 indication may cautiously enter the intersection only to
19 make the movement indicated by the arrow and shall yield
20 the right-of-way to other vehicles and pedestrians
21 lawfully within the intersection or an adjacent crosswalk
22 at the time the signal is exhibited.

23 2. Pedestrians facing a flashing yellow arrow
24 indication, unless otherwise directed by a
25 pedestrian-control signal as provided in Section 11-307,
26 may proceed across the roadway within any marked or

1 unmarked crosswalk that crosses the lane or lanes used to
2 depart the intersection by traffic controlled by the
3 flashing yellow arrow indication. Pedestrians shall yield
4 the right-of-way to vehicles lawfully within the
5 intersection at the time that the flashing yellow signal
6 indication is first displayed.

7 (c) Steady red indication.

8 1. Except as provided in paragraphs 3 and 3.5 of this
9 subsection (c), vehicular traffic facing a steady circular
10 red signal alone shall stop at a clearly marked stop line,
11 but if there is no such stop line, before entering the
12 crosswalk on the near side of the intersection, or if
13 there is no such crosswalk, then before entering the
14 intersection, and shall remain standing until an
15 indication to proceed is shown.

16 2. Except as provided in paragraphs 3 and 3.5 of this
17 subsection (c), vehicular traffic facing a steady red
18 arrow signal shall not enter the intersection to make the
19 movement indicated by the arrow and, unless entering the
20 intersection to make a movement permitted by another
21 signal, shall stop at a clearly marked stop line, but if
22 there is no such stop line, before entering the crosswalk
23 on the near side of the intersection, or if there is no
24 such crosswalk, then before entering the intersection, and
25 shall remain standing until an indication permitting the
26 movement indicated by such red arrow is shown.

1 3. Except when a sign is in place prohibiting a turn
2 and local authorities by ordinance or State authorities by
3 rule or regulation prohibit any such turn, vehicular
4 traffic facing any steady red signal may cautiously enter
5 the intersection to turn right, or to turn left from a
6 one-way street into a one-way street, after stopping as
7 required by paragraph 1 or paragraph 2 of this subsection.
8 After stopping, the driver shall yield the right of way to
9 any vehicle in the intersection or approaching on another
10 roadway so closely as to constitute an immediate hazard
11 during the time such driver is moving across or within the
12 intersection or junction or roadways. Such driver shall
13 yield the right of way to pedestrians or bicyclists within
14 the intersection or an adjacent crosswalk.

15 3.5. ~~The In municipalities with less than 2,000,000~~
16 ~~inhabitants, after stopping as required by paragraph 1 or~~
17 ~~2 of this subsection, the driver of a motorcycle or~~
18 bicycle, facing a steady red signal which fails to change
19 to a green signal within a reasonable period of time not
20 less than 120 seconds because of a signal malfunction or
21 because the signal has failed to detect the arrival of the
22 motorcycle or bicycle due to the vehicle's size or weight,
23 shall have the right to proceed, after yielding the right
24 of way to oncoming traffic facing a green signal, subject
25 to the rules applicable after making a stop at a stop sign
26 as required by Section 11-1204 of this Code.

1 4. Unless otherwise directed by a pedestrian-control
2 signal as provided in Section 11-307, pedestrians facing a
3 steady circular red or red arrow signal alone shall not
4 enter the roadway.

5 (d) In the event an official traffic control signal is
6 erected and maintained at a place other than an intersection,
7 the provisions of this Section shall be applicable except as
8 to provisions which by their nature can have no application.
9 Any stop required shall be at a traffic sign or a marking on
10 the pavement indicating where the stop shall be made or, in the
11 absence of such sign or marking, the stop shall be made at the
12 signal.

13 (e) The motorman of any streetcar shall obey the above
14 signals as applicable to vehicles.

15 (f) If an official traffic control signal is erected and
16 maintained as a dedicated signal for bicyclists, that signal
17 shall take precedence for bicyclists over other signals
18 outlined in this Section.

19 (Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12;
20 98-798, eff. 7-31-14.)

21 (625 ILCS 5/11-307) (from Ch. 95 1/2, par. 11-307)

22 Sec. 11-307. Pedestrian-control signals. Whenever special
23 pedestrian-control signals exhibiting the words "Walk" or
24 "Don't Walk" or the illuminated symbols of a walking person or
25 an upraised palm are in place such signals shall indicate as

1 follows:

2 (a) Walk or walking person symbol. Pedestrians facing such
3 signal may proceed across the roadway in the direction of the
4 signal, and shall be given the right of way by the drivers of
5 all vehicles. Bicyclists may proceed across the roadway in the
6 direction of the signal, shall be given the right of way by the
7 drivers of all vehicles, and shall yield the right of way to
8 all pedestrians.

9 (b) Don't Walk or upraised palm symbol. No pedestrian or
10 bicyclist shall start to cross the roadway in the direction of
11 such signal, but any pedestrian or bicyclist who has partly
12 completed his crossing on the Walk signal or walking person
13 symbol shall proceed to a sidewalk or safety island while the
14 "Don't Walk" signal or upraised palm symbol is illuminated,
15 steady, or flashing.

16 (Source: P.A. 81-553.)

17 (625 ILCS 5/11-501.1)

18 Sec. 11-501.1. Suspension of drivers license; statutory
19 summary alcohol, other drug or drugs, or intoxicating compound
20 or compounds related suspension or revocation; implied
21 consent.

22 (a) Any person who drives or is in actual physical control
23 of a motor vehicle upon the public highways of this State shall
24 be deemed to have given consent, subject to the provisions of
25 Section 11-501.2, to a chemical test or tests of blood,

1 breath, other bodily substance, or urine for the purpose of
2 determining the content of alcohol, other drug or drugs, or
3 intoxicating compound or compounds or any combination thereof
4 in the person's blood if arrested, as evidenced by the
5 issuance of a Uniform Traffic Ticket, for any offense as
6 defined in Section 11-501 or a similar provision of a local
7 ordinance, or if arrested for violating Section 11-401. If a
8 law enforcement officer has probable cause to believe the
9 person was under the influence of alcohol, other drug or
10 drugs, intoxicating compound or compounds, or any combination
11 thereof, the law enforcement officer shall request a chemical
12 test or tests which shall be administered at the direction of
13 the arresting officer. The law enforcement agency employing
14 the officer shall designate which of the aforesaid tests shall
15 be administered. Up to 2 additional tests of urine or other
16 bodily substance may be administered even after a blood or
17 breath test or both has been administered. For purposes of
18 this Section, an Illinois law enforcement officer of this
19 State who is investigating the person for any offense defined
20 in Section 11-501 may travel into an adjoining state, where
21 the person has been transported for medical care, to complete
22 an investigation and to request that the person submit to the
23 test or tests set forth in this Section. The requirements of
24 this Section that the person be arrested are inapplicable, but
25 the officer shall issue the person a Uniform Traffic Ticket
26 for an offense as defined in Section 11-501 or a similar

1 provision of a local ordinance prior to requesting that the
2 person submit to the test or tests. The issuance of the Uniform
3 Traffic Ticket shall not constitute an arrest, but shall be
4 for the purpose of notifying the person that he or she is
5 subject to the provisions of this Section and of the officer's
6 belief of the existence of probable cause to arrest. Upon
7 returning to this State, the officer shall file the Uniform
8 Traffic Ticket with the Circuit Clerk of the county where the
9 offense was committed, and shall seek the issuance of an
10 arrest warrant or a summons for the person.

11 (a-5) (Blank).

12 (b) Any person who is dead, unconscious, or who is
13 otherwise in a condition rendering the person incapable of
14 refusal, shall be deemed not to have withdrawn the consent
15 provided by paragraph (a) of this Section and the test or tests
16 may be administered, subject to the provisions of Section
17 11-501.2.

18 (c) A person requested to submit to a test as provided
19 above shall be warned by the law enforcement officer
20 requesting the test that a refusal to submit to the test will
21 result in the statutory summary suspension of the person's
22 privilege to operate a motor vehicle, as provided in Section
23 6-208.1 of this Code, and will also result in the
24 disqualification of the person's privilege to operate a
25 commercial motor vehicle, as provided in Section 6-514 of this
26 Code, if the person is a CDL holder. The person shall also be

1 warned that a refusal to submit to the test, when the person
2 was involved in a motor vehicle crash that caused personal
3 injury or death to another, will result in the statutory
4 summary revocation of the person's privilege to operate a
5 motor vehicle, as provided in Section 6-208.1, and will also
6 result in the disqualification of the person's privilege to
7 operate a commercial motor vehicle, as provided in Section
8 6-514 of this Code, if the person is a CDL holder. The person
9 shall also be warned by the law enforcement officer that if the
10 person submits to the test or tests provided in paragraph (a)
11 of this Section and the alcohol concentration in the person's
12 blood, other bodily substance, or breath is 0.08 or greater,
13 or testing discloses the presence of cannabis as listed in the
14 Cannabis Control Act with a tetrahydrocannabinol concentration
15 as defined in paragraph 6 of subsection (a) of Section
16 11-501.2 of this Code, or any amount of a drug, substance, or
17 compound resulting from the unlawful use or consumption of a
18 controlled substance listed in the Illinois Controlled
19 Substances Act, an intoxicating compound listed in the Use of
20 Intoxicating Compounds Act, or methamphetamine as listed in
21 the Methamphetamine Control and Community Protection Act is
22 detected in the person's blood, other bodily substance or
23 urine, a statutory summary suspension of the person's
24 privilege to operate a motor vehicle, as provided in Sections
25 6-208.1 and 11-501.1 of this Code, will be imposed. If the
26 person is also a CDL holder, he or she shall be warned by the

1 law enforcement officer that if the person submits to the test
2 or tests provided in paragraph (a) of this Section and the
3 alcohol concentration in the person's blood, other bodily
4 substance, or breath is 0.08 or greater, or any amount of a
5 drug, substance, or compound resulting from the unlawful use
6 or consumption of cannabis as covered by the Cannabis Control
7 Act, a controlled substance listed in the Illinois Controlled
8 Substances Act, an intoxicating compound listed in the Use of
9 Intoxicating Compounds Act, or methamphetamine as listed in
10 the Methamphetamine Control and Community Protection Act is
11 detected in the person's blood, other bodily substance, or
12 urine, a disqualification of the person's privilege to operate
13 a commercial motor vehicle, as provided in Section 6-514 of
14 this Code, will be imposed.

15 A person who is under the age of 21 at the time the person
16 is requested to submit to a test as provided above shall, in
17 addition to the warnings provided for in this Section, be
18 further warned by the law enforcement officer requesting the
19 test that if the person submits to the test or tests provided
20 in paragraph (a) of this Section and the alcohol concentration
21 in the person's blood, other bodily substance, or breath is
22 greater than 0.00 and less than 0.08, a suspension of the
23 person's privilege to operate a motor vehicle, as provided
24 under Sections 6-208.2 and 11-501.8 of this Code, will be
25 imposed. The results of this test shall be admissible in a
26 civil or criminal action or proceeding arising from an arrest

1 for an offense as defined in Section 11-501 of this Code or a
2 similar provision of a local ordinance or pursuant to Section
3 11-501.4 in prosecutions for reckless homicide brought under
4 the Criminal Code of 1961 or the Criminal Code of 2012. These
5 test results, however, shall be admissible only in actions or
6 proceedings directly related to the incident upon which the
7 test request was made.

8 A person requested to submit to a test shall also
9 acknowledge, in writing, receipt of the warning required under
10 this Section. If the person refuses to acknowledge receipt of
11 the warning, the law enforcement officer shall make a written
12 notation on the warning that the person refused to sign the
13 warning. A person's refusal to sign the warning shall not be
14 evidence that the person was not read the warning.

15 (d) If the person refuses testing or submits to a test that
16 discloses an alcohol concentration of 0.08 or more, or testing
17 discloses the presence of cannabis as listed in the Cannabis
18 Control Act with a tetrahydrocannabinol concentration as
19 defined in paragraph 6 of subsection (a) of Section 11-501.2
20 of this Code, or any amount of a drug, substance, or
21 intoxicating compound in the person's breath, blood, other
22 bodily substance, or urine resulting from the unlawful use or
23 consumption of a controlled substance listed in the Illinois
24 Controlled Substances Act, an intoxicating compound listed in
25 the Use of Intoxicating Compounds Act, or methamphetamine as
26 listed in the Methamphetamine Control and Community Protection

1 Act, the law enforcement officer shall immediately submit a
2 sworn report to the circuit court of venue and the Secretary of
3 State, certifying that the test or tests was or were requested
4 under paragraph (a) and the person refused to submit to a test,
5 or tests, or submitted to testing that disclosed an alcohol
6 concentration of 0.08 or more, testing discloses the presence
7 of cannabis as listed in the Cannabis Control Act with a
8 tetrahydrocannabinol concentration as defined in paragraph 6
9 of subsection (a) of Section 11-501.2 of this Code, or any
10 amount of a drug, substance, or intoxicating compound in the
11 person's breath, blood, other bodily substance, or urine
12 resulting from the unlawful use or consumption of a controlled
13 substance listed in the Illinois Controlled Substances Act, an
14 intoxicating compound listed in the Use of Intoxicating
15 Compounds Act, or methamphetamine as listed in the
16 Methamphetamine Control and Community Protection Act. If the
17 person is also a CDL holder and refuses testing or submits to a
18 test that discloses an alcohol concentration of 0.08 or more,
19 or any amount of a drug, substance, or intoxicating compound
20 in the person's breath, blood, other bodily substance, or
21 urine resulting from the unlawful use or consumption of
22 cannabis listed in the Cannabis Control Act, a controlled
23 substance listed in the Illinois Controlled Substances Act, an
24 intoxicating compound listed in the Use of Intoxicating
25 Compounds Act, or methamphetamine as listed in the
26 Methamphetamine Control and Community Protection Act, the law

1 enforcement officer shall also immediately submit a sworn
2 report to the circuit court of venue and the Secretary of
3 State, certifying that the test or tests was or were requested
4 under paragraph (a) and the person refused to submit to a test,
5 or tests, or submitted to testing that disclosed an alcohol
6 concentration of 0.08 or more, or any amount of a drug,
7 substance, or intoxicating compound in the person's breath,
8 blood, other bodily substance, or urine resulting from the
9 unlawful use or consumption of cannabis listed in the Cannabis
10 Control Act, a controlled substance listed in the Illinois
11 Controlled Substances Act, an intoxicating compound listed in
12 the Use of Intoxicating Compounds Act, or methamphetamine as
13 listed in the Methamphetamine Control and Community Protection
14 Act.

15 (e) Upon receipt of the sworn report of a law enforcement
16 officer submitted under paragraph (d), the Secretary of State
17 shall enter the statutory summary suspension or revocation and
18 disqualification for the periods specified in Sections 6-208.1
19 and 6-514, respectively, and effective as provided in
20 paragraph (g).

21 If the person is a first offender as defined in Section
22 11-500 of this Code, and is not convicted of a violation of
23 Section 11-501 of this Code or a similar provision of a local
24 ordinance, then reports received by the Secretary of State
25 under this Section shall, except during the actual time the
26 Statutory Summary Suspension is in effect, be privileged

1 information and for use only by the courts, police officers,
2 prosecuting authorities or the Secretary of State, unless the
3 person is a CDL holder, is operating a commercial motor
4 vehicle or vehicle required to be placarded for hazardous
5 materials, in which case the suspension shall not be
6 privileged. Reports received by the Secretary of State under
7 this Section shall also be made available to the parent or
8 guardian of a person under the age of 18 years that holds an
9 instruction permit or a graduated driver's license, regardless
10 of whether the statutory summary suspension is in effect. A
11 statutory summary revocation shall not be privileged
12 information.

13 (f) The law enforcement officer submitting the sworn
14 report under paragraph (d) shall serve immediate notice of the
15 statutory summary suspension or revocation on the person and
16 the suspension or revocation and disqualification shall be
17 effective as provided in paragraph (g).

18 (1) In cases involving a person who is not a CDL holder
19 where the blood alcohol concentration of 0.08 or greater
20 or any amount of a drug, substance, or compound resulting
21 from the unlawful use or consumption of a controlled
22 substance listed in the Illinois Controlled Substances
23 Act, an intoxicating compound listed in the Use of
24 Intoxicating Compounds Act, or methamphetamine as listed
25 in the Methamphetamine Control and Community Protection
26 Act is established by a subsequent analysis of blood,

1 other bodily substance, or urine or analysis of whole
2 blood or other bodily substance establishes a
3 tetrahydrocannabinol concentration as defined in paragraph
4 6 of subsection (a) of Section 11-501.2 of this Code,
5 collected at the time of arrest, the arresting officer or
6 arresting agency shall give notice as provided in this
7 Section or by deposit in the United States mail of the
8 notice in an envelope with postage prepaid and addressed
9 to the person at his or her address as shown on the Uniform
10 Traffic Ticket and the statutory summary suspension shall
11 begin as provided in paragraph (g).

12 (1.3) In cases involving a person who is a CDL holder
13 where the blood alcohol concentration of 0.08 or greater
14 or any amount of a drug, substance, or compound resulting
15 from the unlawful use or consumption of cannabis as
16 covered by the Cannabis Control Act, a controlled
17 substance listed in the Illinois Controlled Substances
18 Act, an intoxicating compound listed in the Use of
19 Intoxicating Compounds Act, or methamphetamine as listed
20 in the Methamphetamine Control and Community Protection
21 Act is established by a subsequent analysis of blood,
22 other bodily substance, or urine collected at the time of
23 arrest, the arresting officer or arresting agency shall
24 give notice as provided in this Section or by deposit in
25 the United States mail of the notice in an envelope with
26 postage prepaid and addressed to the person at his or her

1 address as shown on the Uniform Traffic Ticket and the
2 statutory summary suspension and disqualification shall
3 begin as provided in paragraph (g).

4 (1.5) The officer shall confiscate any Illinois
5 driver's license or permit on the person at the time of
6 arrest. If the person has a valid driver's license or
7 permit, the officer shall issue the person a receipt, in a
8 form prescribed by the Secretary of State, that will allow
9 that person to drive during the periods provided for in
10 paragraph (g). The officer shall immediately forward the
11 driver's license or permit to the Secretary of State
12 ~~circuit court of venue~~ along with the sworn report
13 provided for in paragraph (d).

14 (2) (Blank).

15 (g) The statutory summary suspension or revocation and
16 disqualification referred to in this Section shall take effect
17 on the 46th day following the date the notice of the statutory
18 summary suspension or revocation was given to the person.

19 (h) The following procedure shall apply whenever a person
20 is arrested for any offense as defined in Section 11-501 or a
21 similar provision of a local ordinance:

22 Upon receipt of the sworn report from the law enforcement
23 officer, the Secretary of State shall confirm the statutory
24 summary suspension or revocation by mailing a notice of the
25 effective date of the suspension or revocation to the person
26 and the court of venue. The Secretary of State shall also mail

1 notice of the effective date of the disqualification to the
2 person. However, should the sworn report be defective by not
3 containing sufficient information or be completed in error,
4 the confirmation of the statutory summary suspension or
5 revocation shall not be mailed to the person or entered to the
6 record; instead, the sworn report shall be forwarded to the
7 court of venue with a copy returned to the issuing agency
8 identifying any defect.

9 (i) As used in this Section, "personal injury" includes
10 any Type A injury as indicated on the traffic crash report
11 completed by a law enforcement officer that requires immediate
12 professional attention in either a doctor's office or a
13 medical facility. A Type A injury includes severely bleeding
14 wounds, distorted extremities, and injuries that require the
15 injured party to be carried from the scene.

16 (Source: P.A. 102-982, eff. 7-1-23.)

17 (625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

18 Sec. 11-703. Overtaking a vehicle on the left. The
19 following rules govern the overtaking and passing of vehicles
20 proceeding in the same direction, subject to those
21 limitations, exceptions, and special rules otherwise stated in
22 this Chapter:

23 (a) The driver of a vehicle overtaking another vehicle
24 proceeding in the same direction shall pass to the left
25 thereof at a safe distance and shall not again drive to the

1 right side of the roadway until safely clear of the
2 overtaken vehicle. In no event shall such movement be made
3 by driving off the pavement or the main traveled portion
4 of the roadway.

5 (b) Except when overtaking and passing on the right is
6 permitted, the driver of an overtaken vehicle shall give
7 way to the right in favor of the overtaking vehicle on
8 audible signal and shall not increase the speed of his
9 vehicle until completely passed by the overtaking vehicle.

10 (c) The driver of a 2 wheeled vehicle may not, in
11 passing upon the left of any vehicle proceeding in the
12 same direction, pass upon the right of any vehicle
13 proceeding in the same direction unless there is an
14 unobstructed lane of traffic available to permit such
15 passing maneuver safely.

16 (d) The operator of a motor vehicle overtaking a
17 bicycle or individual proceeding in the same direction on
18 a highway shall:

19 (1) if another lane of traffic proceeding in the
20 same direction is available, make a lane change into
21 another available lane with due regard for safety and
22 traffic conditions, if practicable and not prohibited
23 by law, before overtaking or passing the bicycle or
24 individual; and

25 (2) leave a safe distance, but not less than 3
26 feet, when passing the bicycle or individual and shall

1 maintain that distance until safely past the overtaken
2 bicycle or individual.

3 (d-5) A driver of a motor vehicle overtaking a bicycle
4 proceeding in the same direction on a highway may, subject
5 to the provisions in paragraph (d) of this Section and
6 Section 11-706 of this Code, pass to the left of the
7 bicycle on a portion of the highway designated as a
8 no-passing zone under Section 11-707 of this Code if the
9 driver is able to overtake and pass the bicycle when:

10 (1) the bicycle is traveling at a speed of less
11 than half of the posted speed limit of the highway;

12 (2) the driver is able to overtake and pass the
13 bicycle without exceeding the posted speed limit of
14 the highway; and

15 (3) there is sufficient distance to the left of
16 the centerline of the highway for the motor vehicle to
17 meet the overtaking and passing requirements under
18 this Section.

19 (e) A person driving a motor vehicle shall not, in a
20 reckless manner, drive the motor vehicle unnecessarily
21 close to, toward, or near a bicyclist, pedestrian, or a
22 person riding a horse or driving an animal drawn vehicle.

23 (f) Every person convicted of paragraph (e) of this
24 Section shall be guilty of a Class A misdemeanor if the
25 violation does not result in great bodily harm or
26 permanent disability or disfigurement to another. If the

1 violation results in great bodily harm or permanent
2 disability or disfigurement to another, the person shall
3 be guilty of a Class 3 felony.

4 (Source: P.A. 100-359, eff. 1-1-18.)

5 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

6 Sec. 11-1425. Stop when traffic obstructed.

7 (a) No driver shall enter an intersection or a marked
8 crosswalk or drive onto any railroad grade crossing unless
9 there is sufficient space on the other side of the
10 intersection, crosswalk or railroad grade crossing to
11 accommodate the vehicle he is operating without obstructing
12 the passage of other vehicles, pedestrians, or railroad trains
13 notwithstanding any traffic-control signal indication to
14 proceed.

15 (b) No driver shall enter a highway rail grade crossing
16 unless there is sufficient space on the other side of the
17 highway rail grade crossing to accommodate the vehicle being
18 operated without obstructing the passage of a train or other
19 railroad equipment using the rails, notwithstanding any
20 traffic-control signal indication to proceed.

21 (b-5) No driver operating a commercial motor vehicle, as
22 defined in Section 6-500 of this Code, shall enter a highway
23 rail grade crossing unless there is sufficient space on the
24 other side of the highway rail grade crossing to accommodate
25 the vehicle being operated without obstructing the passage of

1 a train or other railroad equipment using the rails,
2 notwithstanding any traffic-control signal indication to
3 proceed.

4 (c) (Blank).

5 (d) Beginning with the effective date of this amendatory
6 Act of the 95th General Assembly, the Secretary of State shall
7 suspend for a period of one month the driving privileges of any
8 person convicted of a violation of subsection (b) or (b-5) of
9 this Section or a similar provision of a local ordinance; the
10 Secretary shall suspend for a period of 3 months the driving
11 privileges of any person convicted of a second or subsequent
12 violation of subsection (b) or (b-5) of this Section or a
13 similar provision of a local ordinance if the second or
14 subsequent violation occurs within 5 years of a prior
15 conviction for the same offense. In addition to the
16 suspensions authorized by this Section, any person convicted
17 of violating subsection (b) or (b-5) of this Section or a
18 similar provision of a local ordinance shall be subject to a
19 mandatory fine of \$500 or 50 hours of community service. Any
20 person given a disposition of court supervision for violating
21 subsection (b) or (b-5) of this Section or a similar provision
22 of a local ordinance shall also be subject to a mandatory fine
23 of \$500 or 50 hours of community service. Upon a second or
24 subsequent violation, in addition to the suspensions
25 authorized by this Section, the person shall be subject to a
26 mandatory fine of \$500 and 50 hours community service. The

1 Secretary may also grant, for the duration of any suspension
2 issued under this subsection, a restricted driving permit
3 granting the privilege of driving a motor vehicle between the
4 driver's residence and place of employment or within other
5 proper limits that the Secretary of State shall find necessary
6 to avoid any undue hardship. A restricted driving permit
7 issued hereunder shall be subject to cancellation, revocation,l
8 and suspension by the Secretary of State in like manner and for
9 like cause as a driver's license may be cancelled, revoked,l or
10 suspended; except that a conviction upon one or more offenses
11 against laws or ordinances regulating the movement of traffic
12 shall be deemed sufficient cause for the revocation,
13 suspension,l or cancellation of the restricted driving permit.
14 The Secretary of State may, as a condition to the issuance of a
15 restricted driving permit, require the applicant to
16 participate in a designated driver remedial or rehabilitative
17 program. Any conviction for a violation of this subsection
18 shall be included as an offense for the purposes of
19 determining suspension action under any other provision of
20 this Code, provided however, that the penalties provided under
21 this subsection shall be imposed unless those penalties
22 imposed under other applicable provisions are greater.

23 (Source: P.A. 103-179, eff. 6-30-23.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.