

SB3378



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3378

Introduced 2/7/2012, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-117

from Ch. 95 1/2, par. 6-117

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning records to be kept by the Secretary of State.

LRB097 18816 HEP 64053 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 6-117 as follows:

6 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

7 Sec. 6-117. Records to be kept by the Secretary of State.

8 (a) The ~~The~~ Secretary of State shall file every application
9 for a license or permit accepted under this Chapter, and shall
10 maintain suitable indexes thereof. The records of the Secretary
11 of State shall indicate the action taken with respect to such
12 applications.

13 (b) The Secretary of State shall maintain appropriate
14 records of all licenses and permits refused, cancelled,
15 disqualified, revoked, or suspended and of the revocation,
16 suspension, and disqualification of driving privileges of
17 persons not licensed under this Chapter, and such records shall
18 note the reasons for such action.

19 (c) The Secretary of State shall maintain appropriate
20 records of convictions reported under this Chapter. Records of
21 conviction may be maintained in a computer processible medium.

22 (d) The Secretary of State may also maintain appropriate
23 records of any accident reports received.

1 (e) The Secretary of State shall also maintain appropriate
2 records of any disposition of supervision or records relative
3 to a driver's referral to a driver remedial or rehabilitative
4 program, as required by the Secretary of State or the courts.
5 Such records shall only be available for use by the Secretary,
6 the driver licensing administrator of any other state, law
7 enforcement agencies, the courts, and the affected driver or,
8 upon proper verification, such affected driver's attorney.

9 (f) The Secretary of State shall also maintain or contract
10 to maintain appropriate records of all photographs and
11 signatures obtained in the process of issuing any driver's
12 license, permit, or identification card. The record shall be
13 confidential and shall not be disclosed except to those
14 entities listed under Section 6-110.1 of this Code.

15 (g) The Secretary of State may establish a First Person
16 Consent organ and tissue donor registry in compliance with
17 subsection (b-1) of Section 5-20 of the Illinois Anatomical
18 Gift Act, as follows:

19 (1) The Secretary shall offer, to each applicant for
20 issuance or renewal of a driver's license or identification
21 card who is 18 years of age or older, the opportunity to
22 have his or her name included in the First Person Consent
23 organ and tissue donor registry. The Secretary must advise
24 the applicant or licensee that he or she is under no
25 compulsion to have his or her name included in the
26 registry. An individual who agrees to having his or her

1 name included in the First Person Consent organ and tissue
2 donor registry has given full legal consent to the donation
3 of any of his or her organs or tissue upon his or her
4 death. A brochure explaining this method of executing an
5 anatomical gift must be given to each applicant for
6 issuance or renewal of a driver's license or identification
7 card. The brochure must advise the applicant or licensee
8 (i) that he or she is under no compulsion to have his or
9 her name included in this registry and (ii) that he or she
10 may wish to consult with family, friends, or clergy before
11 doing so.

12 (2) The Secretary of State may establish additional
13 methods by which an individual may have his or her name
14 included in the First Person Consent organ and tissue donor
15 registry.

16 (3) When an individual has agreed to have his or her
17 name included in the First Person Consent organ and tissue
18 donor registry, the Secretary of State shall note that
19 agreement in the First Person consent organ and tissue
20 donor registry. Representatives of federally designated
21 organ procurement agencies and tissue banks and the offices
22 of Illinois county coroners and medical examiners may
23 inquire of the Secretary of State whether a potential organ
24 donor's name is included in the First Person Consent organ
25 and tissue donor registry, and the Secretary of State may
26 provide that information to the representative.

1 (4) An individual may withdraw his or her consent to be
2 listed in the First Person Consent organ and tissue donor
3 registry maintained by the Secretary of State by notifying
4 the Secretary of State in writing, or by any other means
5 approved by the Secretary, of the individual's decision to
6 have his or her name removed from the registry.

7 (5) The Secretary of State may undertake additional
8 efforts, including education and awareness activities, to
9 promote organ and tissue donation.

10 (6) In the absence of gross negligence or willful
11 misconduct, the Secretary of State and his or her employees
12 are immune from any civil or criminal liability in
13 connection with an individual's consent to be listed in the
14 organ and tissue donor registry.

15 (Source: P.A. 94-75, eff. 1-1-06; 95-382, eff. 8-23-07;
16 95-1034, eff. 2-17-09.)