**Section 1030.13 Denial of License or Permit**

a) The Secretary of State shall deny driving privileges to any applicant under 18 years of age:

1) Who has committed or has been convicted of an offense that would otherwise result in a mandatory revocation of a license or permit as provided in IVC Section 6-205;

2) Who has been convicted of, or adjudicated a delinquent based upon, a violation of the Cannabis Control Act [720 ILCS 540], the Illinois Controlled Substances Act [720 ILCS 570], or the Methamphetamine Control and Community Protection Act [720 ILCS 646], while that individual was in actual control of a motor vehicle.

A) Any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted.

B) The conviction shall be reported to the Secretary of State's Office in a manner prescribed by IVC Section 6-107;

3) *Who has been charged with a violation of the Illinois Vehicle Code or the*

*Criminal Code of 1961* [720 ILCS 5] *arising out of an accident in which the person was involved as a driver that caused the death of or a Type A injury to another person.* [625 ILCS 5/6-108.1]

b) The Secretary of State shall deny a driver's license to any applicant under 18 years of age:

1) Who has not attained the age of 16, who has not passed an approved driver education course as defined in IVC Section 1-103 or has not submitted proof of having passed the course as may be required by the Secretary of State; or

2) Who has been convicted of a violation of IVC Section 6-101 or a similar provision of a local ordinance or a similar out-of-state offense regarding operating a motor vehicle without a valid driver's license or permit committed on or after January 1, 1998.

c) The Secretary of State shall deny a driver's license to any applicant under 18 years of age for a period of nine months or until the applicant's 18th birthday, whichever period is shorter, who has been convicted of an offense against traffic regulations governing the movement of vehicles or any violation of IVC Section 6-107 or 12-603.l.

d) The Secretary of State shall deny a driver's license or permit to any applicant who has been adjudicated under the Juvenile Court Act of 1987 [705 ILCS 405] based upon an offense that is determined by the court to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The applicant shall be denied a license or permit until his/her 18th birthday or until a period specified by the court.

e) Any applicant who has been denied a license or permit under the provisions of IVC Section 6-107 may appeal to the Department of Administrative Hearings pursuant to IVC Section 2-118.

(Source: Amended at 33 Ill. Reg. 2391, effective January 21, 2009)