



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1657

by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109
625 ILCS 5/6-115

from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Deletes language that requires an applicant who is 75 years or older to give an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the safe operation of a motor vehicle. Deletes language providing that the Secretary of State shall require a licensee 81 years of age through age 86 to renew his or her license every 2 years from the day of issuance. Deletes language providing that the Secretary shall require a licensee 87 years of age or older to renew his or her license every 12 months from the date of issuance.

LRB101 07197 TAE 52235 b

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 changing
5 Sections 6-109 and 6-115 as follows:

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of Applicants.

8 (a) The Secretary of State shall examine every applicant
9 for a driver's license or permit who has not been previously
10 licensed as a driver under the laws of this State or any other
11 state or country, or any applicant for renewal of such driver's
12 license or permit when such license or permit has been expired
13 for more than one year. The Secretary of State shall, subject
14 to the provisions of paragraph (c), examine every licensed
15 driver at least every 8 years, and may examine or re-examine
16 any other applicant or licensed driver, provided that during
17 the years 1984 through 1991 those drivers issued a license for
18 3 years may be re-examined not less than every 7 years or more
19 than every 10 years.

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

1 the orderly administration of all the provisions of this
2 Section.

3 The Secretary of State shall include at least one test
4 question that concerns the provisions of the Pedestrians with
5 Disabilities Safety Act in the question pool used for the
6 written portion of the driver's ~~drivers~~ license examination
7 within one year after July 22, 2010 (the effective date of
8 Public Act 96-1167).

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

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

1 ~~control of the operation of a motor vehicle.~~ All portions of
2 written and verbal examinations under this Section, excepting
3 where the English language appears on facsimiles of road signs,
4 may be given in the Spanish language and, at the discretion of
5 the Secretary of State, in any other language as well as in
6 English upon request of the examinee. Deaf persons who are
7 otherwise qualified are not prohibited from being issued a
8 license, other than a commercial driver's license, under this
9 Code.

10 (c) Re-examination for those applicants who at the time of
11 renewing their driver's license possess a driving record devoid
12 of any convictions of traffic violations or evidence of
13 committing an offense for which mandatory revocation would be
14 required upon conviction pursuant to Section 6-205 at the time
15 of renewal shall be in a manner prescribed by the Secretary in
16 order to determine an applicant's ability to safely operate a
17 motor vehicle, ~~except that every applicant for the renewal of a~~
18 ~~driver's license who is 75 years of age or older must prove, by~~
19 ~~an actual demonstration, the applicant's ability to exercise~~
20 ~~reasonable care in the safe operation of a motor vehicle.~~

21 (d) In the event the applicant is not ineligible under the
22 provisions of Section 6-103 to receive a driver's license, the
23 Secretary of State shall make provision for giving an
24 examination, either in the county where the applicant resides
25 or at a place adjacent thereto reasonably convenient to the
26 applicant, within not more than 30 days from the date said

1 application is received.

2 (e) The Secretary of State may adopt rules regarding the
3 use of foreign language interpreters during the application and
4 examination process.

5 (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;
6 revised 10-3-18.)

7 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

8 Sec. 6-115. Expiration of driver's license.

9 (a) Except as provided elsewhere in this Section, every
10 driver's license issued under the provisions of this Code shall
11 expire 4 years from the date of its issuance, or at such later
12 date, as the Secretary of State may by proper rule and
13 regulation designate, not to exceed 12 calendar months; in the
14 event that an applicant for renewal of a driver's license fails
15 to apply prior to the expiration date of the previous driver's
16 license, the renewal driver's license shall expire 4 years from
17 the expiration date of the previous driver's license, or at
18 such later date as the Secretary of State may by proper rule
19 and regulation designate, not to exceed 12 calendar months.

20 The Secretary of State may, however, issue to a person not
21 previously licensed as a driver in Illinois a driver's license
22 which will expire not less than 4 years nor more than 5 years
23 from date of issuance, except as provided elsewhere in this
24 Section.

25 (a-5) Every driver's license issued under this Code to an

1 applicant who is not a United States citizen or permanent
2 resident shall be marked "Limited Term" and shall expire on
3 whichever is the earlier date of the following:

4 (1) as provided under subsection (a), (f), (g), or (i)
5 of this Section;

6 (2) on the date the applicant's authorized stay in the
7 United States terminates; or

8 (3) if the applicant's authorized stay is indefinite
9 and the applicant is applying for a Limited Term REAL ID
10 compliant driver's license, one year from the date of
11 issuance of the license.

12 (b) Before the expiration of a driver's license, except
13 those licenses expiring on the individual's 21st birthday, or 3
14 months after the individual's 21st birthday, the holder thereof
15 may apply for a renewal thereof, subject to all the provisions
16 of Section 6-103, and the Secretary of State may require an
17 examination of the applicant. A licensee whose driver's license
18 expires on his 21st birthday, or 3 months after his 21st
19 birthday, may not apply for a renewal of his driving privileges
20 until he reaches the age of 21.

21 (c) The Secretary of State shall, 30 days prior to the
22 expiration of a driver's license, forward to each person whose
23 license is to expire a notification of the expiration of said
24 license which may be presented at the time of renewal of said
25 license.

26 There may be included with such notification information

1 explaining the anatomical gift and Emergency Medical
2 Information Card provisions of Section 6-110. The format and
3 text of such information shall be prescribed by the Secretary.

4 There shall be included with such notification, for a
5 period of 4 years beginning January 1, 2000 information
6 regarding the Illinois Adoption Registry and Medical
7 Information Exchange established in Section 18.1 of the
8 Adoption Act.

9 (d) The Secretary may defer the expiration of the driver's
10 license of a licensee, spouse, and dependent children who are
11 living with such licensee while on active duty, serving in the
12 Armed Forces of the United States outside of the State of
13 Illinois, and 120 days thereafter, upon such terms and
14 conditions as the Secretary may prescribe.

15 (d-5) The Secretary may defer the expiration of the
16 driver's license of a licensee, or of a spouse or dependent
17 children living with the licensee, serving as a civilian
18 employee of the United States Armed Forces or the United States
19 Department of Defense, outside of the State of Illinois, and
20 120 days thereafter, upon such terms and conditions as the
21 Secretary may prescribe.

22 (e) The Secretary of State may decline to process a renewal
23 of a driver's license of any person who has not paid any fee or
24 tax due under this Code and is not paid upon reasonable notice
25 and demand.

26 (f) The Secretary shall provide that each original or

1 renewal driver's license issued to a licensee under 21 years of
2 age shall expire 3 months after the licensee's 21st birthday.
3 Persons whose current driver's licenses expire on their 21st
4 birthday on or after January 1, 1986 shall not renew their
5 driver's license before their 21st birthday, and their current
6 driver's license will be extended for an additional term of 3
7 months beyond their 21st birthday. Thereafter, the expiration
8 and term of the driver's license shall be governed by
9 subsection (a) hereof.

10 (g) (Blank). ~~The Secretary shall provide that each original~~
11 ~~or renewal driver's license issued to a licensee 81 years of~~
12 ~~age through age 86 shall expire 2 years from the date of~~
13 ~~issuance, or at such later date as the Secretary may by rule~~
14 ~~and regulation designate, not to exceed an additional 12~~
15 ~~calendar months. The Secretary shall also provide that each~~
16 ~~original or renewal driver's license issued to a licensee 87~~
17 ~~years of age or older shall expire 12 months from the date of~~
18 ~~issuance, or at such later date as the Secretary may by rule~~
19 ~~and regulation designate, not to exceed an additional 12~~
20 ~~calendar months.~~

21 (h) The Secretary of State shall provide that each special
22 restricted driver's license issued under subsection (g) of
23 Section 6-113 of this Code shall expire 12 months from the date
24 of issuance. The Secretary shall adopt rules defining renewal
25 requirements.

26 (i) The Secretary of State shall provide that each driver's

1 license issued to a person convicted of a sex offense as
2 defined in Section 2 of the Sex Offender Registration Act shall
3 expire 12 months from the date of issuance or at such date as
4 the Secretary may by rule designate, not to exceed an
5 additional 12 calendar months. The Secretary may adopt rules
6 defining renewal requirements.

7 (Source: P.A. 99-118, eff. 1-1-16; 99-305, eff. 1-1-16; 99-642,
8 eff. 7-28-16; 100-248, eff. 8-22-17; 100-863, eff. 8-14-18.)