

1 AN ACT concerning the Secretary of State.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 4 as follows:

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof. No identification card shall be issued to any person
12 who holds a valid foreign state identification card, license,
13 or permit unless the person first surrenders to the Secretary
14 of State the valid foreign state identification card, license,
15 or permit. The card shall be prepared and supplied by the
16 Secretary of State and shall include a photograph and
17 signature or mark of the applicant. However, the Secretary of
18 State may provide by rule for the issuance of Illinois
19 Identification Cards without photographs if the applicant has
20 a bona fide religious objection to being photographed or to
21 the display of his or her photograph. The Illinois
22 Identification Card may be used for identification purposes in
23 any lawful situation only by the person to whom it was issued.

1 As used in this Act, "photograph" means any color photograph
2 or digitally produced and captured image of an applicant for
3 an identification card. As used in this Act, "signature" means
4 the name of a person as written by that person and captured in
5 a manner acceptable to the Secretary of State.

6 (a-5) If an applicant for an identification card has a
7 current driver's license or instruction permit issued by the
8 Secretary of State, the Secretary may require the applicant to
9 utilize the same residence address and name on the
10 identification card, driver's license, and instruction permit
11 records maintained by the Secretary. The Secretary may
12 promulgate rules to implement this provision.

13 (a-10) If the applicant is a judicial officer as defined
14 in Section 1-10 of the Judicial Privacy Act or a peace officer,
15 the applicant may elect to have his or her office or work
16 address listed on the card instead of the applicant's
17 residence or mailing address. The Secretary may promulgate
18 rules to implement this provision. For the purposes of this
19 subsection (a-10), "peace officer" means any person who by
20 virtue of his or her office or public employment is vested by
21 law with a duty to maintain public order or to make arrests for
22 a violation of any penal statute of this State, whether that
23 duty extends to all violations or is limited to specific
24 violations.

25 (a-15) The Secretary of State may provide for an expedited
26 process for the issuance of an Illinois Identification Card.

1 The Secretary shall charge an additional fee for the expedited
2 issuance of an Illinois Identification Card, to be set by
3 rule, not to exceed \$75. All fees collected by the Secretary
4 for expedited Illinois Identification Card service shall be
5 deposited into the Secretary of State Special Services Fund.
6 The Secretary may adopt rules regarding the eligibility,
7 process, and fee for an expedited Illinois Identification
8 Card. If the Secretary of State determines that the volume of
9 expedited identification card requests received on a given day
10 exceeds the ability of the Secretary to process those requests
11 in an expedited manner, the Secretary may decline to provide
12 expedited services, and the additional fee for the expedited
13 service shall be refunded to the applicant.

14 (a-20) The Secretary of State shall issue a standard
15 Illinois Identification Card to a committed person upon
16 release on parole, mandatory supervised release, aftercare
17 release, final discharge, or pardon from the Department of
18 Corrections or Department of Juvenile Justice, if the released
19 person presents a certified copy of his or her birth
20 certificate, social security card or other documents
21 authorized by the Secretary, and 2 documents proving his or
22 her Illinois residence address. Documents proving residence
23 address may include any official document of the Department of
24 Corrections or the Department of Juvenile Justice showing the
25 released person's address after release and a Secretary of
26 State prescribed certificate of residency form, which may be

1 executed by Department of Corrections or Department of
2 Juvenile Justice personnel.

3 (a-25) The Secretary of State shall issue a limited-term
4 Illinois Identification Card valid for 90 days to a committed
5 person upon release on parole, mandatory supervised release,
6 aftercare release, final discharge, or pardon from the
7 Department of Corrections or Department of Juvenile Justice,
8 if the released person is unable to present a certified copy of
9 his or her birth certificate and social security card or other
10 documents authorized by the Secretary, but does present a
11 Secretary of State prescribed verification form completed by
12 the Department of Corrections or Department of Juvenile
13 Justice, verifying the released person's date of birth and
14 social security number and 2 documents proving his or her
15 Illinois residence address. The verification form must have
16 been completed no more than 30 days prior to the date of
17 application for the Illinois Identification Card. Documents
18 proving residence address shall include any official document
19 of the Department of Corrections or the Department of Juvenile
20 Justice showing the person's address after release and a
21 Secretary of State prescribed certificate of residency, which
22 may be executed by Department of Corrections or Department of
23 Juvenile Justice personnel.

24 Prior to the expiration of the 90-day period of the
25 limited-term Illinois Identification Card, if the released
26 person submits to the Secretary of State a certified copy of

1 his or her birth certificate and his or her social security
2 card or other documents authorized by the Secretary, a
3 standard Illinois Identification Card shall be issued. A
4 limited-term Illinois Identification Card may not be renewed.

5 (a-30) The Secretary of State shall issue a standard
6 Illinois Identification Card to a person upon conditional
7 release or absolute discharge from the custody of the
8 Department of Human Services, if the person presents a
9 certified copy of his or her birth certificate, social
10 security card, or other documents authorized by the Secretary,
11 and a document proving his or her Illinois residence address.
12 The Secretary of State shall issue a standard Illinois
13 Identification Card to a person ~~no sooner than 14 days~~ prior to
14 his or her conditional release or absolute discharge if
15 personnel from the Department of Human Services bring the
16 person to a Secretary of State location with the required
17 documents. Documents proving residence address may include any
18 official document of the Department of Human Services showing
19 the person's address after release and a Secretary of State
20 prescribed verification form, which may be executed by
21 personnel of the Department of Human Services.

22 (a-35) The Secretary of State shall issue a limited-term
23 Illinois Identification Card valid for 90 days to a person
24 upon conditional release or absolute discharge from the
25 custody of the Department of Human Services, if the person is
26 unable to present a certified copy of his or her birth

1 certificate and social security card or other documents
2 authorized by the Secretary, but does present a Secretary of
3 State prescribed verification form completed by the Department
4 of Human Services, verifying the person's date of birth and
5 social security number, and a document proving his or her
6 Illinois residence address. The verification form must have
7 been completed no more than 30 days prior to the date of
8 application for the Illinois Identification Card. The
9 Secretary of State shall issue a limited-term Illinois
10 Identification Card to a person no sooner than 14 days prior to
11 his or her conditional release or absolute discharge if
12 personnel from the Department of Human Services bring the
13 person to a Secretary of State location with the required
14 documents. Documents proving residence address shall include
15 any official document of the Department of Human Services
16 showing the person's address after release and a Secretary of
17 State prescribed verification form, which may be executed by
18 personnel of the Department of Human Services.

19 (b) The Secretary of State shall issue a special Illinois
20 Identification Card, which shall be known as an Illinois
21 Person with a Disability Identification Card, to any natural
22 person who is a resident of the State of Illinois, who is a
23 person with a disability as defined in Section 4A of this Act,
24 who applies for such card, or renewal thereof. No Illinois
25 Person with a Disability Identification Card shall be issued
26 to any person who holds a valid foreign state identification

1 card, license, or permit unless the person first surrenders to
2 the Secretary of State the valid foreign state identification
3 card, license, or permit. The Secretary of State shall charge
4 no fee to issue such card. The card shall be prepared and
5 supplied by the Secretary of State, and shall include a
6 photograph and signature or mark of the applicant, a
7 designation indicating that the card is an Illinois Person
8 with a Disability Identification Card, and shall include a
9 comprehensible designation of the type and classification of
10 the applicant's disability as set out in Section 4A of this
11 Act. However, the Secretary of State may provide by rule for
12 the issuance of Illinois Person with a Disability
13 Identification Cards without photographs if the applicant has
14 a bona fide religious objection to being photographed or to
15 the display of his or her photograph. If the applicant so
16 requests, the card shall include a description of the
17 applicant's disability and any information about the
18 applicant's disability or medical history which the Secretary
19 determines would be helpful to the applicant in securing
20 emergency medical care. If a mark is used in lieu of a
21 signature, such mark shall be affixed to the card in the
22 presence of two witnesses who attest to the authenticity of
23 the mark. The Illinois Person with a Disability Identification
24 Card may be used for identification purposes in any lawful
25 situation by the person to whom it was issued.

26 The Illinois Person with a Disability Identification Card

1 may be used as adequate documentation of disability in lieu of
2 a physician's determination of disability, a determination of
3 disability from a physician assistant, a determination of
4 disability from an advanced practice registered nurse, or any
5 other documentation of disability whenever any State law
6 requires that a person with a disability provide such
7 documentation of disability, however an Illinois Person with a
8 Disability Identification Card shall not qualify the
9 cardholder to participate in any program or to receive any
10 benefit which is not available to all persons with like
11 disabilities. Notwithstanding any other provisions of law, an
12 Illinois Person with a Disability Identification Card, or
13 evidence that the Secretary of State has issued an Illinois
14 Person with a Disability Identification Card, shall not be
15 used by any person other than the person named on such card to
16 prove that the person named on such card is a person with a
17 disability or for any other purpose unless the card is used for
18 the benefit of the person named on such card, and the person
19 named on such card consents to such use at the time the card is
20 so used.

21 An optometrist's determination of a visual disability
22 under Section 4A of this Act is acceptable as documentation
23 for the purpose of issuing an Illinois Person with a
24 Disability Identification Card.

25 When medical information is contained on an Illinois
26 Person with a Disability Identification Card, the Office of

1 the Secretary of State shall not be liable for any actions
2 taken based upon that medical information.

3 (c) The Secretary of State shall provide that each
4 original or renewal Illinois Identification Card or Illinois
5 Person with a Disability Identification Card issued to a
6 person under the age of 21 shall be of a distinct nature from
7 those Illinois Identification Cards or Illinois Person with a
8 Disability Identification Cards issued to individuals 21 years
9 of age or older. The color designated for Illinois
10 Identification Cards or Illinois Person with a Disability
11 Identification Cards for persons under the age of 21 shall be
12 at the discretion of the Secretary of State.

13 (c-1) Each original or renewal Illinois Identification
14 Card or Illinois Person with a Disability Identification Card
15 issued to a person under the age of 21 shall display the date
16 upon which the person becomes 18 years of age and the date upon
17 which the person becomes 21 years of age.

18 (c-3) The General Assembly recognizes the need to identify
19 military veterans living in this State for the purpose of
20 ensuring that they receive all of the services and benefits to
21 which they are legally entitled, including healthcare,
22 education assistance, and job placement. To assist the State
23 in identifying these veterans and delivering these vital
24 services and benefits, the Secretary of State is authorized to
25 issue Illinois Identification Cards and Illinois Person with a
26 Disability Identification Cards with the word "veteran"

1 appearing on the face of the cards. This authorization is
2 predicated on the unique status of veterans. The Secretary may
3 not issue any other identification card which identifies an
4 occupation, status, affiliation, hobby, or other unique
5 characteristics of the identification card holder which is
6 unrelated to the purpose of the identification card.

7 (c-5) Beginning on or before July 1, 2015, the Secretary
8 of State shall designate a space on each original or renewal
9 identification card where, at the request of the applicant,
10 the word "veteran" shall be placed. The veteran designation
11 shall be available to a person identified as a veteran under
12 subsection (b) of Section 5 of this Act who was discharged or
13 separated under honorable conditions.

14 (d) The Secretary of State may issue a Senior Citizen
15 discount card, to any natural person who is a resident of the
16 State of Illinois who is 60 years of age or older and who
17 applies for such a card or renewal thereof. The Secretary of
18 State shall charge no fee to issue such card. The card shall be
19 issued in every county and applications shall be made
20 available at, but not limited to, nutrition sites, senior
21 citizen centers and Area Agencies on Aging. The applicant,
22 upon receipt of such card and prior to its use for any purpose,
23 shall have affixed thereon in the space provided therefor his
24 signature or mark.

25 (e) The Secretary of State, in his or her discretion, may
26 designate on each Illinois Identification Card or Illinois

1 Person with a Disability Identification Card a space where the
2 card holder may place a sticker or decal, issued by the
3 Secretary of State, of uniform size as the Secretary may
4 specify, that shall indicate in appropriate language that the
5 card holder has renewed his or her Illinois Identification
6 Card or Illinois Person with a Disability Identification Card.
7 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
8 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff.
9 7-1-17; 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

10 Section 10. The Illinois Vehicle Code is amended by
11 changing Sections 6-106.1, 6-205, 6-206, and 6-508 as follows:

12 (625 ILCS 5/6-106.1) (from Ch. 95 1/2, par. 6-106.1)

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

14 (a) The Secretary of State shall issue a school bus driver
15 permit to those applicants who have met all the requirements
16 of the application and screening process under this Section to
17 insure the welfare and safety of children who are transported
18 on school buses throughout the State of Illinois. Applicants
19 shall obtain the proper application required by the Secretary
20 of State from their prospective or current employer and submit
21 the completed application to the prospective or current
22 employer along with the necessary fingerprint submission as
23 required by the Department of State Police to conduct
24 fingerprint based criminal background checks on current and

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

25 1. be 21 years of age or older;

26 2. possess a valid and properly classified driver's

1 license issued by the Secretary of State;

2 3. possess a valid driver's license, which has not
3 been revoked, suspended, or canceled for 3 years
4 immediately prior to the date of application, or have not
5 had his or her commercial motor vehicle driving privileges
6 disqualified within the 3 years immediately prior to the
7 date of application;

8 4. successfully pass a written test, administered by
9 the Secretary of State, on school bus operation, school
10 bus safety, and special traffic laws relating to school
11 buses and submit to a review of the applicant's driving
12 habits by the Secretary of State at the time the written
13 test is given;

14 5. demonstrate ability to exercise reasonable care in
15 the operation of school buses in accordance with rules
16 promulgated by the Secretary of State;

17 6. demonstrate physical fitness to operate school
18 buses by submitting the results of a medical examination,
19 including tests for drug use for each applicant not
20 subject to such testing pursuant to federal law, conducted
21 by a licensed physician, a licensed advanced practice
22 registered nurse, or a licensed physician assistant within
23 90 days of the date of application according to standards
24 promulgated by the Secretary of State;

25 7. affirm under penalties of perjury that he or she
26 has not made a false statement or knowingly concealed a

1 material fact in any application for permit;

2 8. have completed an initial classroom course,
3 including first aid procedures, in school bus driver
4 safety as promulgated by the Secretary of State; and after
5 satisfactory completion of said initial course an annual
6 refresher course; such courses and the agency or
7 organization conducting such courses shall be approved by
8 the Secretary of State; failure to complete the annual
9 refresher course, shall result in cancellation of the
10 permit until such course is completed;

11 9. not have been under an order of court supervision
12 for or convicted of 2 or more serious traffic offenses, as
13 defined by rule, within one year prior to the date of
14 application that may endanger the life or safety of any of
15 the driver's passengers within the duration of the permit
16 period;

17 10. not have been under an order of court supervision
18 for or convicted of reckless driving, aggravated reckless
19 driving, driving while under the influence of alcohol,
20 other drug or drugs, intoxicating compound or compounds or
21 any combination thereof, or reckless homicide resulting
22 from the operation of a motor vehicle within 3 years of the
23 date of application;

24 11. not have been convicted of committing or
25 attempting to commit any one or more of the following
26 offenses: (i) those offenses defined in Sections 8-1,

1 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
2 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
3 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
4 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
5 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
6 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
7 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23,
8 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05, 12-3.1,
9 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4,
10 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-5.3, 12-6,
11 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
12 12-14, 12-14.1, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6,
13 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16,
14 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1,
15 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5,
16 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9,
17 31A-1.1, 33A-2, and 33D-1, in subsection (A), clauses (a)
18 and (b), of Section 24-3, and those offenses contained in
19 Article 29D of the Criminal Code of 1961 or the Criminal
20 Code of 2012; (ii) those offenses defined in the Cannabis
21 Control Act except those offenses defined in subsections
22 (a) and (b) of Section 4, and subsection (a) of Section 5
23 of the Cannabis Control Act; (iii) those offenses defined
24 in the Illinois Controlled Substances Act; (iv) those
25 offenses defined in the Methamphetamine Control and
26 Community Protection Act; and (v) any offense committed or

1 attempted in any other state or against the laws of the
2 United States, which if committed or attempted in this
3 State would be punishable as one or more of the foregoing
4 offenses; (vi) the offenses defined in Section 4.1 and 5.1
5 of the Wrongs to Children Act or Section 11-9.1A of the
6 Criminal Code of 1961 or the Criminal Code of 2012; (vii)
7 those offenses defined in Section 6-16 of the Liquor
8 Control Act of 1934; and (viii) those offenses defined in
9 the Methamphetamine Precursor Control Act;

10 12. not have been repeatedly involved as a driver in
11 motor vehicle collisions or been repeatedly convicted of
12 offenses against laws and ordinances regulating the
13 movement of traffic, to a degree which indicates lack of
14 ability to exercise ordinary and reasonable care in the
15 safe operation of a motor vehicle or disrespect for the
16 traffic laws and the safety of other persons upon the
17 highway;

18 13. not have, through the unlawful operation of a
19 motor vehicle, caused an accident resulting in the death
20 of any person;

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

24 15. consent, in writing, to the release of results of
25 reasonable suspicion drug and alcohol testing under
26 Section 6-106.1c of this Code by the employer of the

1 applicant to the Secretary of State; and

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

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

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

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

1 been successfully completed including the successful
2 completion of an Illinois specific criminal background
3 investigation through the Department of State Police and the
4 submission of necessary fingerprints to the Federal Bureau of
5 Investigation for criminal history information available
6 through the Federal Bureau of Investigation system. The
7 applicant shall present the certification to the Secretary of
8 State at the time of submitting the school bus driver permit
9 application.

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

26 (f) A school bus driver permit holder shall notify the

1 employer and the Secretary of State if he or she is issued an
2 order of court supervision for or convicted in another state
3 of an offense that would make him or her ineligible for a
4 permit under subsection (a) of this Section. The written
5 notification shall be made within 5 days of the entry of the
6 order of court supervision or conviction. Failure of the
7 permit holder to provide the notification is punishable as a
8 petty offense for a first violation and a Class B misdemeanor
9 for a second or subsequent violation.

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

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

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

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

25 (4) The Secretary of State may not issue a school bus
26 driver permit for a period of 3 years to an applicant who

1 fails to obtain a negative result on a drug test as
2 required in item 6 of subsection (a) of this Section or
3 under federal law.

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

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

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

23 The Secretary of State shall notify the State
24 Superintendent of Education and the permit holder's
25 prospective or current employer that the applicant has (1) has
26 failed a criminal background investigation or (2) is no longer

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

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

22 (h) When a school bus driver permit holder who is a service
23 member is called to active duty, the employer of the permit
24 holder shall notify the Secretary of State, within 30 days of
25 notification from the permit holder, that the permit holder
26 has been called to active duty. Upon notification pursuant to

1 this subsection, (i) the Secretary of State shall characterize
2 the permit as inactive until a permit holder renews the permit
3 as provided in subsection (i) of this Section, and (ii) if a
4 permit holder fails to comply with the requirements of this
5 Section while called to active duty, the Secretary of State
6 shall not characterize the permit as invalid.

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

12 (j) For purposes of subsections (h) and (i) of this
13 Section:

14 "Active duty" means active duty pursuant to an executive
15 order of the President of the United States, an act of the
16 Congress of the United States, or an order of the Governor.

17 "Service member" means a member of the Armed Services or
18 reserve forces of the United States or a member of the Illinois
19 National Guard.

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

1 negligent hiring or retention of a school bus driver permit
2 holder.

3 (Source: P.A. 100-513, eff. 1-1-18; 101-458, eff. 1-1-20.)

4 (625 ILCS 5/6-205)

5 Sec. 6-205. Mandatory revocation of license or permit;
6 hardship cases.

7 (a) Except as provided in this Section, the Secretary of
8 State shall immediately revoke the license, permit, or driving
9 privileges of any driver upon receiving a report of the
10 driver's conviction of any of the following offenses:

11 1. Reckless homicide resulting from the operation of a
12 motor vehicle;

13 2. Violation of Section 11-501 of this Code or a
14 similar provision of a local ordinance relating to the
15 offense of operating or being in physical control of a
16 vehicle while under the influence of alcohol, other drug
17 or drugs, intoxicating compound or compounds, or any
18 combination thereof;

19 3. Any felony under the laws of any State or the
20 federal government in the commission of which a motor
21 vehicle was used;

22 4. Violation of Section 11-401 of this Code relating
23 to the offense of leaving the scene of a traffic accident
24 involving death or personal injury;

25 5. Perjury or the making of a false affidavit or

1 statement under oath to the Secretary of State under this
2 Code or under any other law relating to the ownership or
3 operation of motor vehicles;

4 6. Conviction upon 3 charges of violation of Section
5 11-503 of this Code relating to the offense of reckless
6 driving committed within a period of 12 months;

7 7. Conviction of any offense defined in Section 4-102
8 of this Code if the person exercised actual physical
9 control over the vehicle during the commission of the
10 offense;

11 8. Violation of Section 11-504 of this Code relating
12 to the offense of drag racing;

13 9. Violation of Chapters 8 and 9 of this Code;

14 10. Violation of Section 12-5 of the Criminal Code of
15 1961 or the Criminal Code of 2012 arising from the use of a
16 motor vehicle;

17 11. Violation of Section 11-204.1 of this Code
18 relating to aggravated fleeing or attempting to elude a
19 peace officer;

20 12. Violation of paragraph (1) of subsection (b) of
21 Section 6-507, or a similar law of any other state,
22 relating to the unlawful operation of a commercial motor
23 vehicle;

24 13. Violation of paragraph (a) of Section 11-502 of
25 this Code or a similar provision of a local ordinance if
26 the driver has been previously convicted of a violation of

1 that Section or a similar provision of a local ordinance
2 and the driver was less than 21 years of age at the time of
3 the offense;

4 14. Violation of paragraph (a) of Section 11-506 of
5 this Code or a similar provision of a local ordinance
6 relating to the offense of street racing;

7 15. A second or subsequent conviction of driving while
8 the person's driver's license, permit or privileges was
9 revoked for reckless homicide or a similar out-of-state
10 offense;

11 16. Any offense against any provision in this Code, or
12 any local ordinance, regulating the movement of traffic
13 when that offense was the proximate cause of the death of
14 any person. Any person whose driving privileges have been
15 revoked pursuant to this paragraph may seek to have the
16 revocation terminated or to have the length of revocation
17 reduced by requesting an administrative hearing with the
18 Secretary of State prior to the projected driver's license
19 application eligibility date;

20 17. Violation of subsection (a-2) of Section 11-1301.3
21 of this Code or a similar provision of a local ordinance;

22 18. A second or subsequent conviction of 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. A
3 defendant found guilty of this offense while operating a
4 motor vehicle shall have an entry made in the court record
5 by the presiding judge that this offense did occur while
6 the defendant was operating a motor vehicle and order the
7 clerk of the court to report the violation to the
8 Secretary of State;

9 19. Violation of subsection (a) of Section 11-1414 of
10 this Code, or a similar provision of a local ordinance,
11 relating to the offense of overtaking or passing of a
12 school bus when the driver, in committing the violation,
13 is involved in a motor vehicle accident that results in
14 death to another and the violation is a proximate cause of
15 the death.

16 (b) The Secretary of State shall also immediately revoke
17 the license or permit of any driver in the following
18 situations:

19 1. Of any minor upon receiving the notice provided for
20 in Section 5-901 of the Juvenile Court Act of 1987 that the
21 minor has been adjudicated under that Act as having
22 committed an offense relating to motor vehicles prescribed
23 in Section 4-103 of this Code;

24 2. Of any person when any other law of this State
25 requires either the revocation or suspension of a license
26 or permit;

1 3. Of any person adjudicated under the Juvenile Court
2 Act of 1987 based on an offense determined to have been
3 committed in furtherance of the criminal activities of an
4 organized gang as provided in Section 5-710 of that Act,
5 and that involved the operation or use of a motor vehicle
6 or the use of a driver's license or permit. The revocation
7 shall remain in effect for the period determined by the
8 court.

9 (c)(1) Whenever a person is convicted of any of the
10 offenses enumerated in this Section, the court may recommend
11 and the Secretary of State in his discretion, without regard
12 to whether the recommendation is made by the court may, upon
13 application, issue to the person a restricted driving permit
14 granting the privilege of driving a motor vehicle between the
15 petitioner's residence and petitioner's place of employment or
16 within the scope of the petitioner's employment related
17 duties, or to allow the petitioner to transport himself or
18 herself or a family member of the petitioner's household to a
19 medical facility for the receipt of necessary medical care or
20 to allow the petitioner to transport himself or herself to and
21 from alcohol or drug remedial or rehabilitative activity
22 recommended by a licensed service provider, or to allow the
23 petitioner to transport himself or herself or a family member
24 of the petitioner's household to classes, as a student, at an
25 accredited educational institution, or to allow the petitioner
26 to transport children, elderly persons, or persons with

1 disabilities who do not hold driving privileges and are living
2 in the petitioner's household to and from daycare; if the
3 petitioner is able to demonstrate that no alternative means of
4 transportation is reasonably available and that the petitioner
5 will not endanger the public safety or welfare; provided that
6 the Secretary's discretion shall be limited to cases where
7 undue hardship, as defined by the rules of the Secretary of
8 State, would result from a failure to issue the restricted
9 driving permit.

10 (1.5) A person subject to the provisions of paragraph 4 of
11 subsection (b) of Section 6-208 of this Code may make
12 application for a restricted driving permit at a hearing
13 conducted under Section 2-118 of this Code after the
14 expiration of 5 years from the effective date of the most
15 recent revocation, or after 5 years from the date of release
16 from a period of imprisonment resulting from a conviction of
17 the most recent offense, whichever is later, provided the
18 person, in addition to all other requirements of the
19 Secretary, shows by clear and convincing evidence:

20 (A) a minimum of 3 years of uninterrupted abstinence
21 from alcohol and the unlawful use or consumption of
22 cannabis under the Cannabis Control Act, a controlled
23 substance under the Illinois Controlled Substances Act, an
24 intoxicating compound under the Use of Intoxicating
25 Compounds Act, or methamphetamine under the
26 Methamphetamine Control and Community Protection Act; and

1 (B) the successful completion of any rehabilitative
2 treatment and involvement in any ongoing rehabilitative
3 activity that may be recommended by a properly licensed
4 service provider according to an assessment of the
5 person's alcohol or drug use under Section 11-501.01 of
6 this Code.

7 In determining whether an applicant is eligible for a
8 restricted driving permit under this paragraph (1.5), the
9 Secretary may consider any relevant evidence, including, but
10 not limited to, testimony, affidavits, records, and the
11 results of regular alcohol or drug tests. Persons subject to
12 the provisions of paragraph 4 of subsection (b) of Section
13 6-208 of this Code and who have been convicted of more than one
14 violation of paragraph (3), paragraph (4), or paragraph (5) of
15 subsection (a) of Section 11-501 of this Code shall not be
16 eligible to apply for a restricted driving permit.

17 A restricted driving permit issued under this paragraph
18 (1.5) shall provide that the holder may only operate motor
19 vehicles equipped with an ignition interlock device as
20 required under paragraph (2) of subsection (c) of this Section
21 and subparagraph (A) of paragraph 3 of subsection (c) of
22 Section 6-206 of this Code. The Secretary may revoke a
23 restricted driving permit or amend the conditions of a
24 restricted driving permit issued under this paragraph (1.5) if
25 the holder operates a vehicle that is not equipped with an
26 ignition interlock device, or for any other reason authorized

1 under this Code.

2 A restricted driving permit issued under this paragraph
3 (1.5) shall be revoked, and the holder barred from applying
4 for or being issued a restricted driving permit in the future,
5 if the holder is subsequently convicted of a violation of
6 Section 11-501 of this Code, a similar provision of a local
7 ordinance, or a similar offense in another state.

8 (2) If a person's license or permit is revoked or
9 suspended due to 2 or more convictions of violating Section
10 11-501 of this Code or a similar provision of a local ordinance
11 or a similar out-of-state offense, or Section 9-3 of the
12 Criminal Code of 1961 or the Criminal Code of 2012, where the
13 use of alcohol or other drugs is recited as an element of the
14 offense, or a similar out-of-state offense, or a combination
15 of these offenses, arising out of separate occurrences, that
16 person, if issued a restricted driving permit, may not operate
17 a vehicle unless it has been equipped with an ignition
18 interlock device as defined in Section 1-129.1.

19 (3) If:

20 (A) a person's license or permit is revoked or
21 suspended 2 or more times due to any combination of:

22 (i) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense, or
25 Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012, where the use of alcohol or

1 other drugs is recited as an element of the offense, or
2 a similar out-of-state offense; or

3 (ii) a statutory summary suspension or revocation
4 under Section 11-501.1; or

5 (iii) a suspension pursuant to Section 6-203.1;
6 arising out of separate occurrences; or

7 (B) a person has been convicted of one violation of
8 subparagraph (C) or (F) of paragraph (1) of subsection (d)
9 of Section 11-501 of this Code, Section 9-3 of the
10 Criminal Code of 1961 or the Criminal Code of 2012,
11 relating to the offense of reckless homicide where the use
12 of alcohol or other drugs was recited as an element of the
13 offense, or a similar provision of a law of another state;
14 that person, if issued a restricted driving permit, may not
15 operate a vehicle unless it has been equipped with an ignition
16 interlock device as defined in Section 1-129.1.

17 (4) The person issued a permit conditioned on the use of an
18 ignition interlock device must pay to the Secretary of State
19 DUI Administration Fund an amount not to exceed \$30 per month.
20 The Secretary shall establish by rule the amount and the
21 procedures, terms, and conditions relating to these fees.

22 (5) If the restricted driving permit is issued for
23 employment purposes, then the prohibition against operating a
24 motor vehicle that is not equipped with an ignition interlock
25 device does not apply to the operation of an occupational
26 vehicle owned or leased by that person's employer when used

1 solely for employment purposes. For any person who, within a
2 5-year period, is convicted of a second or subsequent offense
3 under Section 11-501 of this Code, or a similar provision of a
4 local ordinance or similar out-of-state offense, this
5 employment exemption does not apply until either a one-year
6 period has elapsed during which that person had his or her
7 driving privileges revoked or a one-year period has elapsed
8 during which that person had a restricted driving permit which
9 required the use of an ignition interlock device on every
10 motor vehicle owned or operated by that person.

11 (6) In each case the Secretary of State may issue a
12 restricted driving permit for a period he deems appropriate,
13 except that the permit shall expire no later than 2 years from
14 the date of issuance. A restricted driving permit issued under
15 this Section shall be subject to cancellation, revocation, and
16 suspension by the Secretary of State in like manner and for
17 like cause as a driver's license issued under this Code may be
18 cancelled, revoked, or suspended; except that a conviction
19 upon one or more offenses against laws or ordinances
20 regulating the movement of traffic shall be deemed sufficient
21 cause for the revocation, suspension, or cancellation of a
22 restricted driving permit. The Secretary of State may, as a
23 condition to the issuance of a restricted driving permit,
24 require the petitioner to participate in a designated driver
25 remedial or rehabilitative program. The Secretary of State is
26 authorized to cancel a restricted driving permit if the permit

1 holder does not successfully complete the program. However, if
2 an individual's driving privileges have been revoked in
3 accordance with paragraph 13 of subsection (a) of this
4 Section, no restricted driving permit shall be issued until
5 the individual has served 6 months of the revocation period.

6 (c-5) (Blank).

7 (c-6) If a person is convicted of a second violation of
8 operating a motor vehicle while the person's driver's license,
9 permit or privilege was revoked, where the revocation was for
10 a violation of Section 9-3 of the Criminal Code of 1961 or the
11 Criminal Code of 2012 relating to the offense of reckless
12 homicide or a similar out-of-state offense, the person's
13 driving privileges shall be revoked pursuant to subdivision
14 (a) (15) of this Section. The person may not make application
15 for a license or permit until the expiration of five years from
16 the effective date of the revocation or the expiration of five
17 years from the date of release from a term of imprisonment,
18 whichever is later.

19 (c-7) If a person is convicted of a third or subsequent
20 violation of operating a motor vehicle while the person's
21 driver's license, permit or privilege was revoked, where the
22 revocation was for a violation of Section 9-3 of the Criminal
23 Code of 1961 or the Criminal Code of 2012 relating to the
24 offense of reckless homicide or a similar out-of-state
25 offense, the person may never apply for a license or permit.

26 (d) (1) Whenever a person under the age of 21 is convicted

1 under Section 11-501 of this Code or a similar provision of a
2 local ordinance or a similar out-of-state offense, the
3 Secretary of State shall revoke the driving privileges of that
4 person. One year after the date of revocation, and upon
5 application, the Secretary of State may, if satisfied that the
6 person applying will not endanger the public safety or
7 welfare, issue a restricted driving permit granting the
8 privilege of driving a motor vehicle only between the hours of
9 5 a.m. and 9 p.m. or as otherwise provided by this Section for
10 a period of one year. After this one-year period, and upon
11 reapplication for a license as provided in Section 6-106, upon
12 payment of the appropriate reinstatement fee provided under
13 paragraph (b) of Section 6-118, the Secretary of State, in his
14 discretion, may reinstate the petitioner's driver's license
15 and driving privileges, or extend the restricted driving
16 permit as many times as the Secretary of State deems
17 appropriate, by additional periods of not more than 24 months
18 each.

19 (2) If a person's license or permit is revoked or
20 suspended due to 2 or more convictions of violating
21 Section 11-501 of this Code or a similar provision of a
22 local ordinance or a similar out-of-state offense, or
23 Section 9-3 of the Criminal Code of 1961 or the Criminal
24 Code of 2012, where the use of alcohol or other drugs is
25 recited as an element of the offense, or a similar
26 out-of-state offense, or a combination of these offenses,

1 arising out of separate occurrences, that person, if
2 issued a restricted driving permit, may not operate a
3 vehicle unless it has been equipped with an ignition
4 interlock device as defined in Section 1-129.1.

5 (3) If a person's license or permit is revoked or
6 suspended 2 or more times due to any combination of:

7 (A) a single conviction of violating Section
8 11-501 of this Code or a similar provision of a local
9 ordinance or a similar out-of-state offense, or
10 Section 9-3 of the Criminal Code of 1961 or the
11 Criminal Code of 2012, where the use of alcohol or
12 other drugs is recited as an element of the offense, or
13 a similar out-of-state offense; or

14 (B) a statutory summary suspension or revocation
15 under Section 11-501.1; or

16 (C) a suspension pursuant to Section 6-203.1;

17 arising out of separate occurrences, that person, if
18 issued a restricted driving permit, may not operate a
19 vehicle unless it has been equipped with an ignition
20 interlock device as defined in Section 1-129.1.

21 (3.5) If a person's license or permit is revoked or
22 suspended due to a conviction for a violation of
23 subparagraph (C) or (F) of paragraph (1) of subsection (d)
24 of Section 11-501 of this Code, or a similar provision of a
25 local ordinance or similar out-of-state offense, that
26 person, if issued a restricted driving permit, may not

1 operate a vehicle unless it has been equipped with an
2 ignition interlock device as defined in Section 1-129.1.

3 (4) The person issued a permit conditioned upon the
4 use of an interlock device must pay to the Secretary of
5 State DUI Administration Fund an amount not to exceed \$30
6 per month. The Secretary shall establish by rule the
7 amount and the procedures, terms, and conditions relating
8 to these fees.

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

25 (6) A restricted driving permit issued under this
26 Section shall be subject to cancellation, revocation, and

1 suspension by the Secretary of State in like manner and
2 for like cause as a driver's license issued under this
3 Code may be cancelled, revoked, or suspended; except that
4 a conviction upon one or more offenses against laws or
5 ordinances regulating the movement of traffic shall be
6 deemed sufficient cause for the revocation, suspension, or
7 cancellation of a restricted driving permit.

8 (d-5) The revocation of the license, permit, or driving
9 privileges of a person convicted of a third or subsequent
10 violation of Section 6-303 of this Code committed while his or
11 her driver's license, permit, or privilege was revoked because
12 of a violation of Section 9-3 of the Criminal Code of 1961 or
13 the Criminal Code of 2012, relating to the offense of reckless
14 homicide, or a similar provision of a law of another state, is
15 permanent. The Secretary may not, at any time, issue a license
16 or permit to that person.

17 (e) This Section is subject to the provisions of the
18 Driver License Compact.

19 (f) Any revocation imposed upon any person under
20 subsections 2 and 3 of paragraph (b) that is in effect on
21 December 31, 1988 shall be converted to a suspension for a like
22 period of time.

23 (g) The Secretary of State shall not issue a restricted
24 driving permit to a person under the age of 16 years whose
25 driving privileges have been revoked under any provisions of
26 this Code.

1 (h) The Secretary of State shall require the use of
2 ignition interlock devices for a period not less than 5 years
3 on all vehicles owned by a person who has been convicted of a
4 second or subsequent offense under Section 11-501 of this Code
5 or a similar provision of a local ordinance. The person must
6 pay to the Secretary of State DUI Administration Fund an
7 amount not to exceed \$30 for each month that he or she uses the
8 device. The Secretary shall establish by rule and regulation
9 the procedures for certification and use of the interlock
10 system, the amount of the fee, and the procedures, terms, and
11 conditions relating to these fees. During the time period in
12 which a person is required to install an ignition interlock
13 device under this subsection (h), that person shall only
14 operate vehicles in which ignition interlock devices have been
15 installed, except as allowed by subdivision (c) (5) or (d) (5)
16 of this Section. Regardless of whether an exemption under
17 subdivision (c) (5) or (d) (5) applies, every person subject
18 to this subsection shall not be eligible for reinstatement
19 until the person installs an ignition interlock device and
20 maintains the ignition interlock device for 5 years.

21 (i) (Blank).

22 (j) In accordance with 49 C.F.R. 384, the Secretary of
23 State may not issue a restricted driving permit for the
24 operation of a commercial motor vehicle to a person holding a
25 CDL whose driving privileges have been revoked, suspended,
26 cancelled, or disqualified under any provisions of this Code.

1 (k) The Secretary of State shall notify by mail any person
2 whose driving privileges have been revoked under paragraph 16
3 of subsection (a) of this Section that his or her driving
4 privileges and driver's license will be revoked 90 days from
5 the date of the mailing of the notice.

6 (Source: P.A. 100-223, eff. 8-18-17; 100-803, eff. 1-1-19;
7 101-623, eff. 7-1-20.)

8 (625 ILCS 5/6-206)

9 (Text of Section before amendment by P.A. 101-90, 101-470,
10 and 101-623)

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

13 (a) The Secretary of State is authorized to suspend or
14 revoke the driving privileges of any person without
15 preliminary hearing upon a showing of the person's records or
16 other sufficient evidence that the person:

17 1. Has committed an offense for which mandatory
18 revocation of a driver's license or permit is required
19 upon conviction;

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

25 3. Has been repeatedly involved as a driver in motor

1 vehicle collisions or has been repeatedly convicted of
2 offenses against laws and ordinances regulating the
3 movement of traffic, to a degree that indicates lack of
4 ability to exercise ordinary and reasonable care in the
5 safe operation of a motor vehicle or disrespect for the
6 traffic laws and the safety of other persons upon the
7 highway;

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

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

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

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

1 examination;

2 8. Is ineligible for a driver's license or permit
3 under the provisions of Section 6-103;

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

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

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

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

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

1 6-110;

2 14. Has committed a violation of Section 6-301,
3 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
4 14B of the Illinois Identification Card Act;

5 15. Has been convicted of violating Section 21-2 of
6 the Criminal Code of 1961 or the Criminal Code of 2012
7 relating to criminal trespass to vehicles in which case,
8 the 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. Has, since issuance of a driver's license or
16 permit, been adjudged to be afflicted with or suffering
17 from any mental disability or disease;

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

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

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

1 22. Has used a motor vehicle in violating paragraph
2 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
3 the Criminal Code of 1961 or the Criminal Code of 2012
4 relating to unlawful use of weapons, in which case the
5 suspension shall be for one year;

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

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

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

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

23 27. Has violated Section 6-16 of the Liquor Control
24 Act of 1934;

25 28. Has been convicted for a first time of the illegal
26 possession, while operating or in actual physical control,

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

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

1 30. Has been convicted a second or subsequent time for
2 any combination of the offenses named in paragraph 29 of
3 this subsection, in which case the person's driving
4 privileges shall be suspended for 5 years;

5 31. Has refused to submit to a test as required by
6 Section 11-501.6 of this Code or Section 5-16c of the Boat
7 Registration and Safety Act or has submitted to a test
8 resulting in an alcohol concentration of 0.08 or more or
9 any amount of a drug, substance, or compound resulting
10 from the unlawful use or consumption of cannabis as listed
11 in the Cannabis Control Act, a controlled substance as
12 listed in the Illinois Controlled Substances Act, an
13 intoxicating compound as listed in the Use of Intoxicating
14 Compounds Act, or methamphetamine as listed in the
15 Methamphetamine Control and Community Protection Act, in
16 which case the penalty shall be as prescribed in Section
17 6-208.1;

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

24 33. Has as a driver, who was less than 21 years of age
25 on the date of the offense, been convicted a first time of
26 a violation of paragraph (a) of Section 11-502 of this

1 Code or a similar provision of a local ordinance;

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

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

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

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

15 38. Has been convicted of a violation of Section 6-20
16 of the Liquor Control Act of 1934 or a similar provision of
17 a local ordinance;

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

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

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

1 42. Has committed a violation of subsection (a-1) of
2 Section 11-1301.3 of this Code or a similar provision of a
3 local ordinance;

4 43. Has received a disposition of court supervision
5 for a violation of subsection (a), (d), or (e) of Section
6 6-20 of the Liquor Control Act of 1934 or a similar
7 provision of a local ordinance, in which case the
8 suspension shall be for a period of 3 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 Section 11-502.1 of
25 this Code; or

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

11 (b) If any conviction forming the basis of a suspension or
12 revocation authorized under this Section is appealed, the
13 Secretary of State may rescind or withhold the entry of the
14 order of suspension or revocation, as the case may be,
15 provided that a certified copy of a stay order of a court is
16 filed with the Secretary of State. If the conviction is
17 affirmed on appeal, the date of the conviction shall relate
18 back to the time the original judgment of conviction was
19 entered and the 6-month ~~6-month~~ limitation prescribed shall
20 not apply.

21 (c) 1. Upon suspending or revoking the driver's license or
22 permit of any person as authorized in this Section, the
23 Secretary of State shall immediately notify the person in
24 writing of the revocation or suspension. The notice to be
25 deposited in the United States mail, postage prepaid, to the
26 last known address of the person.

1 2. If the Secretary of State suspends the driver's license
2 of a person under subsection 2 of paragraph (a) of this
3 Section, a person's privilege to operate a vehicle as an
4 occupation shall not be suspended, provided an affidavit is
5 properly completed, the appropriate fee received, and a permit
6 issued prior to the effective date of the suspension, unless 5
7 offenses were committed, at least 2 of which occurred while
8 operating a commercial vehicle in connection with the driver's
9 regular occupation. All other driving privileges shall be
10 suspended by the Secretary of State. Any driver prior to
11 operating a vehicle for occupational purposes only must submit
12 the affidavit on forms to be provided by the Secretary of State
13 setting forth the facts of the person's occupation. The
14 affidavit shall also state the number of offenses committed
15 while operating a vehicle in connection with the driver's
16 regular occupation. The affidavit shall be accompanied by the
17 driver's license. Upon receipt of a properly completed
18 affidavit, the Secretary of State shall issue the driver a
19 permit to operate a vehicle in connection with the driver's
20 regular occupation only. Unless the permit is issued by the
21 Secretary of State prior to the date of suspension, the
22 privilege to drive any motor vehicle shall be suspended as set
23 forth in the notice that was mailed under this Section. If an
24 affidavit is received subsequent to the effective date of this
25 suspension, a permit may be issued for the remainder of the
26 suspension period.

1 The provisions of this subparagraph shall not apply to any
2 driver required to possess a CDL for the purpose of operating a
3 commercial motor vehicle.

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

8 3. At the conclusion of a hearing under Section 2-118 of
9 this Code, the Secretary of State shall either rescind or
10 continue an order of revocation or shall substitute an order
11 of suspension; or, good cause appearing therefor, rescind,
12 continue, change, or extend the order of suspension. If the
13 Secretary of State does not rescind the order, the Secretary
14 may upon application, to relieve undue hardship (as defined by
15 the rules of the Secretary of State), issue a restricted
16 driving permit granting the privilege of driving a motor
17 vehicle between the petitioner's residence and petitioner's
18 place of employment or within the scope of the petitioner's
19 employment-related ~~employment-related~~ duties, or to allow the
20 petitioner to transport himself or herself, or a family member
21 of the petitioner's household to a medical facility, to
22 receive necessary medical care, to allow the petitioner to
23 transport himself or herself to and from alcohol or drug
24 remedial or rehabilitative activity recommended by a licensed
25 service provider, or to allow the petitioner to transport
26 himself or herself or a family member of the petitioner's

1 household to classes, as a student, at an accredited
2 educational institution, or to allow the petitioner to
3 transport children, elderly persons, or persons with
4 disabilities who do not hold driving privileges and are living
5 in the petitioner's household to and from daycare. The
6 petitioner must demonstrate that no alternative means of
7 transportation is reasonably available and that the petitioner
8 will not endanger the public safety or welfare.

9 (A) If a person's license or permit is revoked or
10 suspended due to 2 or more convictions of violating
11 Section 11-501 of this Code or a similar provision of a
12 local ordinance or a similar out-of-state offense, or
13 Section 9-3 of the Criminal Code of 1961 or the Criminal
14 Code of 2012, where the use of alcohol or other drugs is
15 recited as an element of the offense, or a similar
16 out-of-state offense, or a combination of these offenses,
17 arising out of separate occurrences, that person, if
18 issued a restricted driving permit, may not operate a
19 vehicle unless it has been equipped with an ignition
20 interlock device as defined in Section 1-129.1.

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

23 (i) a single conviction of violating Section
24 11-501 of this Code or a similar provision of a local
25 ordinance or a similar out-of-state offense or Section
26 9-3 of the Criminal Code of 1961 or the Criminal Code

1 of 2012, where the use of alcohol or other drugs is
2 recited as an element of the offense, or a similar
3 out-of-state offense; or

4 (ii) a statutory summary suspension or revocation
5 under Section 11-501.1; or

6 (iii) a suspension under Section 6-203.1;

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

19 (C) The person issued a permit conditioned upon the
20 use of an ignition interlock device must pay to the
21 Secretary of State DUI Administration Fund an amount not
22 to exceed \$30 per month. The Secretary shall establish by
23 rule the amount and the procedures, terms, and conditions
24 relating to these fees.

25 (D) If the restricted driving permit is issued for
26 employment purposes, then the prohibition against

1 operating a motor vehicle that is not equipped with an
2 ignition interlock device does not apply to the operation
3 of an occupational vehicle owned or leased by that
4 person's employer when used solely for employment
5 purposes. For any person who, within a 5-year period, is
6 convicted of a second or subsequent offense under Section
7 11-501 of this Code, or a similar provision of a local
8 ordinance or similar out-of-state offense, this employment
9 exemption does not apply until either a one-year period
10 has elapsed during which that person had his or her
11 driving privileges revoked or a one-year period has
12 elapsed during which that person had a restricted driving
13 permit which required the use of an ignition interlock
14 device on every motor vehicle owned or operated by that
15 person.

16 (E) In each case the Secretary may issue a restricted
17 driving permit for a period deemed appropriate, except
18 that all permits shall expire no later than 2 years from
19 the date of issuance. A restricted driving permit issued
20 under this Section shall be subject to cancellation,
21 revocation, and suspension by the Secretary of State in
22 like manner and for like cause as a driver's license
23 issued under this Code may be cancelled, revoked, or
24 suspended; except that a conviction upon one or more
25 offenses against laws or ordinances regulating the
26 movement of traffic shall be deemed sufficient cause for

1 the revocation, suspension, or cancellation of a
2 restricted driving permit. The Secretary of State may, as
3 a condition to the issuance of a restricted driving
4 permit, require the applicant to participate in a
5 designated driver remedial or rehabilitative program. The
6 Secretary of State is authorized to cancel a restricted
7 driving permit if the permit holder does not successfully
8 complete the program.

9 (F) A person subject to the provisions of paragraph 4
10 of subsection (b) of Section 6-208 of this Code may make
11 application for a restricted driving permit at a hearing
12 conducted under Section 2-118 of this Code after the
13 expiration of 5 years from the effective date of the most
14 recent revocation or after 5 years from the date of
15 release from a period of imprisonment resulting from a
16 conviction of the most recent offense, whichever is later,
17 provided the person, in addition to all other requirements
18 of the Secretary, shows by clear and convincing evidence:

19 (i) a minimum of 3 years of uninterrupted
20 abstinence from alcohol and the unlawful use or
21 consumption of cannabis under the Cannabis Control
22 Act, a controlled substance under the Illinois
23 Controlled Substances Act, an intoxicating compound
24 under the Use of Intoxicating Compounds Act, or
25 methamphetamine under the Methamphetamine Control and
26 Community Protection Act; and

1 (ii) the successful completion of any
2 rehabilitative treatment and involvement in any
3 ongoing rehabilitative activity that may be
4 recommended by a properly licensed service provider
5 according to an assessment of the person's alcohol or
6 drug use under Section 11-501.01 of this Code.

7 In determining whether an applicant is eligible for a
8 restricted driving permit under this subparagraph (F), the
9 Secretary may consider any relevant evidence, including,
10 but not limited to, testimony, affidavits, records, and
11 the results of regular alcohol or drug tests. Persons
12 subject to the provisions of paragraph 4 of subsection (b)
13 of Section 6-208 of this Code and who have been convicted
14 of more than one violation of paragraph (3), paragraph
15 (4), or paragraph (5) of subsection (a) of Section 11-501
16 of this Code shall not be eligible to apply for a
17 restricted driving permit under this subparagraph (F).

18 A restricted driving permit issued under this
19 subparagraph (F) shall provide that the holder may only
20 operate motor vehicles equipped with an ignition interlock
21 device as required under paragraph (2) of subsection (c)
22 of Section 6-205 of this Code and subparagraph (A) of
23 paragraph 3 of subsection (c) of this Section. The
24 Secretary may revoke a restricted driving permit or amend
25 the conditions of a restricted driving permit issued under
26 this subparagraph (F) if the holder operates a vehicle

1 that is not equipped with an ignition interlock device, or
2 for any other reason authorized under this Code.

3 A restricted driving permit issued under this
4 subparagraph (F) shall be revoked, and the holder barred
5 from applying for or being issued a restricted driving
6 permit in the future, if the holder is convicted of a
7 violation of Section 11-501 of this Code, a similar
8 provision of a local ordinance, or a similar offense in
9 another state.

10 (c-3) In the case of a suspension under paragraph 43 of
11 subsection (a), reports received by the Secretary of State
12 under this Section shall, except during the actual time the
13 suspension is in effect, be privileged information and for use
14 only by the courts, police officers, prosecuting authorities,
15 the driver licensing administrator of any other state, the
16 Secretary of State, or the parent or legal guardian of a driver
17 under the age of 18. However, beginning January 1, 2008, if the
18 person is a CDL holder, the suspension shall also be made
19 available to the driver licensing administrator of any other
20 state, the U.S. Department of Transportation, and the affected
21 driver or motor carrier or prospective motor carrier upon
22 request.

23 (c-4) In the case of a suspension under paragraph 43 of
24 subsection (a), the Secretary of State shall notify the person
25 by mail that his or her driving privileges and driver's
26 license will be suspended one month after the date of the

1 mailing of the notice.

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

9 (d) This Section is subject to the provisions of the
10 Driver Drivers License Compact.

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

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

20 (Source: P.A. 99-143, eff. 7-27-15; 99-290, eff. 1-1-16;
21 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-607, eff.
22 7-22-16; 99-642, eff. 7-28-16; 100-803, eff. 1-1-19.)

23 (Text of Section after amendment by P.A. 101-90, 101-470,
24 and 101-623)

25 Sec. 6-206. Discretionary authority to suspend or revoke

1 license or permit; right to a hearing.

2 (a) The Secretary of State is authorized to suspend or
3 revoke the driving privileges of any person without
4 preliminary hearing upon a showing of the person's records or
5 other sufficient evidence that the person:

6 1. Has committed an offense for which mandatory
7 revocation of a driver's license or permit is required
8 upon conviction;

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

14 3. Has been repeatedly involved as a driver in motor
15 vehicle collisions or has been repeatedly convicted of
16 offenses against laws and ordinances regulating the
17 movement of traffic, to a degree that indicates lack of
18 ability to exercise ordinary and reasonable care in the
19 safe operation of a motor vehicle or disrespect for the
20 traffic laws and the safety of other persons upon the
21 highway;

22 4. Has by the unlawful operation of a motor vehicle
23 caused or contributed to an accident resulting in injury
24 requiring immediate professional treatment in a medical
25 facility or doctor's office to any person, except that any
26 suspension or revocation imposed by the Secretary of State

1 under the provisions of this subsection shall start no
2 later than 6 months after being convicted of violating a
3 law or ordinance regulating the movement of traffic, which
4 violation is related to the accident, or shall start not
5 more than one year after the date of the accident,
6 whichever date occurs later;

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

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

13 7. Has refused or failed to submit to an examination
14 provided for by Section 6-207 or has failed to pass the
15 examination;

16 8. Is ineligible for a driver's license or permit
17 under the provisions of Section 6-103;

18 9. Has made a false statement or knowingly concealed a
19 material fact or has used false information or
20 identification in any application for a license,
21 identification card, or permit;

22 10. Has possessed, displayed, or attempted to
23 fraudulently use any license, identification card, or
24 permit not issued to the person;

25 11. Has operated a motor vehicle upon a highway of
26 this State when the person's driving privilege or

1 privilege to obtain a driver's license or permit was
2 revoked or suspended unless the operation was authorized
3 by a monitoring device driving permit, judicial driving
4 permit issued prior to January 1, 2009, probationary
5 license to drive, or ~~a~~ restricted driving permit issued
6 under this Code;

7 12. Has submitted to any portion of the application
8 process for another person or has obtained the services of
9 another person to submit to any portion of the application
10 process for the purpose of obtaining a license,
11 identification card, or permit for some other person;

12 13. Has operated a motor vehicle upon a highway of
13 this State when the person's driver's license or permit
14 was invalid under the provisions of Sections 6-107.1 and
15 6-110;

16 14. Has committed a violation of Section 6-301,
17 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
18 14B of the Illinois Identification Card Act;

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

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

1 17. Has refused to submit to a test, or tests, as
2 required under Section 11-501.1 of this Code and the
3 person has not sought a hearing as provided for in Section
4 11-501.1;

5 18. (Blank);

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

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

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

15 22. Has used a motor vehicle in violating paragraph
16 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
17 the Criminal Code of 1961 or the Criminal Code of 2012
18 relating to unlawful use of weapons, in which case the
19 suspension shall be for one year;

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

24 24. Has been convicted by a court-martial or punished
25 by non-judicial punishment by military authorities of the
26 United States at a military installation in Illinois or in

1 another state of or for a traffic-related ~~traffic-related~~
2 offense that is the same as or similar to an offense
3 specified under Section 6-205 or 6-206 of this Code;

4 25. Has permitted any form of identification to be
5 used by another in the application process in order to
6 obtain or attempt to obtain a license, identification
7 card, or permit;

8 26. Has altered or attempted to alter a license or has
9 possessed an altered license, identification card, or
10 permit;

11 27. (Blank);

12 28. Has been convicted for a first time of the illegal
13 possession, while operating or in actual physical control,
14 as a driver, of a motor vehicle, of any controlled
15 substance prohibited under the Illinois Controlled
16 Substances Act, any cannabis prohibited under the Cannabis
17 Control Act, or any methamphetamine prohibited under the
18 Methamphetamine Control and Community Protection Act, in
19 which case the person's driving privileges shall be
20 suspended for one year. Any defendant found guilty of this
21 offense while operating a motor vehicle, shall have an
22 entry made in the court record by the presiding judge that
23 this offense did occur while the defendant was operating a
24 motor vehicle and order the clerk of the court to report
25 the violation to the Secretary of State;

26 29. Has been convicted of the following offenses that

1 were committed while the person was operating or in actual
2 physical control, as a driver, of a motor vehicle:
3 criminal sexual assault, predatory criminal sexual assault
4 of a child, aggravated criminal sexual assault, criminal
5 sexual abuse, aggravated criminal sexual abuse, juvenile
6 pimping, soliciting for a juvenile prostitute, promoting
7 juvenile prostitution as described in subdivision (a)(1),
8 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
9 of 1961 or the Criminal Code of 2012, and the manufacture,
10 sale or delivery of controlled substances or instruments
11 used for illegal drug use or abuse in which case the
12 driver's driving privileges shall be suspended for one
13 year;

14 30. Has been convicted a second or subsequent time for
15 any combination of the offenses named in paragraph 29 of
16 this subsection, in which case the person's driving
17 privileges shall be suspended for 5 years;

18 31. Has refused to submit to a test as required by
19 Section 11-501.6 of this Code or Section 5-16c of the Boat
20 Registration and Safety Act or has submitted to a test
21 resulting in an alcohol concentration of 0.08 or more or
22 any amount of a drug, substance, or compound resulting
23 from the unlawful use or consumption of cannabis as listed
24 in the Cannabis Control Act, a controlled substance as
25 listed in the Illinois Controlled Substances Act, an
26 intoxicating compound as listed in the Use of Intoxicating

1 Compounds Act, or methamphetamine as listed in the
2 Methamphetamine Control and Community Protection Act, in
3 which case the penalty shall be as prescribed in Section
4 6-208.1;

5 32. Has been convicted of Section 24-1.2 of the
6 Criminal Code of 1961 or the Criminal Code of 2012
7 relating to the aggravated discharge of a firearm if the
8 offender was located in a motor vehicle at the time the
9 firearm was discharged, in which case the suspension shall
10 be for 3 years;

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

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

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

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

25 37. Has committed a violation of subsection (c) of
26 Section 11-907 of this Code that resulted in damage to the

1 property of another or the death or injury of another;

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

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

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

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

15 42. Has committed a violation of subsection (a-1) of
16 Section 11-1301.3 of this Code or a similar provision of a
17 local ordinance;

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

25 44. Is under the age of 21 years at the time of arrest
26 and has been convicted of an offense against traffic

1 regulations governing the movement of vehicles after
2 having previously had his or her driving privileges
3 suspended or revoked pursuant to subparagraph 36 of this
4 Section;

5 45. Has, in connection with or during the course of a
6 formal hearing conducted under Section 2-118 of this Code:
7 (i) committed perjury; (ii) submitted fraudulent or
8 falsified documents; (iii) submitted documents that have
9 been materially altered; or (iv) submitted, as his or her
10 own, documents that were in fact prepared or composed for
11 another person;

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

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

16 48. Has submitted a falsified or altered medical
17 examiner's certificate to the Secretary of State or
18 provided false information to obtain a medical examiner's
19 certificate; ~~or~~

20 49. Has been convicted of a violation of Section
21 11-1002 or 11-1002.5 that resulted in a Type A injury to
22 another, in which case the driving privileges of the
23 person shall be suspended for 12 months; or

24 50. Has committed a violation of subsection (b-5) of
25 Section 12-610.2 that resulted in great bodily harm,
26 permanent disability, or disfigurement, in which case the

1 driving privileges of the person shall be suspended for 12
2 months.

3 ~~49. Has committed a violation of subsection (b-5) of~~
4 ~~Section 12-610.2 that resulted in great bodily harm,~~
5 ~~permanent disability, or disfigurement, in which case the~~
6 ~~driving privileges shall be suspended for 12 months.~~

7 ~~49. Has been convicted of a violation of Section~~
8 ~~11-1002 or 11-1002.5 that resulted in a Type A injury to~~
9 ~~another, in which case the person's driving privileges~~
10 ~~shall be suspended for 12 months.~~

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

18 (b) If any conviction forming the basis of a suspension or
19 revocation authorized under this Section is appealed, the
20 Secretary of State may rescind or withhold the entry of the
21 order of suspension or revocation, as the case may be,
22 provided that a certified copy of a stay order of a court is
23 filed with the Secretary of State. If the conviction is
24 affirmed on appeal, the date of the conviction shall relate
25 back to the time the original judgment of conviction was
26 entered and the 6-month ~~6-month~~ limitation prescribed shall

1 not apply.

2 (c) 1. Upon suspending or revoking the driver's license or
3 permit of any person as authorized in this Section, the
4 Secretary of State shall immediately notify the person in
5 writing of the revocation or suspension. The notice to be
6 deposited in the United States mail, postage prepaid, to the
7 last known address of the person.

8 2. If the Secretary of State suspends the driver's license
9 of a person under subsection 2 of paragraph (a) of this
10 Section, a person's privilege to operate a vehicle as an
11 occupation shall not be suspended, provided an affidavit is
12 properly completed, the appropriate fee received, and a permit
13 issued prior to the effective date of the suspension, unless 5
14 offenses were committed, at least 2 of which occurred while
15 operating a commercial vehicle in connection with the driver's
16 regular occupation. All other driving privileges shall be
17 suspended by the Secretary of State. Any driver prior to
18 operating a vehicle for occupational purposes only must submit
19 the affidavit on forms to be provided by the Secretary of State
20 setting forth the facts of the person's occupation. The
21 affidavit shall also state the number of offenses committed
22 while operating a vehicle in connection with the driver's
23 regular occupation. The affidavit shall be accompanied by the
24 driver's license. Upon receipt of a properly completed
25 affidavit, the Secretary of State shall issue the driver a
26 permit to operate a vehicle in connection with the driver's

1 regular occupation only. Unless the permit is issued by the
2 Secretary of State prior to the date of suspension, the
3 privilege to drive any motor vehicle shall be suspended as set
4 forth in the notice that was mailed under this Section. If an
5 affidavit is received subsequent to the effective date of this
6 suspension, a permit may be issued for the remainder of the
7 suspension period.

8 The provisions of this subparagraph shall not apply to any
9 driver required to possess a CDL for the purpose of operating a
10 commercial motor vehicle.

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

15 3. At the conclusion of a hearing under Section 2-118 of
16 this Code, the Secretary of State shall either rescind or
17 continue an order of revocation or shall substitute an order
18 of suspension; or, good cause appearing therefor, rescind,
19 continue, change, or extend the order of suspension. If the
20 Secretary of State does not rescind the order, the Secretary
21 may upon application, to relieve undue hardship (as defined by
22 the rules of the Secretary of State), issue a restricted
23 driving permit granting the privilege of driving a motor
24 vehicle between the petitioner's residence and petitioner's
25 place of employment or within the scope of the petitioner's
26 employment-related ~~employment-related~~ duties, or to allow the

1 petitioner to transport himself or herself, or a family member
2 of the petitioner's household to a medical facility, to
3 receive necessary medical care, to allow the petitioner to
4 transport himself or herself to and from alcohol or drug
5 remedial or rehabilitative activity recommended by a licensed
6 service provider, or to allow the petitioner to transport
7 himself or herself or a family member of the petitioner's
8 household to classes, as a student, at an accredited
9 educational institution, or to allow the petitioner to
10 transport children, elderly persons, or persons with
11 disabilities who do not hold driving privileges and are living
12 in the petitioner's household to and from daycare. The
13 petitioner must demonstrate that no alternative means of
14 transportation is reasonably available and that the petitioner
15 will not endanger the public safety or welfare.

16 (A) If a person's license or permit is revoked or
17 suspended due to 2 or more convictions of violating
18 Section 11-501 of this Code or a similar provision of a
19 local ordinance or a similar out-of-state offense, or
20 Section 9-3 of the Criminal Code of 1961 or the Criminal
21 Code of 2012, where the use of alcohol or other drugs is
22 recited as an element of the offense, or a similar
23 out-of-state offense, or a combination of these offenses,
24 arising out of separate occurrences, that person, if
25 issued a restricted driving permit, may not operate a
26 vehicle unless it has been equipped with an ignition

1 interlock device as defined in Section 1-129.1.

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

4 (i) a single conviction of violating Section
5 11-501 of this Code or a similar provision of a local
6 ordinance or a similar out-of-state offense or Section
7 9-3 of the Criminal Code of 1961 or the Criminal Code
8 of 2012, where the use of alcohol or other drugs is
9 recited as an element of the offense, or a similar
10 out-of-state offense; or

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

13 (iii) a suspension under Section 6-203.1;

14 arising out of separate occurrences; that person, if
15 issued a restricted driving permit, may not operate a
16 vehicle unless it has been equipped with an ignition
17 interlock device as defined in Section 1-129.1.

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

26 (C) The person issued a permit conditioned upon the

1 use of an ignition interlock device must pay to the
2 Secretary of State DUI Administration Fund an amount not
3 to exceed \$30 per month. The Secretary shall establish by
4 rule the amount and the procedures, terms, and conditions
5 relating to these fees.

6 (D) If the restricted driving permit is issued for
7 employment purposes, then the prohibition against
8 operating a motor vehicle that is not equipped with an
9 ignition interlock device does not apply to the operation
10 of an occupational vehicle owned or leased by that
11 person's employer when used solely for employment
12 purposes. For any person who, within a 5-year period, is
13 convicted of a second or subsequent offense under Section
14 11-501 of this Code, or a similar provision of a local
15 ordinance or similar out-of-state offense, this employment
16 exemption does not apply until either a one-year period
17 has elapsed during which that person had his or her
18 driving privileges revoked or a one-year period has
19 elapsed during which that person had a restricted driving
20 permit which required the use of an ignition interlock
21 device on every motor vehicle owned or operated by that
22 person.

23 (E) In each case the Secretary may issue a restricted
24 driving permit for a period deemed appropriate, except
25 that all permits shall expire no later than 2 years from
26 the date of issuance. A restricted driving permit issued

1 under this Section shall be subject to cancellation,
2 revocation, and suspension by the Secretary of State in
3 like manner and for like cause as a driver's license
4 issued under this Code may be cancelled, revoked, or
5 suspended; except that a conviction upon one or more
6 offenses against laws or ordinances regulating the
7 movement of traffic shall be deemed sufficient cause for
8 the revocation, suspension, or cancellation of a
9 restricted driving permit. The Secretary of State may, as
10 a condition to the issuance of a restricted driving
11 permit, require the applicant to participate in a
12 designated driver remedial or rehabilitative program. The
13 Secretary of State is authorized to cancel a restricted
14 driving permit if the permit holder does not successfully
15 complete the program.

16 (F) A person subject to the provisions of paragraph 4
17 of subsection (b) of Section 6-208 of this Code may make
18 application for a restricted driving permit at a hearing
19 conducted under Section 2-118 of this Code after the
20 expiration of 5 years from the effective date of the most
21 recent revocation or after 5 years from the date of
22 release from a period of imprisonment resulting from a
23 conviction of the most recent offense, whichever is later,
24 provided the person, in addition to all other requirements
25 of the Secretary, shows by clear and convincing evidence:

26 (i) a minimum of 3 years of uninterrupted

1 abstinence from alcohol and the unlawful use or
2 consumption of cannabis under the Cannabis Control
3 Act, a controlled substance under the Illinois
4 Controlled Substances Act, an intoxicating compound
5 under the Use of Intoxicating Compounds Act, or
6 methamphetamine under the Methamphetamine Control and
7 Community Protection Act; and

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

14 In determining whether an applicant is eligible for a
15 restricted driving permit under this subparagraph (F), the
16 Secretary may consider any relevant evidence, including,
17 but not limited to, testimony, affidavits, records, and
18 the results of regular alcohol or drug tests. Persons
19 subject to the provisions of paragraph 4 of subsection (b)
20 of Section 6-208 of this Code and who have been convicted
21 of more than one violation of paragraph (3), paragraph
22 (4), or paragraph (5) of subsection (a) of Section 11-501
23 of this Code shall not be eligible to apply for a
24 restricted driving permit under this subparagraph (F).

25 A restricted driving permit issued under this
26 subparagraph (F) shall provide that the holder may only

1 operate motor vehicles equipped with an ignition interlock
2 device as required under paragraph (2) of subsection (c)
3 of Section 6-205 of this Code and subparagraph (A) of
4 paragraph 3 of subsection (c) of this Section. The
5 Secretary may revoke a restricted driving permit or amend
6 the conditions of a restricted driving permit issued under
7 this subparagraph (F) if the holder operates a vehicle
8 that is not equipped with an ignition interlock device, or
9 for any other reason authorized under this Code.

10 A restricted driving permit issued under this
11 subparagraph (F) shall be revoked, and the holder barred
12 from applying for or being issued a restricted driving
13 permit in the future, if the holder is convicted of a
14 violation of Section 11-501 of this Code, a similar
15 provision of a local ordinance, or a similar offense in
16 another state.

17 (c-3) In the case of a suspension under paragraph 43 of
18 subsection (a), reports received by the Secretary of State
19 under this Section shall, except during the actual time the
20 suspension is in effect, be privileged information and for use
21 only by the courts, police officers, prosecuting authorities,
22 the driver licensing administrator of any other state, the
23 Secretary of State, or the parent or legal guardian of a driver
24 under the age of 18. However, beginning January 1, 2008, if the
25 person is a CDL holder, the suspension shall also be made
26 available to the driver licensing administrator of any other

1 state, the U.S. Department of Transportation, and the affected
2 driver or motor carrier or prospective motor carrier upon
3 request.

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

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

16 (d) This Section is subject to the provisions of the
17 Driver ~~Drivers~~ License Compact.

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

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

1 (Source: P.A. 100-803, eff. 1-1-19; 101-90, eff. 7-1-20;
2 101-470, eff. 7-1-20; 101-623, eff. 7-1-20; revised 1-21-20.)

3 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

4 Sec. 6-508. Commercial Driver's License (CDL) -
5 qualification standards.

6 (a) Testing.

7 (1) General. No person shall be issued an original or
8 renewal CDL unless that person is domiciled in this State
9 or is applying for a non-domiciled CDL under Sections
10 6-509 and 6-510 of this Code. The Secretary shall cause to
11 be administered such tests as the Secretary deems
12 necessary to meet the requirements of 49 C.F.R. Part 383,
13 subparts F, G, H, and J.

14 (1.5) Effective July 1, 2014, no person shall be
15 issued an original CDL or an upgraded CDL that requires a
16 skills test unless that person has held a CLP, for a
17 minimum of 14 calendar days, for the classification of
18 vehicle and endorsement, if any, for which the person is
19 seeking a CDL.

20 (2) Third party testing. The Secretary of State may
21 authorize a "third party tester", pursuant to 49 C.F.R.
22 383.75 and 49 C.F.R. 384.228 and 384.229, to administer
23 the skills test or tests specified by the Federal Motor
24 Carrier Safety Administration pursuant to the Commercial
25 Motor Vehicle Safety Act of 1986 and any appropriate

1 federal rule.

2 (3) (i) Effective February 7, 2020, unless the person
3 is exempted by 49 CFR 380.603, no person shall be issued an
4 original (first time issuance) CDL, an upgraded CDL or a
5 school bus (S), passenger (P), or hazardous Materials (H)
6 endorsement unless the person has successfully completed
7 entry-level driver training (ELDT) taught by a training
8 provider listed on the federal Training Provider Registry.

9 (ii) Persons who obtain a CLP before February 7, 2020
10 are not required to complete ELDT if the person obtains a
11 CDL before the CLP or renewed CLP expires.

12 (iii) Except for persons seeking the H endorsement,
13 persons must complete the theory and behind-the-wheel
14 (range and public road) portions of ELDT within one year
15 of completing the first portion.

16 (iv) The Secretary shall adopt rules to implement this
17 subsection.

18 (b) Waiver of Skills Test. The Secretary of State may
19 waive the skills test specified in this Section for a driver
20 applicant for a commercial driver license who meets the
21 requirements of 49 C.F.R. 383.77. The Secretary of State shall
22 waive the skills tests specified in this Section for a driver
23 applicant who has military commercial motor vehicle
24 experience, subject to the requirements of 49 C.F.R. 383.77.

25 (b-1) No person shall be issued a CDL unless the person
26 certifies to the Secretary one of the following types of

1 driving operations in which he or she will be engaged:

2 (1) non-excepted interstate;

3 (2) non-excepted intrastate;

4 (3) excepted interstate; or

5 (4) excepted intrastate.

6 (b-2) (Blank).

7 (c) Limitations on issuance of a CDL. A CDL shall not be
8 issued to a person while the person is subject to a
9 disqualification from driving a commercial motor vehicle, or
10 unless otherwise permitted by this Code, while the person's
11 driver's license is suspended, revoked or cancelled in any
12 state, or any territory or province of Canada; nor may a CLP or
13 CDL be issued to a person who has a CLP or CDL issued by any
14 other state, or foreign jurisdiction, nor may a CDL be issued
15 to a person who has an Illinois CLP unless the person first
16 surrenders all of these licenses or permits. However, a person
17 may hold an Illinois CLP and an Illinois CDL providing the CLP
18 is necessary to train or practice for an endorsement or
19 vehicle classification not present on the current CDL. No CDL
20 shall be issued to or renewed for a person who does not meet
21 the requirement of 49 CFR 391.41(b)(11). The requirement may
22 be met with the aid of a hearing aid.

23 (c-1) The Secretary may issue a CDL with a school bus
24 driver endorsement to allow a person to drive the type of bus
25 described in subsection (d-5) of Section 6-104 of this Code.
26 The CDL with a school bus driver endorsement may be issued only

1 to a person meeting the following requirements:

2 (1) the person has submitted his or her fingerprints
3 to the Department of State Police in the form and manner
4 prescribed by the Department of State Police. These
5 fingerprints shall be checked against the fingerprint
6 records now and hereafter filed in the Department of State
7 Police and Federal Bureau of Investigation criminal
8 history records databases;

9 (2) the person has passed a written test, administered
10 by the Secretary of State, on charter bus operation,
11 charter bus safety, and certain special traffic laws
12 relating to school buses determined by the Secretary of
13 State to be relevant to charter buses, and submitted to a
14 review of the driver applicant's driving habits by the
15 Secretary of State at the time the written test is given;

16 (3) the person has demonstrated physical fitness to
17 operate school buses by submitting the results of a
18 medical examination, including tests for drug use; and

19 (4) the person has not been convicted of committing or
20 attempting to commit any one or more of the following
21 offenses: (i) those offenses defined in Sections 8-1.2,
22 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,
23 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,
24 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,
25 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,
26 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,

1 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
2 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,
3 11-26, 11-30, 12-2.6, 12-3.1, 12-3.3, 12-4, 12-4.1,
4 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7,
5 12-4.9, 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4,
6 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16,
7 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20,
8 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4,
9 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1,
10 24-1.1, 24-1.2, 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3,
11 24-3.5, 24-3.8, 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1,
12 and in subsection (b) of Section 8-1, and in subdivisions
13 (a) (1), (a) (2), (b) (1), (e) (1), (e) (2), (e) (3), (e) (4),
14 and (f) (1) of Section 12-3.05, and in subsection (a) and
15 subsection (b), clause (1), of Section 12-4, and in
16 subsection (A), clauses (a) and (b), of Section 24-3, and
17 those offenses contained in Article 29D of the Criminal
18 Code of 1961 or the Criminal Code of 2012; (ii) those
19 offenses defined in the Cannabis Control Act except those
20 offenses defined in subsections (a) and (b) of Section 4,
21 and subsection (a) of Section 5 of the Cannabis Control
22 Act; (iii) those offenses defined in the Illinois
23 Controlled Substances Act; (iv) those offenses defined in
24 the Methamphetamine Control and Community Protection Act;
25 (v) any offense committed or attempted in any other state
26 or against the laws of the United States, which if

1 committed or attempted in this State would be punishable
2 as one or more of the foregoing offenses; (vi) the
3 offenses defined in Sections 4.1 and 5.1 of the Wrongs to
4 Children Act or Section 11-9.1A of the Criminal Code of
5 1961 or the Criminal Code of 2012; (vii) those offenses
6 defined in Section 6-16 of the Liquor Control Act of 1934;
7 and (viii) those offenses defined in the Methamphetamine
8 Precursor Control Act.

9 The Department of State Police shall charge a fee for
10 conducting the criminal history records check, which shall be
11 deposited into the State Police Services Fund and may not
12 exceed the actual cost of the records check.

13 (c-2) The Secretary shall issue a CDL with a school bus
14 endorsement to allow a person to drive a school bus as defined
15 in this Section. The CDL shall be issued according to the
16 requirements outlined in 49 C.F.R. 383. A person may not
17 operate a school bus as defined in this Section without a
18 school bus endorsement. The Secretary of State may adopt rules
19 consistent with Federal guidelines to implement this
20 subsection (c-2).

21 (d) (Blank).

22 (Source: P.A. 101-185, eff. 1-1-20.)

23 Section 15. The Unified Code of Corrections is amended by
24 changing Section 5-6-3.1 as follows:

1 (730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

2 Sec. 5-6-3.1. Incidents and conditions of supervision.

3 (a) When a defendant is placed on supervision, the court
4 shall enter an order for supervision specifying the period of
5 such supervision, and shall defer further proceedings in the
6 case until the conclusion of the period.

7 (b) The period of supervision shall be reasonable under
8 all of the circumstances of the case, but may not be longer
9 than 2 years, unless the defendant has failed to pay the
10 assessment required by Section 10.3 of the Cannabis Control
11 Act, Section 411.2 of the Illinois Controlled Substances Act,
12 or Section 80 of the Methamphetamine Control and Community
13 Protection Act, in which case the court may extend supervision
14 beyond 2 years. Additionally, the court shall order the
15 defendant to perform no less than 30 hours of community
16 service and not more than 120 hours of community service, if
17 community service is available in the jurisdiction and is
18 funded and approved by the county board where the offense was
19 committed, when the offense (1) was related to or in
20 furtherance of the criminal activities of an organized gang or
21 was motivated by the defendant's membership in or allegiance
22 to an organized gang; or (2) is a violation of any Section of
23 Article 24 of the Criminal Code of 1961 or the Criminal Code of
24 2012 where a disposition of supervision is not prohibited by
25 Section 5-6-1 of this Code. The community service shall
26 include, but not be limited to, the cleanup and repair of any

1 damage caused by violation of Section 21-1.3 of the Criminal
2 Code of 1961 or the Criminal Code of 2012 and similar damages
3 to property located within the municipality or county in which
4 the violation occurred. Where possible and reasonable, the
5 community service should be performed in the offender's
6 neighborhood.

7 For the purposes of this Section, "organized gang" has the
8 meaning ascribed to it in Section 10 of the Illinois
9 Streetgang Terrorism Omnibus Prevention Act.

10 (c) The court may in addition to other reasonable
11 conditions relating to the nature of the offense or the
12 rehabilitation of the defendant as determined for each
13 defendant in the proper discretion of the court require that
14 the person:

15 (1) make a report to and appear in person before or
16 participate with the court or such courts, person, or
17 social service agency as directed by the court in the
18 order of supervision;

19 (2) pay a fine and costs;

20 (3) work or pursue a course of study or vocational
21 training;

22 (4) undergo medical, psychological or psychiatric
23 treatment; or treatment for drug addiction or alcoholism;

24 (5) attend or reside in a facility established for the
25 instruction or residence of defendants on probation;

26 (6) support his dependents;

1 (7) refrain from possessing a firearm or other
2 dangerous weapon;

3 (8) and in addition, if a minor:

4 (i) reside with his parents or in a foster home;

5 (ii) attend school;

6 (iii) attend a non-residential program for youth;

7 (iv) contribute to his own support at home or in a
8 foster home; or

9 (v) with the consent of the superintendent of the
10 facility, attend an educational program at a facility
11 other than the school in which the offense was
12 committed if he or she is placed on supervision for a
13 crime of violence as defined in Section 2 of the Crime
14 Victims Compensation Act committed in a school, on the
15 real property comprising a school, or within 1,000
16 feet of the real property comprising a school;

17 (9) make restitution or reparation in an amount not to
18 exceed actual loss or damage to property and pecuniary
19 loss or make restitution under Section 5-5-6 to a domestic
20 violence shelter. The court shall determine the amount and
21 conditions of payment;

22 (10) perform some reasonable public or community
23 service;

24 (11) comply with the terms and conditions of an order
25 of protection issued by the court pursuant to the Illinois
26 Domestic Violence Act of 1986 or an order of protection

1 issued by the court of another state, tribe, or United
2 States territory. If the court has ordered the defendant
3 to make a report and appear in person under paragraph (1)
4 of this subsection, a copy of the order of protection
5 shall be transmitted to the person or agency so designated
6 by the court;

7 (12) reimburse any "local anti-crime program" as
8 defined in Section 7 of the Anti-Crime Advisory Council
9 Act for any reasonable expenses incurred by the program on
10 the offender's case, not to exceed the maximum amount of
11 the fine authorized for the offense for which the
12 defendant was sentenced;

13 (13) contribute a reasonable sum of money, not to
14 exceed the maximum amount of the fine authorized for the
15 offense for which the defendant was sentenced, (i) to a
16 "local anti-crime program", as defined in Section 7 of the
17 Anti-Crime Advisory Council Act, or (ii) for offenses
18 under the jurisdiction of the Department of Natural
19 Resources, to the fund established by the Department of
20 Natural Resources for the purchase of evidence for
21 investigation purposes and to conduct investigations as
22 outlined in Section 805-105 of the Department of Natural
23 Resources (Conservation) Law;

24 (14) refrain from entering into a designated
25 geographic area except upon such terms as the court finds
26 appropriate. Such terms may include consideration of the

1 purpose of the entry, the time of day, other persons
2 accompanying the defendant, and advance approval by a
3 probation officer;

4 (15) refrain from having any contact, directly or
5 indirectly, with certain specified persons or particular
6 types of person, including but not limited to members of
7 street gangs and drug users or dealers;

8 (16) refrain from having in his or her body the
9 presence of any illicit drug prohibited by the Cannabis
10 Control Act, the Illinois Controlled Substances Act, or
11 the Methamphetamine Control and Community Protection Act,
12 unless prescribed by a physician, and submit samples of
13 his or her blood or urine or both for tests to determine
14 the presence of any illicit drug;

15 (17) refrain from operating any motor vehicle not
16 equipped with an ignition interlock device as defined in
17 Section 1-129.1 of the Illinois Vehicle Code; under this
18 condition the court may allow a defendant who is not
19 self-employed to operate a vehicle owned by the
20 defendant's employer that is not equipped with an ignition
21 interlock device in the course and scope of the
22 defendant's employment; and

23 (18) if placed on supervision for a sex offense as
24 defined in subsection (a-5) of Section 3-1-2 of this Code,
25 unless the offender is a parent or guardian of the person
26 under 18 years of age present in the home and no

1 non-familial minors are present, not participate in a
2 holiday event involving children under 18 years of age,
3 such as distributing candy or other items to children on
4 Halloween, wearing a Santa Claus costume on or preceding
5 Christmas, being employed as a department store Santa
6 Claus, or wearing an Easter Bunny costume on or preceding
7 Easter.

8 (c-5) If payment of restitution as ordered has not been
9 made, the victim shall file a petition notifying the
10 sentencing court, any other person to whom restitution is
11 owed, and the State's Attorney of the status of the ordered
12 restitution payments unpaid at least 90 days before the
13 supervision expiration date. If payment as ordered has not
14 been made, the court shall hold a review hearing prior to the
15 expiration date, unless the hearing is voluntarily waived by
16 the defendant with the knowledge that waiver may result in an
17 extension of the supervision period or in a revocation of
18 supervision. If the court does not extend supervision, it
19 shall issue a judgment for the unpaid restitution and direct
20 the clerk of the circuit court to file and enter the judgment
21 in the judgment and lien docket, without fee, unless it finds
22 that the victim has recovered a judgment against the defendant
23 for the amount covered by the restitution order. If the court
24 issues a judgment for the unpaid restitution, the court shall
25 send to the defendant at his or her last known address written
26 notification that a civil judgment has been issued for the

1 unpaid restitution.

2 (d) The court shall defer entering any judgment on the
3 charges until the conclusion of the supervision.

4 (e) At the conclusion of the period of supervision, if the
5 court determines that the defendant has successfully complied
6 with all of the conditions of supervision, the court shall
7 discharge the defendant and enter a judgment dismissing the
8 charges.

9 (f) Discharge and dismissal upon a successful conclusion
10 of a disposition of supervision shall be deemed without
11 adjudication of guilt and shall not be termed a conviction for
12 purposes of disqualification or disabilities imposed by law
13 upon conviction of a crime. Two years after the discharge and
14 dismissal under this Section, unless the disposition of
15 supervision was for a violation of Sections 3-707, 3-708,
16 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a
17 similar provision of a local ordinance, or for a violation of
18 Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961
19 or the Criminal Code of 2012, in which case it shall be 5 years
20 after discharge and dismissal, a person may have his record of
21 arrest sealed or expunged as may be provided by law. However,
22 any defendant placed on supervision before January 1, 1980,
23 may move for sealing or expungement of his arrest record, as
24 provided by law, at any time after discharge and dismissal
25 under this Section. A person placed on supervision for a
26 sexual offense committed against a minor as defined in clause

1 (a) (1) (L) of Section 5.2 of the Criminal Identification Act or
2 for a violation of Section 11-501 of the Illinois Vehicle Code
3 or a similar provision of a local ordinance shall not have his
4 or her record of arrest sealed or expunged.

5 (g) A defendant placed on supervision and who during the
6 period of supervision undergoes mandatory drug or alcohol
7 testing, or both, or is assigned to be placed on an approved
8 electronic monitoring device, shall be ordered to pay the
9 costs incidental to such mandatory drug or alcohol testing, or
10 both, and costs incidental to such approved electronic
11 monitoring in accordance with the defendant's ability to pay
12 those costs. The county board with the concurrence of the
13 Chief Judge of the judicial circuit in which the county is
14 located shall establish reasonable fees for the cost of
15 maintenance, testing, and incidental expenses related to the
16 mandatory drug or alcohol testing, or both, and all costs
17 incidental to approved electronic monitoring, of all
18 defendants placed on supervision. The concurrence of the Chief
19 Judge shall be in the form of an administrative order. The fees
20 shall be collected by the clerk of the circuit court, except as
21 provided in an administrative order of the Chief Judge of the
22 circuit court. The clerk of the circuit court shall pay all
23 moneys collected from these fees to the county treasurer who
24 shall use the moneys collected to defray the costs of drug
25 testing, alcohol testing, and electronic monitoring. The
26 county treasurer shall deposit the fees collected in the

1 county working cash fund under Section 6-27001 or Section
2 6-29002 of the Counties Code, as the case may be.

3 The Chief Judge of the circuit court of the county may by
4 administrative order establish a program for electronic
5 monitoring of offenders, in which a vendor supplies and
6 monitors the operation of the electronic monitoring device,
7 and collects the fees on behalf of the county. The program
8 shall include provisions for indigent offenders and the
9 collection of unpaid fees. The program shall not unduly burden
10 the offender and shall be subject to review by the Chief Judge.

11 The Chief Judge of the circuit court may suspend any
12 additional charges or fees for late payment, interest, or
13 damage to any device.

14 (h) A disposition of supervision is a final order for the
15 purposes of appeal.

16 (i) The court shall impose upon a defendant placed on
17 supervision after January 1, 1992 or to community service
18 under the supervision of a probation or court services
19 department after January 1, 2004, as a condition of
20 supervision or supervised community service, a fee of \$50 for
21 each month of supervision or supervised community service
22 ordered by the court, unless after determining the inability
23 of the person placed on supervision or supervised community
24 service to pay the fee, the court assesses a lesser fee. The
25 court may not impose the fee on a minor who is placed in the
26 guardianship or custody of the Department of Children and

1 Family Services under the Juvenile Court Act of 1987 while the
2 minor is in placement. The fee shall be imposed only upon a
3 defendant who is actively supervised by the probation and
4 court services department. The fee shall be collected by the
5 clerk of the circuit court. The clerk of the circuit court
6 shall pay all monies collected from this fee to the county
7 treasurer for deposit in the probation and court services fund
8 pursuant to Section 15.1 of the Probation and Probation
9 Officers Act.

10 A circuit court may not impose a probation fee in excess of
11 \$25 per month unless the circuit court has adopted, by
12 administrative order issued by the chief judge, a standard
13 probation fee guide determining an offender's ability to pay.
14 Of the amount collected as a probation fee, not to exceed \$5 of
15 that fee collected per month may be used to provide services to
16 crime victims and their families.

17 The Court may only waive probation fees based on an
18 offender's ability to pay. The probation department may
19 re-evaluate an offender's ability to pay every 6 months, and,
20 with the approval of the Director of Court Services or the
21 Chief Probation Officer, adjust the monthly fee amount. An
22 offender may elect to pay probation fees due in a lump sum. Any
23 offender that has been assigned to the supervision of a
24 probation department, or has been transferred either under
25 subsection (h) of this Section or under any interstate
26 compact, shall be required to pay probation fees to the

1 department supervising the offender, based on the offender's
2 ability to pay.

3 (j) All fines and costs imposed under this Section for any
4 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle
5 Code, or a similar provision of a local ordinance, and any
6 violation of the Child Passenger Protection Act, or a similar
7 provision of a local ordinance, shall be collected and
8 disbursed by the circuit clerk as provided under the Criminal
9 and Traffic Assessment Act.

10 (k) A defendant at least 17 years of age who is placed on
11 supervision for a misdemeanor in a county of 3,000,000 or more
12 inhabitants and who has not been previously convicted of a
13 misdemeanor or felony may as a condition of his or her
14 supervision be required by the court to attend educational
15 courses designed to prepare the defendant for a high school
16 diploma and to work toward a high school diploma or to work
17 toward passing high school equivalency testing or to work
18 toward completing a vocational training program approved by
19 the court. The defendant placed on supervision must attend a
20 public institution of education to obtain the educational or
21 vocational training required by this subsection (k). The
22 defendant placed on supervision shall be required to pay for
23 the cost of the educational courses or high school equivalency
24 testing if a fee is charged for those courses or testing. The
25 court shall revoke the supervision of a person who wilfully
26 fails to comply with this subsection (k). The court shall

1 resentence the defendant upon revocation of supervision as
2 provided in Section 5-6-4. This subsection (k) does not apply
3 to a defendant who has a high school diploma or has
4 successfully passed high school equivalency testing. This
5 subsection (k) does not apply to a defendant who is determined
6 by the court to be a person with a developmental disability or
7 otherwise mentally incapable of completing the educational or
8 vocational program.

9 (1) The court shall require a defendant placed on
10 supervision for possession of a substance prohibited by the
11 Cannabis Control Act, the Illinois Controlled Substances Act,
12 or the Methamphetamine Control and Community Protection Act
13 after a previous conviction or disposition of supervision for
14 possession of a substance prohibited by the Cannabis Control
15 Act, the Illinois Controlled Substances Act, or the
16 Methamphetamine Control and Community Protection Act or a
17 sentence of probation under Section 10 of the Cannabis Control
18 Act or Section 410 of the Illinois Controlled Substances Act
19 and after a finding by the court that the person is addicted,
20 to undergo treatment at a substance abuse program approved by
21 the court.

22 (m) The Secretary of State shall require anyone placed on
23 court supervision for a violation of Section 3-707 of the
24 Illinois Vehicle Code or a similar provision of a local
25 ordinance to give proof of his or her financial responsibility
26 as defined in Section 7-315 of the Illinois Vehicle Code. The

1 proof shall be maintained by the individual in a manner
2 satisfactory to the Secretary of State for a minimum period of
3 3 years after the date the proof is first filed. The proof
4 shall be limited to a single action per arrest and may not be
5 affected by any post-sentence disposition. The Secretary of
6 State shall suspend the driver's license of any person
7 determined by the Secretary to be in violation of this
8 subsection. This subsection does not apply to a person who, at
9 the time of the offense, was operating a motor vehicle
10 registered in a state other than Illinois.

11 (n) Any offender placed on supervision for any offense
12 that the court or probation department has determined to be
13 sexually motivated as defined in the Sex Offender Management
14 Board Act shall be required to refrain from any contact,
15 directly or indirectly, with any persons specified by the
16 court and shall be available for all evaluations and treatment
17 programs required by the court or the probation department.

18 (o) An offender placed on supervision for a sex offense as
19 defined in the Sex Offender Management Board Act shall refrain
20 from residing at the same address or in the same condominium
21 unit or apartment unit or in the same condominium complex or
22 apartment complex with another person he or she knows or
23 reasonably should know is a convicted sex offender or has been
24 placed on supervision for a sex offense. The provisions of
25 this subsection (o) do not apply to a person convicted of a sex
26 offense who is placed in a Department of Corrections licensed

1 transitional housing facility for sex offenders.

2 (p) An offender placed on supervision for an offense
3 committed on or after June 1, 2008 (the effective date of
4 Public Act 95-464) that would qualify the accused as a child
5 sex offender as defined in Section 11-9.3 or 11-9.4 of the
6 Criminal Code of 1961 or the Criminal Code of 2012 shall
7 refrain from communicating with or contacting, by means of the
8 Internet, a person who is not related to the accused and whom
9 the accused reasonably believes to be under 18 years of age.
10 For purposes of this subsection (p), "Internet" has the
11 meaning ascribed to it in Section 16-0.1 of the Criminal Code
12 of 2012; and a person is not related to the accused if the
13 person is not: (i) the spouse, brother, or sister of the
14 accused; (ii) a descendant of the accused; (iii) a first or
15 second cousin of the accused; or (iv) a step-child or adopted
16 child of the accused.

17 (q) An offender placed on supervision for an offense
18 committed on or after June 1, 2008 (the effective date of
19 Public Act 95-464) that would qualify the accused as a child
20 sex offender as defined in Section 11-9.3 or 11-9.4 of the
21 Criminal Code of 1961 or the Criminal Code of 2012 shall, if so
22 ordered by the court, refrain from communicating with or
23 contacting, by means of the Internet, a person who is related
24 to the accused and whom the accused reasonably believes to be
25 under 18 years of age. For purposes of this subsection (q),
26 "Internet" has the meaning ascribed to it in Section 16-0.1 of

1 the Criminal Code of 2012; and a person is related to the
2 accused if the person is: (i) the spouse, brother, or sister of
3 the accused; (ii) a descendant of the accused; (iii) a first or
4 second cousin of the accused; or (iv) a step-child or adopted
5 child of the accused.

6 (r) An offender placed on supervision for an offense under
7 Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a
8 juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or
9 11-21 of the Criminal Code of 1961 or the Criminal Code of
10 2012, or any attempt to commit any of these offenses,
11 committed on or after June 1, 2009 (the effective date of
12 Public Act 95-983) shall:

13 (i) not access or use a computer or any other device
14 with Internet capability without the prior written
15 approval of the court, except in connection with the
16 offender's employment or search for employment with the
17 prior approval of the court;

18 (ii) submit to periodic unannounced examinations of
19 the offender's computer or any other device with Internet
20 capability by the offender's probation officer, a law
21 enforcement officer, or assigned computer or information
22 technology specialist, including the retrieval and copying
23 of all data from the computer or device and any internal or
24 external peripherals and removal of such information,
25 equipment, or device to conduct a more thorough
26 inspection;

1 (iii) submit to the installation on the offender's
2 computer or device with Internet capability, at the
3 offender's expense, of one or more hardware or software
4 systems to monitor the Internet use; and

5 (iv) submit to any other appropriate restrictions
6 concerning the offender's use of or access to a computer
7 or any other device with Internet capability imposed by
8 the court.

9 (s) An offender placed on supervision for an offense that
10 is a sex offense as defined in Section 2 of the Sex Offender
11 Registration Act that is committed on or after January 1, 2010
12 (the effective date of Public Act 96-362) that requires the
13 person to register as a sex offender under that Act, may not
14 knowingly use any computer scrub software on any computer that
15 the sex offender uses.

16 (t) An offender placed on supervision for a sex offense as
17 defined in the Sex Offender Registration Act committed on or
18 after January 1, 2010 (the effective date of Public Act
19 96-262) shall refrain from accessing or using a social
20 networking website as defined in Section 17-0.5 of the
21 Criminal Code of 2012.

22 (u) Jurisdiction over an offender may be transferred from
23 the sentencing court to the court of another circuit with the
24 concurrence of both courts. Further transfers or retransfers
25 of jurisdiction are also authorized in the same manner. The
26 court to which jurisdiction has been transferred shall have

1 the same powers as the sentencing court. The probation
2 department within the circuit to which jurisdiction has been
3 transferred may impose probation fees upon receiving the
4 transferred offender, as provided in subsection (i). The
5 probation department from the original sentencing court shall
6 retain all probation fees collected prior to the transfer.

7 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
8 99-642, eff. 7-28-16; 99-797, eff. 8-12-16; 100-159, eff.
9 8-18-17; 100-201, eff. 8-18-17; 100-987, eff. 7-1-19.)

10 Section 95. No acceleration or delay. Where this Act makes
11 changes in a statute that is represented in this Act by text
12 that is not yet or no longer in effect (for example, a Section
13 represented by multiple versions), the use of that text does
14 not accelerate or delay the taking effect of (i) the changes
15 made by this Act or (ii) provisions derived from any other
16 Public Act.

17 Section 999. Effective date. This Act takes effect upon
18 becoming law.