



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4318

Introduced 1/5/2022, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-206
625 ILCS 5/11-502.1
625 ILCS 5/11-502.15

Amends the Illinois Vehicle Code. Removes the requirement that a medical or adult-use cannabis container in a motor vehicle be odor-proof and child resistant. Provides that a person who possesses medical cannabis and does not contain such cannabis in a secured, sealed or resealable, inaccessible container commits a petty offense. Provides that any driver who is convicted for improperly storing cannabis in a vehicle, or for transporting a passenger who improperly stores cannabis in a vehicle, for a second or subsequent time within one year of a similar conviction shall be subject to the suspension of the person's driving privileges.

LRB102 23091 RAM 32247 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
5 changing Sections 6-206, 11-502.1, and 11-502.15 as follows:

6 (625 ILCS 5/6-206)

7 Sec. 6-206. Discretionary authority to suspend or revoke
8 license or permit; right to a hearing.

9 (a) The Secretary of State is authorized to suspend or
10 revoke the driving privileges of any person without
11 preliminary hearing upon a showing of the person's records or
12 other sufficient evidence that the person:

13 1. Has committed an offense for which mandatory
14 revocation of a driver's license or permit is required
15 upon conviction;

16 2. Has been convicted of not less than 3 offenses
17 against traffic regulations governing the movement of
18 vehicles committed within any 12-month period. No
19 revocation or suspension shall be entered more than 6
20 months after the date of last conviction;

21 3. Has been repeatedly involved as a driver in motor
22 vehicle collisions or has been repeatedly convicted of
23 offenses against laws and ordinances regulating the

1 movement of traffic, to a degree that indicates lack of
2 ability to exercise ordinary and reasonable care in the
3 safe operation of a motor vehicle or disrespect for the
4 traffic laws and the safety of other persons upon the
5 highway;

6 4. Has by the unlawful operation of a motor vehicle
7 caused or contributed to an accident resulting in injury
8 requiring immediate professional treatment in a medical
9 facility or doctor's office to any person, except that any
10 suspension or revocation imposed by the Secretary of State
11 under the provisions of this subsection shall start no
12 later than 6 months after being convicted of violating a
13 law or ordinance regulating the movement of traffic, which
14 violation is related to the accident, or shall start not
15 more than one year after the date of the accident,
16 whichever date occurs later;

17 5. Has permitted an unlawful or fraudulent use of a
18 driver's license, identification card, or permit;

19 6. Has been lawfully convicted of an offense or
20 offenses in another state, including the authorization
21 contained in Section 6-203.1, which if committed within
22 this State would be grounds for suspension or revocation;

23 7. Has refused or failed to submit to an examination
24 provided for by Section 6-207 or has failed to pass the
25 examination;

26 8. Is ineligible for a driver's license or permit

1 under the provisions of Section 6-103;

2 9. Has made a false statement or knowingly concealed a
3 material fact or has used false information or
4 identification in any application for a license,
5 identification card, or permit;

6 10. Has possessed, displayed, or attempted to
7 fraudulently use any license, identification card, or
8 permit not issued to the person;

9 11. Has operated a motor vehicle upon a highway of
10 this State when the person's driving privilege or
11 privilege to obtain a driver's license or permit was
12 revoked or suspended unless the operation was authorized
13 by a monitoring device driving permit, judicial driving
14 permit issued prior to January 1, 2009, probationary
15 license to drive, or restricted driving permit issued
16 under this Code;

17 12. Has submitted to any portion of the application
18 process for another person or has obtained the services of
19 another person to submit to any portion of the application
20 process for the purpose of obtaining a license,
21 identification card, or permit for some other person;

22 13. Has operated a motor vehicle upon a highway of
23 this State when the person's driver's license or permit
24 was invalid under the provisions of Sections 6-107.1 and
25 6-110;

26 14. Has committed a violation of Section 6-301,

1 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
2 14B of the Illinois Identification Card Act;

3 15. Has been convicted of violating Section 21-2 of
4 the Criminal Code of 1961 or the Criminal Code of 2012
5 relating to criminal trespass to vehicles if the person
6 exercised actual physical control over the vehicle during
7 the commission of the offense, in which case the
8 suspension shall be for one year;

9 16. Has been convicted of violating Section 11-204 of
10 this Code relating to fleeing from a peace officer;

11 17. Has refused to submit to a test, or tests, as
12 required under Section 11-501.1 of this Code and the
13 person has not sought a hearing as provided for in Section
14 11-501.1;

15 18. (Blank);

16 19. Has committed a violation of paragraph (a) or (b)
17 of Section 6-101 relating to driving without a driver's
18 license;

19 20. Has been convicted of violating Section 6-104
20 relating to classification of driver's license;

21 21. Has been convicted of violating Section 11-402 of
22 this Code relating to leaving the scene of an accident
23 resulting in damage to a vehicle in excess of \$1,000, in
24 which case the suspension shall be for one year;

25 22. Has used a motor vehicle in violating paragraph
26 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of

1 the Criminal Code of 1961 or the Criminal Code of 2012
2 relating to unlawful use of weapons, in which case the
3 suspension shall be for one year;

4 23. Has, as a driver, been convicted of committing a
5 violation of paragraph (a) of Section 11-502 of this Code
6 for a second or subsequent time within one year of a
7 similar violation;

8 24. Has been convicted by a court-martial or punished
9 by non-judicial punishment by military authorities of the
10 United States at a military installation in Illinois or in
11 another state of or for a traffic-related offense that is
12 the same as or similar to an offense specified under
13 Section 6-205 or 6-206 of this Code;

14 25. Has permitted any form of identification to be
15 used by another in the application process in order to
16 obtain or attempt to obtain a license, identification
17 card, or permit;

18 26. Has altered or attempted to alter a license or has
19 possessed an altered license, identification card, or
20 permit;

21 27. (Blank);

22 28. Has been convicted for a first time of the illegal
23 possession, while operating or in actual physical control,
24 as a driver, of a motor vehicle, of any controlled
25 substance prohibited under the Illinois Controlled
26 Substances Act, any cannabis prohibited under the Cannabis

1 Control Act, or any methamphetamine prohibited under the
2 Methamphetamine Control and Community Protection Act, in
3 which case the person's driving privileges shall be
4 suspended for one year. Any defendant found guilty of this
5 offense while operating a motor vehicle shall have an
6 entry made in the court record by the presiding judge that
7 this offense did occur while the defendant was operating a
8 motor vehicle and order the clerk of the court to report
9 the violation to the Secretary of State;

10 29. Has been convicted of the following offenses that
11 were committed while the person was operating or in actual
12 physical control, as a driver, of a motor vehicle:
13 criminal sexual assault, predatory criminal sexual assault
14 of a child, aggravated criminal sexual assault, criminal
15 sexual abuse, aggravated criminal sexual abuse, juvenile
16 pimping, soliciting for a juvenile prostitute, promoting
17 juvenile prostitution as described in subdivision (a)(1),
18 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
19 of 1961 or the Criminal Code of 2012, and the manufacture,
20 sale or delivery of controlled substances or instruments
21 used for illegal drug use or abuse in which case the
22 driver's driving privileges shall be suspended for one
23 year;

24 30. Has been convicted a second or subsequent time for
25 any combination of the offenses named in paragraph 29 of
26 this subsection, in which case the person's driving

1 privileges shall be suspended for 5 years;

2 31. Has refused to submit to a test as required by
3 Section 11-501.6 of this Code or Section 5-16c of the Boat
4 Registration and Safety Act or has submitted to a test
5 resulting in an alcohol concentration of 0.08 or more or
6 any amount of a drug, substance, or compound resulting
7 from the unlawful use or consumption of cannabis as listed
8 in the Cannabis Control Act, a controlled substance as
9 listed in the Illinois Controlled Substances Act, an
10 intoxicating compound as listed in the Use of Intoxicating
11 Compounds Act, or methamphetamine as listed in the
12 Methamphetamine Control and Community Protection Act, in
13 which case the penalty shall be as prescribed in Section
14 6-208.1;

15 32. Has been convicted of Section 24-1.2 of the
16 Criminal Code of 1961 or the Criminal Code of 2012
17 relating to the aggravated discharge of a firearm if the
18 offender was located in a motor vehicle at the time the
19 firearm was discharged, in which case the suspension shall
20 be for 3 years;

21 33. Has as a driver, who was less than 21 years of age
22 on the date of the offense, been convicted a first time of
23 a violation of paragraph (a) of Section 11-502 of this
24 Code or a similar provision of a local ordinance;

25 34. Has committed a violation of Section 11-1301.5 of
26 this Code or a similar provision of a local ordinance;

1 35. Has committed a violation of Section 11-1301.6 of
2 this Code or a similar provision of a local ordinance;

3 36. Is under the age of 21 years at the time of arrest
4 and has been convicted of not less than 2 offenses against
5 traffic regulations governing the movement of vehicles
6 committed within any 24-month period. No revocation or
7 suspension shall be entered more than 6 months after the
8 date of last conviction;

9 37. Has committed a violation of subsection (c) of
10 Section 11-907 of this Code that resulted in damage to the
11 property of another or the death or injury of another;

12 38. Has been convicted of a violation of Section 6-20
13 of the Liquor Control Act of 1934 or a similar provision of
14 a local ordinance and the person was an occupant of a motor
15 vehicle at the time of the violation;

16 39. Has committed a second or subsequent violation of
17 Section 11-1201 of this Code;

18 40. Has committed a violation of subsection (a-1) of
19 Section 11-908 of this Code;

20 41. Has committed a second or subsequent violation of
21 Section 11-605.1 of this Code, a similar provision of a
22 local ordinance, or a similar violation in any other state
23 within 2 years of the date of the previous violation, in
24 which case the suspension shall be for 90 days;

25 42. Has committed a violation of subsection (a-1) of
26 Section 11-1301.3 of this Code or a similar provision of a

1 local ordinance;

2 43. Has received a disposition of court supervision
3 for a violation of subsection (a), (d), or (e) of Section
4 6-20 of the Liquor Control Act of 1934 or a similar
5 provision of a local ordinance and the person was an
6 occupant of a motor vehicle at the time of the violation,
7 in which case the suspension shall be for a period of 3
8 months;

9 44. Is under the age of 21 years at the time of arrest
10 and has been convicted of an offense against traffic
11 regulations governing the movement of vehicles after
12 having previously had his or her driving privileges
13 suspended or revoked pursuant to subparagraph 36 of this
14 Section;

15 45. Has, in connection with or during the course of a
16 formal hearing conducted under Section 2-118 of this Code:
17 (i) committed perjury; (ii) submitted fraudulent or
18 falsified documents; (iii) submitted documents that have
19 been materially altered; or (iv) submitted, as his or her
20 own, documents that were in fact prepared or composed for
21 another person;

22 46. Has committed a violation of subsection (j) of
23 Section 3-413 of this Code;

24 47. Has committed a violation of subsection (a) of
25 Section 11-502.1 of this Code;

26 48. Has submitted a falsified or altered medical

1 examiner's certificate to the Secretary of State or
2 provided false information to obtain a medical examiner's
3 certificate;

4 49. Has been convicted of a violation of Section
5 11-1002 or 11-1002.5 that resulted in a Type A injury to
6 another, in which case the driving privileges of the
7 person shall be suspended for 12 months; ~~or~~

8 50. Has committed a violation of subsection (b-5) of
9 Section 12-610.2 that resulted in great bodily harm,
10 permanent disability, or disfigurement, in which case the
11 driving privileges of the person shall be suspended for 12
12 months; ~~or 50~~

13 51. Has, as a driver, been convicted of committing a
14 violation of subsection (b) or (c) of Section 11-502.1 a
15 second or subsequent time within one year of a similar
16 violation; or

17 52. Has, as a driver, been convicted of committing a
18 violation of subsection (b) or (c) of Section 11-502.15 a
19 second or subsequent time within one year of a similar
20 violation.

21 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
22 and 27 of this subsection, license means any driver's license,
23 any traffic ticket issued when the person's driver's license
24 is deposited in lieu of bail, a suspension notice issued by the
25 Secretary of State, a duplicate or corrected driver's license,
26 a probationary driver's license, or a temporary driver's

1 license.

2 (b) If any conviction forming the basis of a suspension or
3 revocation authorized under this Section is appealed, the
4 Secretary of State may rescind or withhold the entry of the
5 order of suspension or revocation, as the case may be,
6 provided that a certified copy of a stay order of a court is
7 filed with the Secretary of State. If the conviction is
8 affirmed on appeal, the date of the conviction shall relate
9 back to the time the original judgment of conviction was
10 entered and the 6-month limitation prescribed shall not apply.

11 (c) 1. Upon suspending or revoking the driver's license or
12 permit of any person as authorized in this Section, the
13 Secretary of State shall immediately notify the person in
14 writing of the revocation or suspension. The notice to be
15 deposited in the United States mail, postage prepaid, to the
16 last known address of the person.

17 2. If the Secretary of State suspends the driver's license
18 of a person under subsection 2 of paragraph (a) of this
19 Section, a person's privilege to operate a vehicle as an
20 occupation shall not be suspended, provided an affidavit is
21 properly completed, the appropriate fee received, and a permit
22 issued prior to the effective date of the suspension, unless 5
23 offenses were committed, at least 2 of which occurred while
24 operating a commercial vehicle in connection with the driver's
25 regular occupation. All other driving privileges shall be
26 suspended by the Secretary of State. Any driver prior to

1 operating a vehicle for occupational purposes only must submit
2 the affidavit on forms to be provided by the Secretary of State
3 setting forth the facts of the person's occupation. The
4 affidavit shall also state the number of offenses committed
5 while operating a vehicle in connection with the driver's
6 regular occupation. The affidavit shall be accompanied by the
7 driver's license. Upon receipt of a properly completed
8 affidavit, the Secretary of State shall issue the driver a
9 permit to operate a vehicle in connection with the driver's
10 regular occupation only. Unless the permit is issued by the
11 Secretary of State prior to the date of suspension, the
12 privilege to drive any motor vehicle shall be suspended as set
13 forth in the notice that was mailed under this Section. If an
14 affidavit is received subsequent to the effective date of this
15 suspension, a permit may be issued for the remainder of the
16 suspension period.

17 The provisions of this subparagraph shall not apply to any
18 driver required to possess a CDL for the purpose of operating a
19 commercial motor vehicle.

20 Any person who falsely states any fact in the affidavit
21 required herein shall be guilty of perjury under Section 6-302
22 and upon conviction thereof shall have all driving privileges
23 revoked without further rights.

24 3. At the conclusion of a hearing under Section 2-118 of
25 this Code, the Secretary of State shall either rescind or
26 continue an order of revocation or shall substitute an order

1 of suspension; or, good cause appearing therefor, rescind,
2 continue, change, or extend the order of suspension. If the
3 Secretary of State does not rescind the order, the Secretary
4 may upon application, to relieve undue hardship (as defined by
5 the rules of the Secretary of State), issue a restricted
6 driving permit granting the privilege of driving a motor
7 vehicle between the petitioner's residence and petitioner's
8 place of employment or within the scope of the petitioner's
9 employment-related duties, or to allow the petitioner to
10 transport himself or herself, or a family member of the
11 petitioner's household to a medical facility, to receive
12 necessary medical care, to allow the petitioner to transport
13 himself or herself to and from alcohol or drug remedial or
14 rehabilitative activity recommended by a licensed service
15 provider, or to allow the petitioner to transport himself or
16 herself or a family member of the petitioner's household to
17 classes, as a student, at an accredited educational
18 institution, or to allow the petitioner to transport children,
19 elderly persons, or persons with disabilities who do not hold
20 driving privileges and are living in the petitioner's
21 household to and from daycare. The petitioner must demonstrate
22 that no alternative means of transportation is reasonably
23 available and that the petitioner will not endanger the public
24 safety or welfare.

25 (A) If a person's license or permit is revoked or
26 suspended due to 2 or more convictions of violating

1 Section 11-501 of this Code or a similar provision of a
2 local ordinance or a similar out-of-state offense, or
3 Section 9-3 of the Criminal Code of 1961 or the Criminal
4 Code of 2012, where the use of alcohol or other drugs is
5 recited as an element of the offense, or a similar
6 out-of-state offense, or a combination of these offenses,
7 arising out of separate occurrences, that person, if
8 issued a restricted driving permit, may not operate a
9 vehicle unless it has been equipped with an ignition
10 interlock device as defined in Section 1-129.1.

11 (B) If a person's license or permit is revoked or
12 suspended 2 or more times due to any combination of:

13 (i) a single conviction of violating Section
14 11-501 of this Code or a similar provision of a local
15 ordinance or a similar out-of-state offense or Section
16 9-3 of the Criminal Code of 1961 or the Criminal Code
17 of 2012, where the use of alcohol or other drugs is
18 recited as an element of the offense, or a similar
19 out-of-state offense; or

20 (ii) a statutory summary suspension or revocation
21 under Section 11-501.1; or

22 (iii) a suspension under Section 6-203.1;
23 arising out of separate occurrences; that person, if
24 issued a restricted driving permit, may not operate a
25 vehicle unless it has been equipped with an ignition
26 interlock device as defined in Section 1-129.1.

1 (B-5) If a person's license or permit is revoked or
2 suspended due to a conviction for a violation of
3 subparagraph (C) or (F) of paragraph (1) of subsection (d)
4 of Section 11-501 of this Code, or a similar provision of a
5 local ordinance or similar out-of-state offense, that
6 person, if issued a restricted driving permit, may not
7 operate a vehicle unless it has been equipped with an
8 ignition interlock device as defined in Section 1-129.1.

9 (C) The person issued a permit conditioned upon the
10 use of an ignition interlock device must pay to the
11 Secretary of State DUI Administration Fund an amount not
12 to exceed \$30 per month. The Secretary shall establish by
13 rule the amount and the procedures, terms, and conditions
14 relating to these fees.

15 (D) If the restricted driving permit is issued for
16 employment purposes, then the prohibition against
17 operating a motor vehicle that is not equipped with an
18 ignition interlock device does not apply to the operation
19 of an occupational vehicle owned or leased by that
20 person's employer when used solely for employment
21 purposes. For any person who, within a 5-year period, is
22 convicted of a second or subsequent offense under Section
23 11-501 of this Code, or a similar provision of a local
24 ordinance or similar out-of-state offense, this employment
25 exemption does not apply until either a one-year period
26 has elapsed during which that person had his or her

1 driving privileges revoked or a one-year period has
2 elapsed during which that person had a restricted driving
3 permit which required the use of an ignition interlock
4 device on every motor vehicle owned or operated by that
5 person.

6 (E) In each case the Secretary may issue a restricted
7 driving permit for a period deemed appropriate, except
8 that all permits shall expire no later than 2 years from
9 the date of issuance. A restricted driving permit issued
10 under this Section shall be subject to cancellation,
11 revocation, and suspension by the Secretary of State in
12 like manner and for like cause as a driver's license
13 issued under this Code may be cancelled, revoked, or
14 suspended; except that a conviction upon one or more
15 offenses against laws or ordinances regulating the
16 movement of traffic shall be deemed sufficient cause for
17 the revocation, suspension, or cancellation of a
18 restricted driving permit. The Secretary of State may, as
19 a condition to the issuance of a restricted driving
20 permit, require the applicant to participate in a
21 designated driver remedial or rehabilitative program. The
22 Secretary of State is authorized to cancel a restricted
23 driving permit if the permit holder does not successfully
24 complete the program.

25 (F) A person subject to the provisions of paragraph 4
26 of subsection (b) of Section 6-208 of this Code may make

1 application for a restricted driving permit at a hearing
2 conducted under Section 2-118 of this Code after the
3 expiration of 5 years from the effective date of the most
4 recent revocation or after 5 years from the date of
5 release from a period of imprisonment resulting from a
6 conviction of the most recent offense, whichever is later,
7 provided the person, in addition to all other requirements
8 of the Secretary, shows by clear and convincing evidence:

9 (i) a minimum of 3 years of uninterrupted
10 abstinence from alcohol and the unlawful use or
11 consumption of cannabis under the Cannabis Control
12 Act, a controlled substance under the Illinois
13 Controlled Substances Act, an intoxicating compound
14 under the Use of Intoxicating Compounds Act, or
15 methamphetamine under the Methamphetamine Control and
16 Community Protection Act; and

17 (ii) the successful completion of any
18 rehabilitative treatment and involvement in any
19 ongoing rehabilitative activity that may be
20 recommended by a properly licensed service provider
21 according to an assessment of the person's alcohol or
22 drug use under Section 11-501.01 of this Code.

23 In determining whether an applicant is eligible for a
24 restricted driving permit under this subparagraph (F), the
25 Secretary may consider any relevant evidence, including,
26 but not limited to, testimony, affidavits, records, and

1 the results of regular alcohol or drug tests. Persons
2 subject to the provisions of paragraph 4 of subsection (b)
3 of Section 6-208 of this Code and who have been convicted
4 of more than one violation of paragraph (3), paragraph
5 (4), or paragraph (5) of subsection (a) of Section 11-501
6 of this Code shall not be eligible to apply for a
7 restricted driving permit under this subparagraph (F).

8 A restricted driving permit issued under this
9 subparagraph (F) shall provide that the holder may only
10 operate motor vehicles equipped with an ignition interlock
11 device as required under paragraph (2) of subsection (c)
12 of Section 6-205 of this Code and subparagraph (A) of
13 paragraph 3 of subsection (c) of this Section. The
14 Secretary may revoke a restricted driving permit or amend
15 the conditions of a restricted driving permit issued under
16 this subparagraph (F) if the holder operates a vehicle
17 that is not equipped with an ignition interlock device, or
18 for any other reason authorized under this Code.

19 A restricted driving permit issued under this
20 subparagraph (F) shall be revoked, and the holder barred
21 from applying for or being issued a restricted driving
22 permit in the future, if the holder is convicted of a
23 violation of Section 11-501 of this Code, a similar
24 provision of a local ordinance, or a similar offense in
25 another state.

26 (c-3) In the case of a suspension under paragraph 43 of

1 subsection (a), reports received by the Secretary of State
2 under this Section shall, except during the actual time the
3 suspension is in effect, be privileged information and for use
4 only by the courts, police officers, prosecuting authorities,
5 the driver licensing administrator of any other state, the
6 Secretary of State, or the parent or legal guardian of a driver
7 under the age of 18. However, beginning January 1, 2008, if the
8 person is a CDL holder, the suspension shall also be made
9 available to the driver licensing administrator of any other
10 state, the U.S. Department of Transportation, and the affected
11 driver or motor carrier or prospective motor carrier upon
12 request.

13 (c-4) In the case of a suspension under paragraph 43 of
14 subsection (a), the Secretary of State shall notify the person
15 by mail that his or her driving privileges and driver's
16 license will be suspended one month after the date of the
17 mailing of the notice.

18 (c-5) The Secretary of State may, as a condition of the
19 reissuance of a driver's license or permit to an applicant
20 whose driver's license or permit has been suspended before he
21 or she reached the age of 21 years pursuant to any of the
22 provisions of this Section, require the applicant to
23 participate in a driver remedial education course and be
24 retested under Section 6-109 of this Code.

25 (d) This Section is subject to the provisions of the
26 Driver License Compact.

1 (e) The Secretary of State shall not issue a restricted
2 driving permit to a person under the age of 16 years whose
3 driving privileges have been suspended or revoked under any
4 provisions of this Code.

5 (f) In accordance with 49 C.F.R. 384, the Secretary of
6 State may not issue a restricted driving permit for the
7 operation of a commercial motor vehicle to a person holding a
8 CDL whose driving privileges have been suspended, revoked,
9 cancelled, or disqualified under any provisions of this Code.

10 (Source: P.A. 101-90, eff. 7-1-20; 101-470, eff. 7-1-20;
11 101-623, eff. 7-1-20; 101-652, eff. 1-1-23; 102-299, eff.
12 8-6-21; 102-558, eff. 8-20-21; revised 10-28-21.)

13 (625 ILCS 5/11-502.1)

14 Sec. 11-502.1. Possession of medical cannabis in a motor
15 vehicle.

16 (a) No driver, who is a medical cannabis cardholder, may
17 use medical cannabis within the passenger area of any motor
18 vehicle upon a highway in this State.

19 (b) No driver, who is a medical cannabis cardholder, a
20 medical cannabis designated caregiver, medical cannabis
21 cultivation center agent, or dispensing organization agent may
22 possess medical cannabis within any area of any motor vehicle
23 upon a highway in this State except in a secured, sealed or
24 resealable, ~~odor-proof, and child-resistant medical cannabis~~
25 container that is inaccessible.

1 (c) No passenger, who is a medical cannabis card holder, a
2 medical cannabis designated caregiver, or medical cannabis
3 dispensing organization agent may possess medical cannabis
4 within any passenger area of any motor vehicle upon a highway
5 in this State except in a secured, sealed or resealable,
6 ~~odor proof, and child resistant medical cannabis~~ container
7 that is inaccessible.

8 (d) Any person who violates subsection (a) ~~subsections (a)~~
9 ~~through (c)~~ of this Section:

10 (1) commits a Class A misdemeanor;

11 (2) shall be subject to revocation of his or her
12 medical cannabis card for a period of 2 years from the end
13 of the sentence imposed; and

14 (3) shall be subject to revocation of his or her
15 status as a medical cannabis caregiver, medical cannabis
16 cultivation center agent, or medical cannabis dispensing
17 organization agent for a period of 2 years from the end of
18 the sentence imposed.

19 (e) A person who violates subsection (b) or (c) commits a
20 petty offense. A driver who is convicted of violating
21 subsection (b) or (c) a second or subsequent time within one
22 year of a similar conviction shall be subject to the
23 suspension of the person's driving privileges as provided in
24 paragraph 51 of subsection (a) of Section 6-206.

25 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21;
26 102-558, eff. 8-20-21.)

1 (625 ILCS 5/11-502.15)

2 Sec. 11-502.15. Possession of adult use cannabis in a
3 motor vehicle.

4 (a) No driver may use cannabis within the passenger area
5 of any motor vehicle upon a highway in this State.

6 (b) No driver may possess cannabis within any area of any
7 motor vehicle upon a highway in this State except in a secured,
8 sealed or resealable, ~~odor proof, child resistant~~ cannabis
9 container that is inaccessible.

10 (c) No passenger may possess cannabis within any passenger
11 area of any motor vehicle upon a highway in this State except
12 in a secured, sealed or resealable, ~~odor proof,~~
13 ~~child resistant~~ cannabis container that is inaccessible.

14 (d) Any person who knowingly violates subsection (a), ~~(b),~~
15 ~~or (c)~~ of this Section commits a Class A misdemeanor.

16 (e) A person who violates subsection (b) or (c) commits a
17 petty offense. A driver who is convicted of violating
18 subsection (b) or (c) a second or subsequent time within one
19 year of a similar conviction shall be subject to the
20 suspension of the person's driving privileges as provided in
21 paragraph 52 of subsection (a) of Section 6-206.

22 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21.)