



Rep. Edward J. Acevedo

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LRB093 16238 DRH 49143 a

1 AMENDMENT TO HOUSE BILL 4003

2 AMENDMENT NO. _____. Amend House Bill 4003 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.620 as follows:

6 (30 ILCS 105/5.620 new)

7 Sec. 5.620. The Secretary of State Immigrant License Fund.

8 Section 10. The Illinois Vehicle Code is amended by
9 changing Sections 2-119, 6-106, and 6-118 and adding Sections
10 6-107.4 and 6-107.5 as follows:

11 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

12 Sec. 2-119. Disposition of fees and taxes.

13 (a) All moneys received from Salvage Certificates shall be
14 deposited in the Common School Fund in the State Treasury.

15 (b) Beginning January 1, 1990 and concluding December 31,
16 1994, of the money collected for each certificate of title,
17 duplicate certificate of title and corrected certificate of
18 title, \$0.50 shall be deposited into the Used Tire Management
19 Fund. Beginning January 1, 1990 and concluding December 31,
20 1994, of the money collected for each certificate of title,
21 duplicate certificate of title and corrected certificate of
22 title, \$1.50 shall be deposited in the Park and Conservation

1 Fund.

2 Beginning January 1, 1995, of the money collected for each
3 certificate of title, duplicate certificate of title and
4 corrected certificate of title, \$2 shall be deposited in the
5 Park and Conservation Fund. The moneys deposited in the Park
6 and Conservation Fund pursuant to this Section shall be used
7 for the acquisition and development of bike paths as provided
8 for in Section 805-420 of the Department of Natural Resources
9 (Conservation) Law (20 ILCS 805/805-420).

10 Beginning January 1, 2000, of the moneys collected for each
11 certificate of title, duplicate certificate of title, and
12 corrected certificate of title, \$48 shall be deposited into the
13 Road Fund and \$4 shall be deposited into the Motor Vehicle
14 License Plate Fund, except that if the balance in the Motor
15 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
16 of a calendar month, then during the next calendar month the \$4
17 shall instead be deposited into the Road Fund.

18 Except as otherwise provided in this Code, all remaining
19 moneys collected for certificates of title, and all moneys
20 collected for filing of security interests, shall be placed in
21 the General Revenue Fund in the State Treasury.

22 (c) All moneys collected for that portion of a driver's
23 license fee designated for driver education under Section 6-118
24 shall be placed in the Driver Education Fund in the State
25 Treasury.

26 (d) Beginning January 1, 1999, of the monies collected as a
27 registration fee for each motorcycle, motor driven cycle and
28 motorized pedalcycle, 27% of each annual registration fee for
29 such vehicle and 27% of each semiannual registration fee for
30 such vehicle is deposited in the Cycle Rider Safety Training
31 Fund.

32 (e) Of the monies received by the Secretary of State as
33 registration fees or taxes or as payment of any other fee, as
34 provided in this Act, except fees received by the Secretary

1 under paragraph (7) of subsection (b) of Section 5-101 and
2 Section 5-109 of this Code, 37% shall be deposited into the
3 State Construction Fund.

4 (f) Of the total money collected for a CDL instruction
5 permit or original or renewal issuance of a commercial driver's
6 license (CDL) pursuant to the Uniform Commercial Driver's
7 License Act (UCDLA): (i) \$6 of the total fee for an original or
8 renewal CDL, and \$6 of the total CDL instruction permit fee
9 when such permit is issued to any person holding a valid
10 Illinois driver's license, shall be paid into the
11 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
12 Information System/American Association of Motor Vehicle
13 Administrators network Trust Fund) and shall be used for the
14 purposes provided in Section 6z-23 of the State Finance Act and
15 (ii) \$20 of the total fee for an original or renewal CDL or
16 commercial driver instruction permit shall be paid into the
17 Motor Carrier Safety Inspection Fund, which is hereby created
18 as a special fund in the State Treasury, to be used by the
19 Department of State Police, subject to appropriation, to hire
20 additional officers to conduct motor carrier safety
21 inspections pursuant to Chapter 18b of this Code.

22 (g) All remaining moneys received by the Secretary of State
23 as registration fees or taxes or as payment of any other fee,
24 as provided in this Act, except fees received by the Secretary
25 under paragraph (7) (A) of subsection (b) of Section 5-101 and
26 Section 5-109 of this Code, shall be deposited in the Road Fund
27 in the State Treasury. Moneys in the Road Fund shall be used
28 for the purposes provided in Section 8.3 of the State Finance
29 Act.

30 (h) (Blank).

31 (i) (Blank).

32 (j) (Blank).

33 (k) There is created in the State Treasury a special fund
34 to be known as the Secretary of State Special License Plate

1 Fund. Money deposited into the Fund shall, subject to
2 appropriation, be used by the Office of the Secretary of State
3 (i) to help defray plate manufacturing and plate processing
4 costs for the issuance and, when applicable, renewal of any new
5 or existing registration plates authorized under this Code and
6 (ii) for grants made by the Secretary of State to benefit
7 Illinois Veterans Home libraries.

8 On or before October 1, 1995, the Secretary of State shall
9 direct the State Comptroller and State Treasurer to transfer
10 any unexpended balance in the Special Environmental License
11 Plate Fund, the Special Korean War Veteran License Plate Fund,
12 and the Retired Congressional License Plate Fund to the
13 Secretary of State Special License Plate Fund.

14 (l) The Motor Vehicle Review Board Fund is created as a
15 special fund in the State Treasury. Moneys deposited into the
16 Fund under paragraph (7) of subsection (b) of Section 5-101 and
17 Section 5-109 shall, subject to appropriation, be used by the
18 Office of the Secretary of State to administer the Motor
19 Vehicle Review Board, including without limitation payment of
20 compensation and all necessary expenses incurred in
21 administering the Motor Vehicle Review Board under the Motor
22 Vehicle Franchise Act.

23 (m) Effective July 1, 1996, there is created in the State
24 Treasury a special fund to be known as the Family
25 Responsibility Fund. Moneys deposited into the Fund shall,
26 subject to appropriation, be used by the Office of the
27 Secretary of State for the purpose of enforcing the Family
28 Financial Responsibility Law.

29 (n) The Illinois Fire Fighters' Memorial Fund is created as
30 a special fund in the State Treasury. Moneys deposited into the
31 Fund shall, subject to appropriation, be used by the Office of
32 the State Fire Marshal for construction of the Illinois Fire
33 Fighters' Memorial to be located at the State Capitol grounds
34 in Springfield, Illinois. Upon the completion of the Memorial,

1 moneys in the Fund shall be used in accordance with Section
2 3-634.

3 (o) Of the money collected for each certificate of title
4 for all-terrain vehicles and off-highway motorcycles, \$17
5 shall be deposited into the Off-Highway Vehicle Trails Fund.

6 (p) For audits conducted on or after July 1, 2003 pursuant
7 to Section 2-124(d) of this Code, 50% of the money collected as
8 audit fees shall be deposited into the General Revenue Fund.

9 (q) The Secretary of State Immigrant License Fund is
10 created as a special fund in the State Treasury. Moneys
11 deposited into the fund shall, subject to appropriation, be
12 used by the Secretary of State to pay for the costs associated
13 with issuing a driver's license to an immigrant ineligible to
14 receive a social security number.

15 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03.)

16 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

17 Sec. 6-106. Application for license or instruction permit.

18 (a) Every application for any permit or license authorized
19 to be issued under this Act shall be made upon a form furnished
20 by the Secretary of State. Every application shall be
21 accompanied by the proper fee and payment of such fee shall
22 entitle the applicant to not more than 3 attempts to pass the
23 examination within a period of 1 year after the date of
24 application.

25 (b) Every application shall state the name, social security
26 number, zip code, date of birth, sex, and residence address of
27 the applicant; briefly describe the applicant; state whether
28 the applicant has theretofore been licensed as a driver, and,
29 if so, when and by what state or country, and whether any such
30 license has ever been cancelled, suspended, revoked or refused,
31 and, if so, the date and reason for such cancellation,
32 suspension, revocation or refusal; shall include an
33 affirmation by the applicant that all information set forth is

1 true and correct; and shall bear the applicant's signature. The
2 application form may also require the statement of such
3 additional relevant information as the Secretary of State shall
4 deem necessary to determine the applicant's competency and
5 eligibility.

6 (b-1) The Secretary of State may in his discretion
7 substitute a federal tax number in lieu of a social security
8 number, or he may instead assign an additional distinctive
9 number in lieu thereof, where an applicant is prohibited by
10 bona fide religious convictions from applying or is exempt from
11 applying for a social security number. The Secretary of State
12 shall, however, determine which religious orders or sects have
13 such bona fide religious convictions.

14 (b-2) The Secretary of State shall issue a drivers license
15 to an applicant who is an immigrant and ineligible for a social
16 security number if the applicant has (i) provided the Secretary
17 with an individual taxpayer identification number in lieu of a
18 social security number; (ii) filed with the Secretary, at the
19 time of application, an affidavit stating that the applicant is
20 an immigrant and not eligible for a social security number and
21 that the applicant will file an application to become a
22 permanent resident of the United States at the earliest
23 opportunity the applicant is eligible to do so; (iii) provided
24 a current foreign passport and a foreign birth certificate;
25 (iv) filed with the Secretary of State proof provided to the
26 applicant by the Illinois State Police that a set of the
27 applicant's fingerprints have been collected (costs associated
28 with this fingerprinting shall be paid by the applicant at the
29 time of collection); and (v) surrendered all illegally obtained
30 forms of drivers licenses or identification cards issued to the
31 applicant by the Secretary. The Secretary of State shall
32 provide to the Department of Revenue all information, including
33 the individual taxpayer identification number, captured on the
34 application. If the Department of Revenue determines that the

1 licensee is not in compliance with any applicable tax laws
2 administered by the Department of Revenue, the Department of
3 Revenue shall request that the Secretary of State suspend or
4 revoke the license. An applicant denied a driver's license
5 under this subsection (b-2) may seek review under the
6 Administrative Review Law. This amendatory Act of the 93rd
7 General Assembly does not affect the issuance of any commercial
8 driver's license or school bus driver's permit under the
9 Illinois Vehicle Code or any identification card under the
10 Illinois Identification Card Act. A drivers license issued
11 under this subsection (b-2) may not be used to obtain a Firearm
12 Owner's Identification Card and may not be used to obtain a
13 driver's license in another state. A driver licensed under this
14 subsection (b-2) shall, within 30 days of receiving a license,
15 provide to the Secretary of State proof of insurance and is
16 subject to the mandatory insurance requirements of this Code.

17 (b-3) The Secretary may not issue a drivers license under
18 subsection (b-2) of this Section unless the applicant has
19 provided the Secretary with a digitally reproduced photograph
20 of the applicant and the digitally reproduced fingerprints of
21 the applicant. These digitally reproduced photographs and
22 fingerprints and all other information submitted by the
23 applicant are private and confidential and shall be used only
24 to determine whether the applicant is eligible for a driver's
25 license or has an outstanding felony arrest warrant for the
26 offenses listed in Chapter 720 of the Illinois Compiled
27 Statutes (regarding criminal offenses).

28 (b-4) The Secretary of State may, in his discretion, by
29 rule or regulation, provide that an application for a drivers
30 license or permit may include a suitable photograph of the
31 applicant in the form prescribed by the Secretary, and he may
32 further provide that each drivers license shall include a
33 photograph of the driver. The Secretary of State may utilize a
34 photograph process or system most suitable to deter alteration

1 or improper reproduction of a drivers license and to prevent
2 substitution of another photo thereon.

3 (c) The application form shall include a notice to the
4 applicant of the registration obligations of sex offenders
5 under the Sex Offender Registration Act. The notice shall be
6 provided in a form and manner prescribed by the Secretary of
7 State. For purposes of this subsection (c), "sex offender" has
8 the meaning ascribed to it in Section 2 of the Sex Offender
9 Registration Act.

10 (d) Any male United States citizen or immigrant who applies
11 for any permit or license authorized to be issued under this
12 Act or for a renewal of any permit or license, and who is at
13 least 18 years of age but less than 26 years of age, must be
14 registered in compliance with the requirements of the federal
15 Military Selective Service Act. The Secretary of State must
16 forward in an electronic format the necessary personal
17 information regarding the applicants identified in this
18 subsection (d) to the Selective Service System. The applicant's
19 signature on the application serves as an indication that the
20 applicant either has already registered with the Selective
21 Service System or that he is authorizing the Secretary to
22 forward to the Selective Service System the necessary
23 information for registration. The Secretary must notify the
24 applicant at the time of application that his signature
25 constitutes consent to registration with the Selective Service
26 System, if he is not already registered.

27 (Source: P.A. 92-117, eff. 1-1-02.)

28 (625 ILCS 5/6-107.4 new)

29 Sec. 6-107.4. Visual difference; driver's licenses; social
30 security numbers. The Secretary of State shall provide that
31 there shall be a clear and distinct visual difference between
32 driver's licenses issued to individuals without social
33 security numbers and driver's licenses issued to individuals

1 with social security numbers.

2 (625 ILCS 5/6-107.5 new)

3 Sec. 6-107.5. Ineligible applicants for Firearms Owner's
4 Identification Cards. To ensure compliance with the Firearm
5 Owners Identification Card Act, the Secretary of State shall,
6 in cooperation with the Illinois State Police, make rules to
7 establish administrative procedures for determining and
8 identifying ineligible Firearm Owner's Identification Card
9 applicants.

10 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

11 Sec. 6-118. Fees.

12 (a) The fee for licenses and permits under this Article is
13 as follows:

14	Original driver's license	\$10
15	Original or renewal driver's license	
16	issued to 18, 19 and 20 year olds	5
17	All driver's licenses for persons	
18	age 69 through age 80	5
19	All driver's licenses for persons	
20	age 81 through age 86	2
21	All driver's licenses for persons	
22	age 87 or older	0
23	Renewal driver's license (except for	
24	applicants ages 18, 19 and 20 or	
25	age 69 and older)	10
26	Original instruction permit issued to	
27	persons (except those age 69 and older)	
28	who do not hold or have not previously	
29	held an Illinois instruction permit or	
30	driver's license	20
31	Instruction permit issued to any person	
32	holding an Illinois driver's license	

1 who wishes a change in classifications,
2 other than at the time of renewal 5
3 Any instruction permit issued to a person
4 age 69 and older 5
5 Instruction permit issued to any person,
6 under age 69, not currently holding a
7 valid Illinois driver's license or
8 instruction permit but who has
9 previously been issued either document
10 in Illinois10
11 Restricted driving permit 8
12 Duplicate or corrected driver's license
13 or permit 5
14 Duplicate or corrected restricted
15 driving permit 5
16 Original or renewal M or L endorsement..... 5
17 An original driver's license issued to a person who has not
18 provided the Secretary with a social security number because
19 the person is an immigrant and is not eligible to receive a
20 social security number shall be subject to an additional fee of
21 \$15 to cover the additional costs associated with issuing those
22 driver's licenses.

23 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

24 The fees for commercial driver licenses and permits
25 under Article V shall be as follows:

26 Commercial driver's license:

- 27 \$6 for the CDLIS/AAMVAnet Fund
- 28 (Commercial Driver's License Information
- 29 System/American Association of Motor Vehicle
- 30 Administrators network Trust Fund);
- 31 \$20 for the Motor Carrier Safety Inspection Fund;
- 32 \$10 for the driver's license;
- 33 and \$24 for the CDL: \$60

34 Renewal commercial driver's license:

1 \$6 for the CDLIS/AAMVAnet Trust Fund;
2 \$20 for the Motor Carrier Safety Inspection Fund;
3 \$10 for the driver's license; and
4 \$24 for the CDL: \$60
5 Commercial driver instruction permit
6 issued to any person holding a valid
7 Illinois driver's license for the
8 purpose of changing to a
9 CDL classification: \$6 for the
10 CDLIS/AAMVAnet Trust Fund;
11 \$20 for the Motor Carrier
12 Safety Inspection Fund; and
13 \$24 for the CDL classification \$50
14 Commercial driver instruction permit
15 issued to any person holding a valid
16 Illinois CDL for the purpose of
17 making a change in a classification,
18 endorsement or restriction\$5
19 CDL duplicate or corrected license\$5

20 In order to ensure the proper implementation of the Uniform
21 Commercial Driver License Act, Article V of this Chapter, the
22 Secretary of State is empowered to pro-rate the \$24 fee for the
23 commercial driver's license proportionate to the expiration
24 date of the applicant's Illinois driver's license.

25 The fee for any duplicate license or permit shall be waived
26 for any person age 60 or older who presents the Secretary of
27 State's office with a police report showing that his license or
28 permit was stolen.

29 No additional fee shall be charged for a driver's license,
30 or for a commercial driver's license, when issued to the holder
31 of an instruction permit for the same classification or type of
32 license who becomes eligible for such license.

33 (b) Any person whose license or privilege to operate a
34 motor vehicle in this State has been suspended or revoked under

1 any provision of Chapter 6, Chapter 11, or Section 7-205,
 2 7-303, or 7-702 of the Family Financial Responsibility Law of
 3 this Code, shall in addition to any other fees required by this
 4 Code, pay a reinstatement fee as follows:

5	Summary suspension under Section 11-501.1 ...	\$250	Other
6	suspension		\$70
7	Revocation		\$500

8 However, any person whose license or privilege to operate a
 9 motor vehicle in this State has been suspended or revoked for a
 10 second or subsequent time for a violation of Section 11-501 or
 11 11-501.1 of this Code or a similar provision of a local
 12 ordinance or a similar out-of-state offense or Section 9-3 of
 13 the Criminal Code of 1961 and each suspension or revocation was
 14 for a violation of Section 11-501 or 11-501.1 of this Code or a
 15 similar provision of a local ordinance or a similar
 16 out-of-state offense or Section 9-3 of the Criminal Code of
 17 1961 shall pay, in addition to any other fees required by this
 18 Code, a reinstatement fee as follows:

19	Summary suspension under Section 11-501.1	\$500
20	Revocation	\$500

21 (c) All fees collected under the provisions of this Chapter
 22 6 shall be paid into the Road Fund in the State Treasury except
 23 as follows:

24 1. The following amounts shall be paid into the Driver
 25 Education Fund:

26 (A) \$16 of the \$20 fee for an original driver's
 27 instruction permit;

28 (B) \$5 of the ~~\$20~~ fee for an original driver's
 29 license;

30 (C) \$5 of the ~~\$20~~ fee for a 4 year renewal driver's
 31 license; and

32 (D) \$4 of the \$8 fee for a restricted driving
 33 permit.

34 2. \$30 of the \$250 fee for reinstatement of a license

1 summarily suspended under Section 11-501.1 shall be
2 deposited into the Drunk and Drugged Driving Prevention
3 Fund. However, for a person whose license or privilege to
4 operate a motor vehicle in this State has been suspended or
5 revoked for a second or subsequent time for a violation of
6 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
7 the Criminal Code of 1961, \$190 of the \$500 fee for
8 reinstatement of a license summarily suspended under
9 Section 11-501.1, and \$190 of the \$500 fee for
10 reinstatement of a revoked license shall be deposited into
11 the Drunk and Drugged Driving Prevention Fund.

12 3. \$6 of such original or renewal fee for a commercial
13 driver's license and \$6 of the commercial driver
14 instruction permit fee when such permit is issued to any
15 person holding a valid Illinois driver's license, shall be
16 paid into the CDLIS/AAMVAnet Trust Fund.

17 4. \$30 of the \$70 fee for reinstatement of a license
18 suspended under the Family Financial Responsibility Law
19 shall be paid into the Family Responsibility Fund.

20 5. The \$5 fee for each original or renewal M or L
21 endorsement shall be deposited into the Cycle Rider Safety
22 Training Fund.

23 6. \$20 of any original or renewal fee for a commercial
24 driver's license or commercial driver instruction permit
25 shall be paid into the Motor Carrier Safety Inspection
26 Fund.

27 7. The following amounts shall be paid into the General
28 Revenue Fund:

29 (A) \$190 of the \$250 reinstatement fee for a
30 summary suspension under Section 11-501.1;

31 (B) \$40 of the \$70 reinstatement fee for any other
32 suspension provided in subsection (b) of this Section;
33 and

34 (C) \$440 of the \$500 reinstatement fee for a first

1 offense revocation and \$310 of the \$500 reinstatement
2 fee for a second or subsequent revocation.

3 8. The entire amount of the additional fee of \$15 for
4 an original driver's license issued to an immigrant
5 ineligible to receive a social security number shall be
6 deposited into the Secretary of State Immigrant License
7 Fund.

8 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04.)

9 Section 97. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect July 1,
12 2005.".