**Section 1040.100 Rescissions**

a) The Department shall rescind the following orders when the specified criteria are met:

1) Suspensions, revocations, disqualifications and denials of driver's license and/or driving privileges, except warrant parking/traffic suspensions, failure to appear suspensions (as applied to residents and non-residents) and statutory summary suspensions, upon receipt of certified court evidence reporting non-conviction, supervision, stricken on leave (SOL), or a correction or an amendment stating there was an error that formed the basis of the suspension, the revocation, or the denial of driver's license/driving privilege and/or it has been vacated or that a previously submitted judgment has been reversed.

2) Cancellation of driver's license and/or driving privileges upon receipt by the Department of one of the following:

A) evidence from an instructor of a driver education program indicating the driver has re-enrolled in the program;

B) favorable physical or psychiatric report from a licensed medical specialist prior to the effective date of the cancellation or receipt of a second report completed by the licensed medical specialist showing the original report submitted was incorrect;

C) evidence from a licensed medical specialist indicating that he/she failed to submit a favorable medical report for the driver within 90 days;

D) evidence reversing a decision made by the Department that two driver's license records are for the same person;

E) court evidence changing the disposition of a conviction previously reported upon which the cancellation was based; or

F) documentation from another state licensing agency that reverses an original report upon which the cancellation was based.

3) Failure to Appear Suspensions upon receipt of certified court evidence vacating the Failure to Appear or when the Department receives a compliance notice or court receipt prior to the effective date of the suspension indicating that the charges have been satisfied.

4) Statutory Summary Suspensions upon receipt of a Certified Hearing Disposition Notice or court order from the court of venue to rescind the suspension.

5) Warrant/Parking Traffic Suspensions upon receipt of certified evidence from the court or municipality indicating the original report was in error or the person identified in the original report was the wrong defendant or the Department receives notice of final disposition prior to the effective date of the suspension.

6) Toll violation or evasion suspensions upon receipt of certified evidence from the Illinois State Toll Highway Authority indicating the original report was in error or the person identified in the original report was the wrong defendant or the Department receives Notice of Final Disposition prior to the effective date of the suspension.

b) The Department shall rescind a suspension, revocation or cancellation pursuant to a decision rendered by the Department of Administrative Hearings within the Office of the Secretary of State as provided in IVC Section 2-118 and 92 Ill. Adm. Code 1001.

(Source: Amended at 38 Ill. Reg. 9591, effective April 15, 2014)