



Rep. Edgar González, Jr.

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10400HB2983ham002

LRB104 08654 JDS 25181 a

1 AMENDMENT TO HOUSE BILL 2983

2 AMENDMENT NO. _____. Amend House Bill 2983 by replacing
3 everything after the enacting clause with the following:

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,

1 the Illinois Rules of the Road, to accurately conform its
2 publications to the provisions of the Pedestrians with
3 Disabilities Safety Act.

4 (c) The Secretary of State shall include, in the Illinois
5 Rules of the Road publication, information advising drivers of
6 the laws and best practices for safely sharing the roadway
7 with bicyclists and pedestrians, including, but not limited
8 to, information advising drivers to use the Dutch Reach method
9 when opening a vehicle door after parallel parking on a street
10 (checking the rear-view mirror, checking the side-view mirror,
11 then opening the door with the right hand, thereby reducing
12 the risk of injuring a bicyclist or opening the door in the
13 path a vehicle approaching from behind).

14 (d) The Secretary of State shall include, in the Illinois
15 Rules of the Road publication, information advising drivers to
16 use the zipper merge method when merging into a reduced number
17 of lanes (drivers in merging lanes are expected to use both
18 lanes to advance to the lane reduction point and merge at that
19 location, alternating turns).

20 (e) The Secretary of State, in consultation with the
21 Illinois State Police, shall include in the Illinois Rules of
22 the Road publication a description of law enforcement
23 procedures during traffic stops and the actions that a
24 motorist should take during a traffic stop, including
25 appropriate interactions with law enforcement officers.

26 (f) The Secretary of State shall include, in the Illinois

1 Rules of Road publication, information advising drivers on
2 best practices related to stranded motorists. This may
3 include, but is not limited to, how to safely pull the vehicle
4 out of traffic, activating hazard lights, when to remain in a
5 vehicle, how to safely exit a stranded vehicle, where to find a
6 safe place outside the stranded vehicle, and emergency numbers
7 to call for assistance.

8 (g) The Secretary of State shall include, in the Illinois
9 Rules of the Road publication, information pertaining to the
10 transportation of hazardous materials. The information shall
11 include an image and description that details the various
12 hazardous material placards used on vehicles that transport
13 hazardous materials.

14 (Source: P.A. 102-455, eff. 1-1-22; 103-249, eff. 1-1-24;
15 103-989, eff. 1-1-25.)

16 (625 ILCS 5/6-106.1)

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

18 (a) The Secretary of State shall issue a school bus driver
19 permit for the operation of first or second division vehicles
20 being operated as school buses or a permit valid only for the
21 operation of first division vehicles being operated as school
22 buses to those applicants who have met all the requirements of
23 the application and screening process under this Section to
24 insure the welfare and safety of children who are transported
25 on school buses throughout the State of Illinois. Applicants

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

1 background investigations. All other fees paid under this
2 Section shall be deposited into the Road Fund for the purpose
3 of defraying the costs of the Secretary of State in
4 administering this Section. All applicants must:

5 1. be 21 years of age or older;

6 2. possess a valid and properly classified driver's
7 license issued by the Secretary of State;

8 3. possess a valid driver's license, which has not
9 been revoked, suspended, or canceled for 3 years
10 immediately prior to the date of application, or have not
11 had his or her commercial motor vehicle driving privileges
12 disqualified within the 3 years immediately prior to the
13 date of application;

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

26 5. demonstrate ability to exercise reasonable care in

1 the operation of school buses in accordance with rules
2 promulgated by the Secretary of State;

3 6. demonstrate physical fitness to operate school
4 buses by submitting the results of a medical examination,
5 including tests for drug use for each applicant not
6 subject to such testing pursuant to federal law, conducted
7 by a licensed physician, a licensed advanced practice
8 registered nurse, or a licensed physician assistant within
9 90 days of the date of application according to standards
10 promulgated by the Secretary of State;

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

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

23 9. not have been under an order of court supervision
24 for or convicted of 2 or more serious traffic offenses, as
25 defined by rule, within one year prior to the date of
26 application that may endanger the life or safety of any of

1 the driver's passengers within the duration of the permit
2 period;

3 10. not have been under an order of court supervision
4 for or convicted of reckless driving, aggravated reckless
5 driving, driving while under the influence of alcohol,
6 other drug or drugs, intoxicating compound or compounds or
7 any combination thereof, or reckless homicide resulting
8 from the operation of a motor vehicle within 3 years of the
9 date of application;

10 11. not have been convicted of committing or
11 attempting to commit any one or more of the following
12 offenses: (i) those offenses defined in Sections 8-1,
13 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
14 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
15 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
16 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
17 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
18 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
19 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
20 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
21 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
22 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
23 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
24 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
25 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
26 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,

1 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
2 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
3 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
4 of Section 24-3, and those offenses contained in Article
5 29D of the Criminal Code of 1961 or the Criminal Code of
6 2012; (ii) those offenses defined in the Cannabis Control
7 Act except those offenses defined in subsections (a) and
8 (b) of Section 4, and subsection (a) of Section 5 of the
9 Cannabis Control Act; (iii) those offenses defined in the
10 Illinois Controlled Substances Act; (iv) those offenses
11 defined in the Methamphetamine Control and Community
12 Protection Act; (v) any offense committed or attempted in
13 any other state or against the laws of the United States,
14 which if committed or attempted in this State would be
15 punishable as one or more of the foregoing offenses; (vi)
16 the offenses defined in Section 4.1 and 5.1 of the Wrongs
17 to Children Act or Section 11-9.1A of the Criminal Code of
18 1961 or the Criminal Code of 2012; (vii) those offenses
19 defined in Section 6-16 of the Liquor Control Act of 1934;
20 and (viii) those offenses defined in the Methamphetamine
21 Precursor Control Act;

22 12. not have been repeatedly involved as a driver in
23 motor vehicle collisions or been repeatedly convicted of
24 offenses against laws and ordinances regulating the
25 movement of traffic, to a degree which indicates lack of
26 ability to exercise ordinary and reasonable care in the

1 safe operation of a motor vehicle or disrespect for the
2 traffic laws and the safety of other persons upon the
3 highway;

4 13. not have, through the unlawful operation of a
5 motor vehicle, caused a crash resulting in the death of
6 any person;

7 14. not have, within the last 5 years, been adjudged
8 to be afflicted with or suffering from any mental
9 disability or disease;

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

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

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

1 (a-10) By January 1, 2024, the Secretary of State, in
2 conjunction with the Illinois State Board of Education, shall
3 develop a separate classroom course and refresher course for
4 operation of vehicles of the first division being operated as
5 school buses. Regional superintendents of schools, working
6 with the Illinois State Board of Education, shall offer the
7 course.

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

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

17 (d) The employer shall be responsible for conducting a
18 pre-employment interview with prospective school bus driver
19 candidates, distributing school bus driver applications and
20 medical forms to be completed by the applicant, and submitting
21 the applicant's fingerprint cards to the Illinois State Police
22 that are required for the criminal background investigations.
23 The employer shall certify in writing to the Secretary of
24 State that all pre-employment conditions have been
25 successfully completed including the successful completion of
26 an Illinois specific criminal background investigation through

1 the Illinois State Police and the submission of necessary
2 fingerprints to the Federal Bureau of Investigation for
3 criminal history information available through the Federal
4 Bureau of Investigation system. The applicant shall present
5 the certification to the Secretary of State at the time of
6 submitting the school bus driver permit application.

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

23 (f) A school bus driver permit holder shall notify the
24 employer and the Secretary of State if he or she is issued an
25 order of court supervision for or convicted in another state
26 of an offense that would make him or her ineligible for a

1 permit under subsection (a) of this Section. The written
2 notification shall be made within 5 days of the entry of the
3 order of court supervision or conviction. Failure of the
4 permit holder to provide the notification is punishable as a
5 petty offense for a first violation and a Class B misdemeanor
6 for a second or subsequent violation.

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

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

13 (2) The Secretary of State shall cancel a school bus
14 driver permit when he or she receives notice that the
15 permit holder fails to comply with any provision of this
16 Section or any rule promulgated for the administration of
17 this Section.

18 (3) The Secretary of State shall cancel a school bus
19 driver permit if the permit holder's restricted commercial
20 or commercial driving privileges are withdrawn or
21 otherwise invalidated.

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

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

6 (6) The Secretary of State shall suspend a school bus
7 driver permit for a period of 3 years upon receiving
8 notice from the employer that the holder failed to perform
9 the inspection procedure set forth in subsection (a) or
10 (b) of Section 12-816 of this Code.

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

20 The Secretary of State shall notify the State
21 Superintendent of Education and the permit holder's
22 prospective or current employer that the applicant (1) has
23 failed a criminal background investigation or (2) is no longer
24 eligible for a school bus driver permit; and of the related
25 cancellation of the applicant's provisional school bus driver
26 permit. The cancellation shall remain in effect pending the

1 outcome of a hearing pursuant to Section 2-118 of this Code.
2 The scope of the hearing shall be limited to the issuance
3 criteria contained in subsection (a) of this Section. A
4 petition requesting a hearing shall be submitted to the
5 Secretary of State and shall contain the reason the individual
6 feels he or she is entitled to a school bus driver permit. The
7 permit holder's employer shall notify in writing to the
8 Secretary of State that the employer has certified the removal
9 of the offending school bus driver from service prior to the
10 start of that school bus driver's next work shift. An
11 employing school board that fails to remove the offending
12 school bus driver from service is subject to the penalties
13 defined in Section 3-14.23 of the School Code. A school bus
14 contractor who violates a provision of this Section is subject
15 to the penalties defined in Section 6-106.11.

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

19 (h) When a school bus driver permit holder who is a service
20 member is called to active duty, the employer of the permit
21 holder shall notify the Secretary of State, within 30 days of
22 notification from the permit holder, that the permit holder
23 has been called to active duty. Upon notification pursuant to
24 this subsection, (i) the Secretary of State shall characterize
25 the permit as inactive until a permit holder renews the permit
26 as provided in subsection (i) of this Section, and (ii) if a

1 permit holder fails to comply with the requirements of this
2 Section while called to active duty, the Secretary of State
3 shall not characterize the permit as invalid.

4 (i) A school bus driver permit holder who is a service
5 member returning from active duty must, within 90 days, renew
6 a permit characterized as inactive pursuant to subsection (h)
7 of this Section by complying with the renewal requirements of
8 subsection (b) of this Section.

9 (j) For purposes of subsections (h) and (i) of this
10 Section:

11 "Active duty" means active duty pursuant to an executive
12 order of the President of the United States, an act of the
13 Congress of the United States, or an order of the Governor.

14 "Service member" means a member of the Armed Services or
15 reserve forces of the United States or a member of the Illinois
16 National Guard.

17 (k) A private carrier employer of a school bus driver
18 permit holder, having satisfied the employer requirements of
19 this Section, shall be held to a standard of ordinary care for
20 intentional acts committed in the course of employment by the
21 bus driver permit holder. This subsection (k) shall in no way
22 limit the liability of the private carrier employer for
23 violation of any provision of this Section or for the
24 negligent hiring or retention of a school bus driver permit
25 holder.

26 (Source: P.A. 102-168, eff. 7-27-21; 102-299, eff. 8-6-21;

1 102-538, eff. 8-20-21; 102-726, eff. 1-1-23; 102-813, eff.
2 5-13-22; 102-982, eff. 7-1-23; 102-1130, eff. 7-1-23; 103-605,
3 eff. 7-1-24; 103-825, eff. 1-1-25.)

4 (625 ILCS 5/6-109)

5 Sec. 6-109. Examination of applicants.

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

18 The Secretary of State shall require the testing of the
19 eyesight of any driver's license or permit applicant who has
20 not been previously licensed as a driver under the laws of this
21 State and shall promulgate rules and regulations to provide
22 for the orderly administration of all the provisions of this
23 Section.

24 The Secretary of State shall include at least one test
25 question that concerns the provisions of the Pedestrians with

1 Disabilities Safety Act in the question pool used for the
2 written portion of the driver's license examination within one
3 year after July 22, 2010 (the effective date of Public Act
4 96-1167).

5 The Secretary of State shall include, in the question pool
6 used for the written portion of the driver's license
7 examination, test questions concerning safe driving in the
8 presence of bicycles, of which one may be concerning the Dutch
9 Reach method as described in Section 2-112.

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

19 (b) Except as provided for those applicants in paragraph
20 (c), such examination shall include a test of the applicant's
21 eyesight, his or her ability to read and understand official
22 traffic control devices, his or her knowledge of safe driving
23 practices and the traffic laws of this State, and may include
24 an actual demonstration of the applicant's ability to exercise
25 ordinary and reasonable control of the operation of a motor
26 vehicle, and such further physical and mental examination as

1 the Secretary of State finds necessary to determine the
2 applicant's fitness to operate a motor vehicle safely on the
3 highways, except the examination of an applicant 75 years of
4 age or older or, if the Secretary adopts rules under Section 37
5 of the Secretary of State Act to raise the age requirement for
6 actual demonstrations, the examination of an applicant who has
7 attained that increased age or is older shall include an
8 actual demonstration of the applicant's ability to exercise
9 ordinary and reasonable control of the operation of a motor
10 vehicle. All portions of written and verbal examinations under
11 this Section, excepting where the English language appears on
12 facsimiles of road signs, may be given in the Spanish language
13 and, at the discretion of the Secretary of State, in any other
14 language as well as in English upon request of the examinee.
15 Deaf persons who are otherwise qualified are not prohibited
16 from being issued a license, other than a commercial driver's
17 license, under this Code. The examination to test an
18 applicant's ability to read and understand official traffic
19 control devices and knowledge of safe driving practices and
20 the traffic laws of this State may be administered at a
21 Secretary of State facility, remotely via the Internet, or in
22 a manner otherwise specified by the Secretary of State by
23 administrative rule.

24 (c) Re-examination for those applicants who at the time of
25 renewing their driver's license possess a driving record
26 devoid of any convictions of traffic violations or evidence of

1 committing an offense for which mandatory revocation would be
2 required upon conviction pursuant to Section 6-205 at the time
3 of renewal shall be in a manner prescribed by the Secretary in
4 order to determine an applicant's ability to safely operate a
5 motor vehicle, except that every applicant for the renewal of
6 a driver's license who is 75 years of age or older or, if the
7 Secretary adopts rules under Section 37 of the Secretary of
8 State Act to raise the age requirement for actual
9 demonstrations, every applicant for the renewal of a driver's
10 license who has attained that increased age or is older must
11 prove, by an actual demonstration, the applicant's ability to
12 exercise reasonable care in the safe operation of a motor
13 vehicle.

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

21 (e) The Secretary of State may adopt rules regarding the
22 use of foreign language interpreters during the application
23 and examination process.

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

25 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

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

2 (a) The Secretary of State shall file every application
3 for a license or permit accepted under this Chapter, and shall
4 maintain suitable indexes thereof. The records of the
5 Secretary of State shall indicate the action taken with
6 respect to such applications.

7 (b) The Secretary of State shall maintain appropriate
8 records of all licenses and permits refused, cancelled,
9 disqualified, revoked, or suspended and of the revocation,
10 suspension, and disqualification of driving privileges of
11 persons not licensed under this Chapter, and such records
12 shall note the reasons for such action.

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

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

18 (e) The Secretary of State shall also maintain appropriate
19 records of any disposition of supervision or records relative
20 to a driver's referral to a driver remedial or rehabilitative
21 program, as required by the Secretary of State or the courts.
22 Such records shall only be available for use by the Secretary,
23 the driver licensing administrator of any other state, law
24 enforcement agencies, the courts, and the affected driver or,
25 upon proper verification, such affected driver's attorney.

26 (f) The Secretary of State shall also maintain or contract

1 to maintain appropriate records of all photographs and
2 signatures obtained in the process of issuing any driver's
3 license, permit, or identification card. The record shall be
4 confidential and shall not be disclosed except to those
5 entities listed under Section 6-110.1 of this Code.

6 (g) The Secretary of State may establish a First Person
7 Consent organ and tissue donor registry in compliance with
8 subsection (b-1) of Section 5-20 of the Illinois Anatomical
9 Gift Act, as follows:

10 (1) The Secretary shall offer, to each applicant for
11 issuance or renewal of a driver's license or
12 identification card who is 16 years of age or older, the
13 opportunity to have his or her name included in the First
14 Person Consent organ and tissue donor registry. The
15 Secretary must advise the applicant or licensee that he or
16 she is under no compulsion to have his or her name included
17 in the registry. An individual who agrees to having his or
18 her name included in the First Person Consent organ and
19 tissue donor registry has given full legal consent to the
20 donation of any of his or her organs or tissue upon his or
21 her death. A brochure explaining this method of executing
22 an anatomical gift must be given to each applicant for
23 issuance or renewal of a driver's license or
24 identification card. The brochure must advise the
25 applicant or licensee (i) that he or she is under no
26 compulsion to have his or her name included in this

1 registry and (ii) that he or she may wish to consult with
2 family, friends, or clergy before doing so.

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

7 (3) When an individual has agreed to have his or her
8 name included in the First Person Consent organ and tissue
9 donor registry, the Secretary of State shall note that
10 agreement in the First Person consent organ and tissue
11 donor registry. Representatives of federally designated
12 organ procurement agencies and tissue banks and the
13 offices of Illinois county coroners and medical examiners
14 may inquire of the Secretary of State whether a potential
15 organ donor's name is included in the First Person Consent
16 organ and tissue donor registry, and the Secretary of
17 State may provide that information to the representative.

18 (4) An individual may withdraw his or her consent to
19 be listed in the First Person Consent organ and tissue
20 donor registry maintained by the Secretary of State by
21 notifying the Secretary of State in writing, or by any
22 other means approved by the Secretary, of the individual's
23 decision to have his or her name removed from the
24 registry.

25 (5) The Secretary of State may undertake additional
26 efforts, including education and awareness activities, to

1 promote organ and tissue donation.

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

7 (h) The Secretary of State may destroy a driving record
8 created 20 or more years ago for a person who was convicted of
9 an offense and who did not have an Illinois driver's license if
10 the record no longer contains any convictions or withdrawal of
11 driving privileges due to the convictions.

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

13 (625 ILCS 5/6-301) (from Ch. 95 1/2, par. 6-301)

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

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

16 1. To display or cause to be displayed or have in his
17 possession any cancelled, revoked or suspended license or
18 permit;

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

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

23 4. To fail or refuse to surrender to the Secretary of
24 State or his agent or any peace officer upon his lawful
25 demand, any license or permit, which has been suspended,

1 revoked, or cancelled;

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

4 6. To submit to an examination or to obtain the
5 services of another person to submit to an examination for
6 the purpose of obtaining a drivers license or permit for
7 some other person. For purposes of this subsection,
8 "submit to an examination" includes providing answers to
9 the person taking the examination, whether those answers
10 are provided in-person or remotely, via any electronic
11 device, including, but not limited to, microphones and
12 cell phones.

13 (b) Sentence.

14 1. Any person convicted of a violation of this Section
15 shall be guilty of a Class A misdemeanor and shall be
16 sentenced to a minimum fine of \$500 or 50 hours of
17 community service, preferably at an alcohol abuse
18 prevention program, if available.

19 2. Any person convicted of a second or subsequent
20 violation of this Section shall be guilty of a Class 4
21 felony.

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

26 (c) This Section does not prohibit any lawfully authorized

1 investigative, protective, law enforcement or other activity
2 of any agency of the United States, State of Illinois or any
3 other state or political subdivision thereof.

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

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

7 (625 ILCS 5/6-411) (from Ch. 95 1/2, par. 6-411)

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

11 (a) Be of good moral character;

12 (b) Authorize an investigation to include a
13 fingerprint based background check to determine if the
14 applicant has ever been convicted of a crime and if so, the
15 disposition of those convictions; this authorization shall
16 indicate the scope of the inquiry and the agencies which
17 may be contacted. Upon this authorization the Secretary of
18 State may request and receive information and assistance
19 from any federal, state, or local governmental agency as
20 part of the authorized investigation. Each applicant shall
21 submit his or her fingerprints to the Illinois State
22 Police in the form and manner prescribed by the Illinois
23 State Police. These fingerprints shall be checked against
24 the fingerprint records now and hereafter filed in the
25 Illinois State Police and Federal Bureau of Investigation

1 criminal history records databases. The Illinois State
2 Police shall charge a fee for conducting the criminal
3 history records check, which shall be deposited in the
4 State Police Services Fund and shall not exceed the actual
5 cost of the records check. The applicant shall be required
6 to pay all related fingerprint fees, including, but not
7 limited to, the amounts established by the Illinois State
8 Police and the Federal Bureau of Investigation to process
9 fingerprint based criminal background investigations. The
10 Illinois State Police shall provide information concerning
11 any criminal convictions, and their disposition, brought
12 against the applicant upon request of the Secretary of
13 State when the request is made in the form and manner
14 required by the Illinois State Police. Unless otherwise
15 prohibited by law, the information derived from this
16 investigation, including the source of this information,
17 and any conclusions or recommendations derived from this
18 information by the Secretary of State shall be provided to
19 the applicant, or his designee, upon request to the
20 Secretary of State, prior to any final action by the
21 Secretary of State on the application. At any
22 administrative hearing held under Section 2-118 of this
23 Code relating to the denial, cancellation, suspension, or
24 revocation of a driver training school license, the
25 Secretary of State is authorized to utilize at that
26 hearing any criminal histories, criminal convictions, and

1 disposition information obtained under this Section. Any
2 criminal convictions and their disposition information
3 obtained by the Secretary of State shall be confidential
4 and may not be transmitted outside the Office of the
5 Secretary of State, except as required herein, and may not
6 be transmitted to anyone within the Office of the
7 Secretary of State except as needed for the purpose of
8 evaluating the applicant. The information obtained from
9 this investigation may be maintained by the Secretary of
10 State or any agency to which such information was
11 transmitted. Only information and standards which bear a
12 reasonable and rational relation to the performance of a
13 driver training instructor shall be used by the Secretary
14 of State. Any employee of the Secretary of State who gives
15 or causes to be given away any confidential information
16 concerning any criminal charges and their disposition of
17 an applicant shall be guilty of a Class A misdemeanor
18 unless release of such information is authorized by this
19 Section;

20 (c) Pass such examination as the Secretary of State
21 shall require on (1) traffic laws, (2) safe driving
22 practices, (3) operation of motor vehicles, and (4)
23 qualifications of teacher;

24 (d) Be physically able to operate safely a motor
25 vehicle and to train others in the operation of motor
26 vehicles. An instructors license application must be

1 accompanied by a medical examination report completed by a
2 competent medical examiner as defined in Section 6-901 of
3 this Code ~~physician licensed to practice in the State of~~
4 ~~Illinois;~~

5 (e) Hold a valid Illinois drivers license;

6 (f) Have graduated from an accredited high school
7 after at least 4 years of high school education or the
8 equivalent; and

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

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

1 Secretary of State shall issue a certificate of completion to
2 a student under 18 years of age who has completed an approved
3 driver education course at a commercial driving school.

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

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

6 Sec. 6-521. Rulemaking Authority.

7 (a) The Secretary of State, using the authority to license
8 motor vehicle operators under this Code, may adopt such rules
9 and regulations as may be necessary to establish standards,
10 policies, and procedures for the licensing and sanctioning of
11 commercial motor vehicle drivers in order to meet the
12 requirements of the Commercial Motor Vehicle Act of 1986
13 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part
14 383 or Part 1572; and administrative and policy decisions of
15 the U.S. Secretary of Transportation and the Federal Motor
16 Carrier Safety Administration. The Secretary may, as provided
17 in the CMVSA, establish stricter requirements for the
18 licensing of commercial motor vehicle drivers than those
19 established by the federal government.

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

1 ~~12-month~~ period.

2 (c) (Blank).

3 (d) By July 1, 1995, the Secretary of State shall
4 establish rules and regulations for the issuance and
5 cancellation of a School Bus Driver's Permit. The permit shall
6 be required for the operation of a school bus as provided in
7 subsection (c), a non-restricted CDL with passenger
8 endorsement, or a properly classified driver's license. The
9 permit will establish that the school bus driver has met all
10 the requirements of the application and screening process
11 established by Section 6-106.1 of this Code.

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

13 (625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

14 Sec. 7-211. Duration of suspension.

15 (a) Unless a suspension is terminated under other
16 provisions of this Code, the driver's license or registration
17 and nonresident's operating privilege suspended as provided in
18 Section 7-205 shall remain suspended and shall not be renewed
19 nor shall any license or registration be issued to the person
20 until:

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

24 2. (Blank) ~~Two years have elapsed following the date~~
25 ~~the driver's license and registrations were suspended and~~

1 ~~evidence satisfactory to the Secretary of State that~~
2 ~~during the period no action for damages arising out of a~~
3 ~~motor vehicle crash has been properly filed;~~

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

7 4. (Blank) ~~After the expiration of 5 years from the~~
8 ~~date of the crash, the Secretary of State has not received~~
9 ~~documentation that any action at law for damages arising~~
10 ~~out of the motor vehicle crash has been filed against the~~
11 ~~person; or~~

12 5. The applicable statute of limitations has expired
13 and the person seeking reinstatement provides evidence
14 satisfactory to the Secretary of State that, during the
15 statute of limitations period, no action for damages
16 arising out of a motor vehicle crash has been properly
17 filed.

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

24 (b) The driver's license or registration and nonresident's
25 operating privileges suspended as provided in Section 7-205
26 shall also remain suspended and shall not be renewed nor shall

1 any license or registration be issued to the person until the
2 person gives proof of his or her financial responsibility in
3 the future as provided in Section 1-164.5. The proof is to be
4 maintained by the person in a manner satisfactory to the
5 Secretary of State for a period of 3 years after the date the
6 proof is first filed.

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

8 (625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

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

1 appropriate proceedings in the Court of Claims subject to the
2 limitations prescribed for such Court. At the expiration of
3 such limitation period such deposit shall escheat to the State
4 of Illinois.

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

6 (625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

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

15 (a) Green indication.

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

23 2. Vehicular traffic facing a green arrow signal,
24 shown alone or in combination with another indication, may
25 cautiously enter the intersection only to make the

1 movement indicated by such arrow, or such other movement
2 as is permitted by other indications shown at the same
3 time. Such vehicular traffic shall yield the right of way
4 to bicyclists and pedestrians lawfully within an adjacent
5 crosswalk and to other traffic lawfully using the
6 intersection.

7 3. Unless otherwise directed by a pedestrian-control
8 signal, as provided in Section 11-307, pedestrians or
9 bicyclists facing any green signal, except when the sole
10 green signal is a turn arrow, may proceed across the
11 roadway within any marked or unmarked crosswalk.

12 (b) Steady yellow indication.

13 1. Vehicular traffic facing a steady circular yellow
14 or yellow arrow signal is thereby warned that the related
15 green movement is being terminated or that a red
16 indication will be exhibited immediately thereafter.

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

23 (b-5) Flashing yellow arrow indication.

24 1. Vehicular traffic facing a flashing yellow arrow
25 indication may cautiously enter the intersection only to
26 make the movement indicated by the arrow and shall yield

1 the right-of-way to other vehicles and pedestrians
2 lawfully within the intersection or an adjacent crosswalk
3 at the time the signal is exhibited.

4 2. Pedestrians facing a flashing yellow arrow
5 indication, unless otherwise directed by a
6 pedestrian-control signal as provided in Section 11-307,
7 may proceed across the roadway within any marked or
8 unmarked crosswalk that crosses the lane or lanes used to
9 depart the intersection by traffic controlled by the
10 flashing yellow arrow indication. Pedestrians shall yield
11 the right-of-way to vehicles lawfully within the
12 intersection at the time that the flashing yellow signal
13 indication is first displayed.

14 (c) Steady red indication.

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

23 2. Except as provided in paragraphs 3 and 3.5 of this
24 subsection (c), vehicular traffic facing a steady red
25 arrow signal shall not enter the intersection to make the
26 movement indicated by the arrow and, unless entering the

1 intersection to make a movement permitted by another
2 signal, shall stop at a clearly marked stop line, but if
3 there is no such stop line, before entering the crosswalk
4 on the near side of the intersection, or if there is no
5 such crosswalk, then before entering the intersection, and
6 shall remain standing until an indication permitting the
7 movement indicated by such red arrow is shown.

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

22 3.5. ~~The In municipalities with less than 2,000,000~~
23 ~~inhabitants, after stopping as required by paragraph 1 or~~
24 ~~2 of this subsection, the driver of a motorcycle or~~
25 bicycle, facing a steady red signal which fails to change
26 to a green signal within a reasonable period of time not

1 less than 120 seconds because of a signal malfunction or
2 because the signal has failed to detect the arrival of the
3 motorcycle or bicycle due to the vehicle's size or weight,
4 shall have the right to proceed, after yielding the right
5 of way to oncoming traffic facing a green signal, subject
6 to the rules applicable after making a stop at a stop sign
7 as required by Section 11-1204 of this Code.

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

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

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

22 (f) If an official traffic control signal is erected and
23 maintained as a dedicated signal for bicyclists, that signal
24 shall take precedence for bicyclists over other signals
25 outlined in this Section.

26 (Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12;

1 98-798, eff. 7-31-14.)

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

3 Sec. 11-307. Pedestrian-control signals. Whenever special
4 pedestrian-control signals exhibiting the words "Walk" or
5 "Don't Walk" or the illuminated symbols of a walking person or
6 an upraised palm are in place such signals shall indicate as
7 follows:

8 (a) Walk or walking person symbol. Pedestrians facing such
9 signal may proceed across the roadway in the direction of the
10 signal, and shall be given the right of way by the drivers of
11 all vehicles. Bicyclists may proceed across the roadway in the
12 direction of the signal, shall be given the right of way by the
13 drivers of all vehicles, and shall yield the right of way to
14 all pedestrians.

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

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

23 (625 ILCS 5/11-501.1)

24 Sec. 11-501.1. Suspension of drivers license; statutory

1 summary alcohol, other drug or drugs, or intoxicating compound
2 or compounds related suspension or revocation; implied
3 consent.

4 (a) Any person who drives or is in actual physical control
5 of a motor vehicle upon the public highways of this State shall
6 be deemed to have given consent, subject to the provisions of
7 Section 11-501.2, to a chemical test or tests of blood,
8 breath, other bodily substance, or urine for the purpose of
9 determining the content of alcohol, other drug or drugs, or
10 intoxicating compound or compounds or any combination thereof
11 in the person's blood if arrested, as evidenced by the
12 issuance of a Uniform Traffic Ticket, for any offense as
13 defined in Section 11-501 or a similar provision of a local
14 ordinance, or if arrested for violating Section 11-401. If a
15 law enforcement officer has probable cause to believe the
16 person was under the influence of alcohol, other drug or
17 drugs, intoxicating compound or compounds, or any combination
18 thereof, the law enforcement officer shall request a chemical
19 test or tests which shall be administered at the direction of
20 the arresting officer. The law enforcement agency employing
21 the officer shall designate which of the aforesaid tests shall
22 be administered. Up to 2 additional tests of urine or other
23 bodily substance may be administered even after a blood or
24 breath test or both has been administered. For purposes of
25 this Section, an Illinois law enforcement officer of this
26 State who is investigating the person for any offense defined

1 in Section 11-501 may travel into an adjoining state, where
2 the person has been transported for medical care, to complete
3 an investigation and to request that the person submit to the
4 test or tests set forth in this Section. The requirements of
5 this Section that the person be arrested are inapplicable, but
6 the officer shall issue the person a Uniform Traffic Ticket
7 for an offense as defined in Section 11-501 or a similar
8 provision of a local ordinance prior to requesting that the
9 person submit to the test or tests. The issuance of the Uniform
10 Traffic Ticket shall not constitute an arrest, but shall be
11 for the purpose of notifying the person that he or she is
12 subject to the provisions of this Section and of the officer's
13 belief of the existence of probable cause to arrest. Upon
14 returning to this State, the officer shall file the Uniform
15 Traffic Ticket with the Circuit Clerk of the county where the
16 offense was committed, and shall seek the issuance of an
17 arrest warrant or a summons for the person.

18 (a-5) (Blank).

19 (b) Any person who is dead, unconscious, or who is
20 otherwise in a condition rendering the person incapable of
21 refusal, shall be deemed not to have withdrawn the consent
22 provided by paragraph (a) of this Section and the test or tests
23 may be administered, subject to the provisions of Section
24 11-501.2.

25 (c) A person requested to submit to a test as provided
26 above shall be warned by the law enforcement officer

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

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

22 A person who is under the age of 21 at the time the person
23 is requested to submit to a test as provided above shall, in
24 addition to the warnings provided for in this Section, be
25 further warned by the law enforcement officer requesting the
26 test that if the person submits to the test or tests provided

1 in paragraph (a) of this Section and the alcohol concentration
2 in the person's blood, other bodily substance, or breath is
3 greater than 0.00 and less than 0.08, a suspension of the
4 person's privilege to operate a motor vehicle, as provided
5 under Sections 6-208.2 and 11-501.8 of this Code, will be
6 imposed. The results of this test shall be admissible in a
7 civil or criminal action or proceeding arising from an arrest
8 for an offense as defined in Section 11-501 of this Code or a
9 similar provision of a local ordinance or pursuant to Section
10 11-501.4 in prosecutions for reckless homicide brought under
11 the Criminal Code of 1961 or the Criminal Code of 2012. These
12 test results, however, shall be admissible only in actions or
13 proceedings directly related to the incident upon which the
14 test request was made.

15 A person requested to submit to a test shall also
16 acknowledge, in writing, receipt of the warning required under
17 this Section. If the person refuses to acknowledge receipt of
18 the warning, the law enforcement officer shall make a written
19 notation on the warning that the person refused to sign the
20 warning. A person's refusal to sign the warning shall not be
21 evidence that the person was not read the warning.

22 (d) If the person refuses testing or submits to a test that
23 discloses an alcohol concentration of 0.08 or more, or testing
24 discloses the presence of cannabis as listed in the Cannabis
25 Control Act with a tetrahydrocannabinol concentration as
26 defined in paragraph 6 of subsection (a) of Section 11-501.2

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

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

22 (e) Upon receipt of the sworn report of a law enforcement
23 officer submitted under paragraph (d), the Secretary of State
24 shall enter the statutory summary suspension or revocation and
25 disqualification for the periods specified in Sections 6-208.1
26 and 6-514, respectively, and effective as provided in

1 paragraph (g).

2 If the person is a first offender as defined in Section
3 11-500 of this Code, and is not convicted of a violation of
4 Section 11-501 of this Code or a similar provision of a local
5 ordinance, then reports received by the Secretary of State
6 under this Section shall, except during the actual time the
7 Statutory Summary Suspension is in effect, be privileged
8 information and for use only by the courts, police officers,
9 prosecuting authorities or the Secretary of State, unless the
10 person is a CDL holder, is operating a commercial motor
11 vehicle or vehicle required to be placarded for hazardous
12 materials, in which case the suspension shall not be
13 privileged. Reports received by the Secretary of State under
14 this Section shall also be made available to the parent or
15 guardian of a person under the age of 18 years that holds an
16 instruction permit or a graduated driver's license, regardless
17 of whether the statutory summary suspension is in effect. A
18 statutory summary revocation shall not be privileged
19 information.

20 (f) The law enforcement officer submitting the sworn
21 report under paragraph (d) shall serve immediate notice of the
22 statutory summary suspension or revocation on the person and
23 the suspension or revocation and disqualification shall be
24 effective as provided in paragraph (g).

25 (1) In cases involving a person who is not a CDL holder
26 where the blood alcohol concentration of 0.08 or greater

1 or any amount of a drug, substance, or compound resulting
2 from the unlawful use or consumption of a controlled
3 substance listed in the Illinois Controlled Substances
4 Act, an intoxicating compound listed in the Use of
5 Intoxicating Compounds Act, or methamphetamine as listed
6 in the Methamphetamine Control and Community Protection
7 Act is established by a subsequent analysis of blood,
8 other bodily substance, or urine or analysis of whole
9 blood or other bodily substance establishes a
10 tetrahydrocannabinol concentration as defined in paragraph
11 6 of subsection (a) of Section 11-501.2 of this Code,
12 collected at the time of arrest, the arresting officer or
13 arresting agency shall give notice as provided in this
14 Section or by deposit in the United States mail of the
15 notice in an envelope with postage prepaid and addressed
16 to the person at his or her address as shown on the Uniform
17 Traffic Ticket and the statutory summary suspension shall
18 begin as provided in paragraph (g).

19 (1.3) In cases involving a person who is a CDL holder
20 where the blood alcohol concentration of 0.08 or greater
21 or any amount of a drug, substance, or compound resulting
22 from the unlawful use or consumption of cannabis as
23 covered by the Cannabis Control Act, a controlled
24 substance listed in the Illinois Controlled Substances
25 Act, an intoxicating compound listed in the Use of
26 Intoxicating Compounds Act, or methamphetamine as listed

1 in the Methamphetamine Control and Community Protection
2 Act is established by a subsequent analysis of blood,
3 other bodily substance, or urine collected at the time of
4 arrest, the arresting officer or arresting agency shall
5 give notice as provided in this Section or by deposit in
6 the United States mail of the notice in an envelope with
7 postage prepaid and addressed to the person at his or her
8 address as shown on the Uniform Traffic Ticket and the
9 statutory summary suspension and disqualification shall
10 begin as provided in paragraph (g).

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

21 (2) (Blank).

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

26 (h) The following procedure shall apply whenever a person

1 is arrested for any offense as defined in Section 11-501 or a
2 similar provision of a local ordinance:

3 Upon receipt of the sworn report from the law enforcement
4 officer, the Secretary of State shall confirm the statutory
5 summary suspension or revocation by mailing a notice of the
6 effective date of the suspension or revocation to the person
7 and the court of venue. The Secretary of State shall also mail
8 notice of the effective date of the disqualification to the
9 person. However, should the sworn report be defective by not
10 containing sufficient information or be completed in error,
11 the confirmation of the statutory summary suspension or
12 revocation shall not be mailed to the person or entered to the
13 record; instead, the sworn report shall be forwarded to the
14 court of venue with a copy returned to the issuing agency
15 identifying any defect.

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

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

24 (625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

25 Sec. 11-703. Overtaking a vehicle on the left. The

1 following rules govern the overtaking and passing of vehicles
2 proceeding in the same direction, subject to those
3 limitations, exceptions, and special rules otherwise stated in
4 this Chapter:

5 (a) The driver of a vehicle overtaking another vehicle
6 proceeding in the same direction shall pass to the left
7 thereof at a safe distance and shall not again drive to the
8 right side of the roadway until safely clear of the
9 overtaken vehicle. In no event shall such movement be made
10 by driving off the pavement or the main traveled portion
11 of the roadway.

12 (b) Except when overtaking and passing on the right is
13 permitted, the driver of an overtaken vehicle shall give
14 way to the right in favor of the overtaking vehicle on
15 audible signal and shall not increase the speed of his
16 vehicle until completely passed by the overtaking vehicle.

17 (c) The driver of a 2 wheeled vehicle may not, in
18 passing upon the left of any vehicle proceeding in the
19 same direction, pass upon the right of any vehicle
20 proceeding in the same direction unless there is an
21 unobstructed lane of traffic available to permit such
22 passing maneuver safely.

23 (d) The operator of a motor vehicle overtaking a
24 bicycle or individual proceeding in the same direction on
25 a highway shall:

26 (1) if another lane of traffic proceeding in the

1 same direction is available, make a lane change into
2 another available lane with due regard for safety and
3 traffic conditions, if practicable and not prohibited
4 by law, before overtaking or passing the bicycle or
5 individual; and

6 (2) leave a safe distance, but not less than 3
7 feet, when passing the bicycle or individual and shall
8 maintain that distance until safely past the overtaken
9 bicycle or individual.

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

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

19 (2) the driver is able to overtake and pass the
20 bicycle without exceeding the posted speed limit of
21 the highway; and

22 (3) there is sufficient distance to the left of
23 the centerline of the highway for the motor vehicle to
24 meet the overtaking and passing requirements under
25 this Section.

26 (e) A person driving a motor vehicle shall not, in a

1 reckless manner, drive the motor vehicle unnecessarily
2 close to, toward, or near a bicyclist, pedestrian, or a
3 person riding a horse or driving an animal drawn vehicle.

4 (f) Every person convicted of paragraph (e) of this
5 Section shall be guilty of a Class A misdemeanor if the
6 violation does not result in great bodily harm or
7 permanent disability or disfigurement to another. If the
8 violation results in great bodily harm or permanent
9 disability or disfigurement to another, the person shall
10 be guilty of a Class 3 felony.

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

12 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

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

14 (a) No driver shall enter an intersection or a marked
15 crosswalk or drive onto any railroad grade crossing unless
16 there is sufficient space on the other side of the
17 intersection, crosswalk or railroad grade crossing to
18 accommodate the vehicle he is operating without obstructing
19 the passage of other vehicles, pedestrians, or railroad trains
20 notwithstanding any traffic-control signal indication to
21 proceed.

22 (b) No driver shall enter a highway rail grade crossing
23 unless there is sufficient space on the other side of the
24 highway rail grade crossing to accommodate the vehicle being
25 operated without obstructing the passage of a train or other

1 railroad equipment using the rails, notwithstanding any
2 traffic-control signal indication to proceed.

3 (b-5) No driver operating a commercial motor vehicle, as
4 defined in Section 6-500 of this Code, shall enter a highway
5 rail grade crossing unless there is sufficient space on the
6 other side of the highway rail grade crossing to accommodate
7 the vehicle being operated without obstructing the passage of
8 a train or other railroad equipment using the rails,
9 notwithstanding any traffic-control signal indication to
10 proceed.

11 (c) (Blank).

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

1 person given a disposition of court supervision for violating
2 subsection (b) or (b-5) of this Section or a similar provision
3 of a local ordinance shall also be subject to a mandatory fine
4 of \$500 or 50 hours of community service. Upon a second or
5 subsequent violation, in addition to the suspensions
6 authorized by this Section, the person shall be subject to a
7 mandatory fine of \$500 and 50 hours community service. The
8 Secretary may also grant, for the duration of any suspension
9 issued under this subsection, a restricted driving permit
10 granting the privilege of driving a motor vehicle between the
11 driver's residence and place of employment or within other
12 proper limits that the Secretary of State shall find necessary
13 to avoid any undue hardship. A restricted driving permit
14 issued hereunder shall be subject to cancellation, revocation,
15 and suspension by the Secretary of State in like manner and for
16 like cause as a driver's license may be cancelled, revoked, or
17 suspended; except that a conviction upon one or more offenses
18 against laws or ordinances regulating the movement of traffic
19 shall be deemed sufficient cause for the revocation,
20 suspension, or cancellation of the restricted driving permit.
21 The Secretary of State may, as a condition to the issuance of a
22 restricted driving permit, require the applicant to
23 participate in a designated driver remedial or rehabilitative
24 program. Any conviction for a violation of this subsection
25 shall be included as an offense for the purposes of
26 determining suspension action under any other provision of

1 this Code, provided however, that the penalties provided under
2 this subsection shall be imposed unless those penalties
3 imposed under other applicable provisions are greater.
4 (Source: P.A. 103-179, eff. 6-30-23.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."