

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 Identification Card Act is amended
5 by changing Sections 2, 5, and 8 as follows:

6 (15 ILCS 335/2) (from Ch. 124, par. 22)

7 Sec. 2. Administration and powers and duties of the
8 Administrator.

9 (a) The Secretary of State is the Administrator of this
10 Act, and he is charged with the duty of observing,
11 administering and enforcing the provisions of this Act.

12 (b) The Secretary is vested with the powers and duties for
13 the proper administration of this Act as follows:

14 1. He shall organize the administration of this Act as
15 he may deem necessary and appoint such subordinate
16 officers, clerks and other employees as may be necessary.

17 2. From time to time, he may make, amend or rescind
18 rules and regulations as may be in the public interest to
19 implement the Act.

20 3. He may prescribe or provide suitable forms as
21 necessary, including such forms as are necessary to
22 establish that an applicant for an Illinois Person with a
23 Disability Identification Card is a "person with a

1 disability" as defined in Section 4A of this Act, and
2 establish that an applicant for a State identification card
3 is a "homeless person" as defined in Section 1A of this
4 Act.

5 4. He may prepare under the seal of the Secretary of
6 State certified copies of any records utilized under this
7 Act and any such certified copy shall be admissible in any
8 proceeding in any court in like manner as the original
9 thereof.

10 5. Records compiled under this Act shall be maintained
11 for 6 years, but the Secretary may destroy such records
12 with the prior approval of the State Records Commission.

13 6. He shall examine and determine the genuineness,
14 regularity and legality of every application filed with him
15 under this Act, and he may in all cases investigate the
16 same, require additional information or proof or
17 documentation from any applicant.

18 7. He shall require the payment of all fees prescribed
19 in this Act, and all such fees received by him shall be
20 placed in the Road Fund of the State treasury except as
21 otherwise provided in Section 12 of this Act. Whenever any
22 application to the Secretary for an identification card
23 under this Act is accompanied by any fee, as required by
24 law, and the application is denied after a review of
25 eligibility, which may include facial recognition
26 comparison, the applicant shall not be entitled to a refund

1 of any fees paid.

2 8. Beginning July 1, 2017, he shall refuse to issue any
3 identification card under this Act to any person who has
4 been issued a driver's license under the Illinois Vehicle
5 Code. Any such person may, at his or her discretion,
6 surrender the driver's license in order to become eligible
7 to obtain an identification card.

8 (Source: P.A. 99-143, eff. 7-27-15; 99-305, eff. 1-1-16;
9 revised 10-14-15.)

10 (15 ILCS 335/5) (from Ch. 124, par. 25)

11 Sec. 5. Applications.

12 (a) Any natural person who is a resident of the State of
13 Illinois may file an application for an identification card, or
14 for the renewal thereof, in a manner prescribed by the
15 Secretary. Each original application shall be completed by the
16 applicant in full and shall set forth the legal name, residence
17 address and zip code, social security number, birth date, sex
18 and a brief description of the applicant. The applicant shall
19 be photographed, unless the Secretary of State has provided by
20 rule for the issuance of identification cards without
21 photographs and the applicant is deemed eligible for an
22 identification card without a photograph under the terms and
23 conditions imposed by the Secretary of State, and he or she
24 shall also submit any other information as the Secretary may
25 deem necessary or such documentation as the Secretary may

1 require to determine the identity of the applicant. In addition
2 to the residence address, the Secretary may allow the applicant
3 to provide a mailing address. If the applicant is a judicial
4 officer as defined in Section 1-10 of the Judicial Privacy Act
5 or a peace officer, the applicant may elect to have his or her
6 office or work address in lieu of the applicant's residence or
7 mailing address. An applicant for an Illinois Person with a
8 Disability Identification Card must also submit with each
9 original or renewal application, on forms prescribed by the
10 Secretary, such documentation as the Secretary may require,
11 establishing that the applicant is a "person with a disability"
12 as defined in Section 4A of this Act, and setting forth the
13 applicant's type and class of disability as set forth in
14 Section 4A of this Act. For the purposes of this subsection
15 (a), "peace officer" means any person who by virtue of his or
16 her office or public employment is vested by law with a duty to
17 maintain public order or to make arrests for a violation of any
18 penal statute of this State, whether that duty extends to all
19 violations or is limited to specific violations.

20 (b) Beginning on or before July 1, 2015, for each original
21 or renewal identification card application under this Act, the
22 Secretary shall inquire as to whether the applicant is a
23 veteran for purposes of issuing an identification card with a
24 veteran designation under subsection (c-5) of Section 4 of this
25 Act. The acceptable forms of proof shall include, but are not
26 limited to, Department of Defense form DD-214. The Secretary

1 shall determine by rule what other forms of proof of a person's
2 status as a veteran are acceptable.

3 The Illinois Department of Veterans' Affairs shall confirm
4 the status of the applicant as an honorably discharged veteran
5 before the Secretary may issue the identification card.

6 For purposes of this subsection (b):

7 "Active duty" means active duty under an executive order of
8 the President of the United States, an Act of the Congress of
9 the United States, or an order of the Governor.

10 "Armed forces" means any of the Armed Forces of the United
11 States, including a member of any reserve component or National
12 Guard unit called to active duty.

13 "Veteran" means a person who has served on active duty in
14 the armed forces and was discharged or separated under
15 honorable conditions.

16 (c) Beginning July 1, 2017, all applicants for standard
17 Illinois Identification Cards and Illinois Person with a
18 Disability Identification Cards shall provide proof of lawful
19 status in the United States as defined in 6 CFR 37.3, as
20 amended. Applicants who are unable to provide the Secretary
21 with proof of lawful status are ineligible for identification
22 cards under this Act.

23 (Source: P.A. 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847,
24 eff. 1-1-13; 97-1064, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463,
25 eff. 8-16-13.)

1 (15 ILCS 335/8) (from Ch. 124, par. 28)

2 Sec. 8. Expiration.

3 (a) Except as otherwise provided in this Section:

4 (1) Every identification card issued hereunder, except
5 to persons who have reached their 15th birthday, but are
6 not yet 21 years of age, persons who are 65 years of age or
7 older, and persons who are issued an Illinois Person with a
8 Disability Identification Card, shall expire 5 years from
9 the ensuing birthday of the applicant and a renewal shall
10 expire 5 years thereafter.

11 (2) Every original or renewal identification card
12 issued to a person who has reached his or her 15th
13 birthday, but is not yet 21 years of age shall expire 3
14 months after the person's 21st birthday.

15 (b) Except as provided elsewhere in this Section, every
16 ~~Every~~ original, renewal, or duplicate: (i) identification card
17 issued prior to July 1, 2017, to a person who has reached his
18 or her 65th birthday shall be permanent and need not be
19 renewed; (ii) identification card issued on or after July 1,
20 2017, to a person who has reached his or her 65th birthday
21 shall expire 8 years thereafter; (iii) and (ii) Illinois Person
22 with a Disability Identification Card issued prior to July 1,
23 2017, to a qualifying person shall expire 10 years thereafter;
24 and (iv) Illinois Person with a Disability Identification Card
25 issued on or after July 1, 2017, shall expire 8 years
26 thereafter. The Secretary of State shall promulgate rules

1 setting forth the conditions and criteria for the renewal of
2 all Illinois Person with a Disability Identification Cards.

3 (c) Beginning July 1, 2016, every identification card or
4 Illinois Person with a Disability Identification Card issued
5 under this Act to an applicant who is not a United States
6 citizen shall expire on whichever is the earlier date of the
7 following:

8 (1) as provided under subsection (a) or (b) of this
9 Section; or

10 (2) on the date the applicant's authorized stay in the
11 United States terminates.

12 (Source: P.A. 99-305, eff. 1-1-16.)

13 Section 10. The Illinois Vehicle Code is amended by
14 changing Sections 6-103 and 6-106 as follows:

15 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

16 Sec. 6-103. What persons shall not be licensed as drivers
17 or granted permits. The Secretary of State shall not issue,
18 renew, or allow the retention of any driver's license nor issue
19 any permit under this Code:

20 1. To any person, as a driver, who is under the age of
21 18 years except as provided in Section 6-107, and except
22 that an instruction permit may be issued under Section
23 6-107.1 to a child who is not less than 15 years of age if
24 the child is enrolled in an approved driver education

1 course as defined in Section 1-103 of this Code and
2 requires an instruction permit to participate therein,
3 except that an instruction permit may be issued under the
4 provisions of Section 6-107.1 to a child who is 17 years
5 and 3 months of age without the child having enrolled in an
6 approved driver education course and except that an
7 instruction permit may be issued to a child who is at least
8 15 years and 3 months of age, is enrolled in school, meets
9 the educational requirements of the Driver Education Act,
10 and has passed examinations the Secretary of State in his
11 or her discretion may prescribe;

12 1.5. To any person at least 18 years of age but less
13 than 21 years of age unless the person has, in addition to
14 any other requirements of this Code, successfully
15 completed an adult driver education course as provided in
16 Section 6-107.5 of this Code;

17 2. To any person who is under the age of 18 as an
18 operator of a motorcycle other than a motor driven cycle
19 unless the person has, in addition to meeting the
20 provisions of Section 6-107 of this Code, successfully
21 completed a motorcycle training course approved by the
22 Illinois Department of Transportation and successfully
23 completes the required Secretary of State's motorcycle
24 driver's examination;

25 3. To any person, as a driver, whose driver's license
26 or permit has been suspended, during the suspension, nor to

1 any person whose driver's license or permit has been
2 revoked, except as provided in Sections 6-205, 6-206, and
3 6-208;

4 4. To any person, as a driver, who is a user of alcohol
5 or any other drug to a degree that renders the person
6 incapable of safely driving a motor vehicle;

7 5. To any person, as a driver, who has previously been
8 adjudged to be afflicted with or suffering from any mental
9 or physical disability or disease and who has not at the
10 time of application been restored to competency by the
11 methods provided by law;

12 6. To any person, as a driver, who is required by the
13 Secretary of State to submit an alcohol and drug evaluation
14 or take an examination provided for in this Code unless the
15 person has successfully passed the examination and
16 submitted any required evaluation;

17 7. To any person who is required under the provisions
18 of the laws of this State to deposit security or proof of
19 financial responsibility and who has not deposited the
20 security or proof;

21 8. To any person when the Secretary of State has good
22 cause to believe that the person by reason of physical or
23 mental disability would not be able to safely operate a
24 motor vehicle upon the highways, unless the person shall
25 furnish to the Secretary of State a verified written
26 statement, acceptable to the Secretary of State, from a

1 competent medical specialist, a licensed physician
2 assistant, or a licensed advanced practice nurse, to the
3 effect that the operation of a motor vehicle by the person
4 would not be inimical to the public safety;

5 9. To any person, as a driver, who is 69 years of age
6 or older, unless the person has successfully complied with
7 the provisions of Section 6-109;

8 10. To any person convicted, within 12 months of
9 application for a license, of any of the sexual offenses
10 enumerated in paragraph 2 of subsection (b) of Section
11 6-205;

12 11. To any person who is under the age of 21 years with
13 a classification prohibited in paragraph (b) of Section
14 6-104 and to any person who is under the age of 18 years
15 with a classification prohibited in paragraph (c) of
16 Section 6-104;

17 12. To any person who has been either convicted of or
18 adjudicated under the Juvenile Court Act of 1987 based upon
19 a violation of the Cannabis Control Act, the Illinois
20 Controlled Substances Act, or the Methamphetamine Control
21 and Community Protection Act while that person was in
22 actual physical control of a motor vehicle. For purposes of
23 this Section, any person placed on probation under Section
24 10 of the Cannabis Control Act, Section 410 of the Illinois
25 Controlled Substances Act, or Section 70 of the
26 Methamphetamine Control and Community Protection Act shall

1 not be considered convicted. Any person found guilty of
2 this offense, while in actual physical control of a motor
3 vehicle, shall have an entry made in the court record by
4 the judge that this offense did occur while the person was
5 in actual physical control of a motor vehicle and order the
6 clerk of the court to report the violation to the Secretary
7 of State as such. The Secretary of State shall not issue a
8 new license or permit for a period of one year;

9 13. To any person who is under the age of 18 years and
10 who has committed the offense of operating a motor vehicle
11 without a valid license or permit in violation of Section
12 6-101 or a similar out of state offense;

13 14. To any person who is 90 days or more delinquent in
14 court ordered child support payments or has been
15 adjudicated in arrears in an amount equal to 90 days'
16 obligation or more and who has been found in contempt of
17 court for failure to pay the support, subject to the
18 requirements and procedures of Article VII of Chapter 7 of
19 the Illinois Vehicle Code;

20 14.5. To any person certified by the Illinois
21 Department of Healthcare and Family Services as being 90
22 days or more delinquent in payment of support under an
23 order of support entered by a court or administrative body
24 of this or any other State, subject to the requirements and
25 procedures of Article VII of Chapter 7 of this Code
26 regarding those certifications;

1 15. To any person released from a term of imprisonment
2 for violating Section 9-3 of the Criminal Code of 1961 or
3 the Criminal Code of 2012, or a similar provision of a law
4 of another state relating to reckless homicide or for
5 violating subparagraph (F) of paragraph (1) of subsection
6 (d) of Section 11-501 of this Code relating to aggravated
7 driving under the influence of alcohol, other drug or
8 drugs, intoxicating compound or compounds, or any
9 combination thereof, if the violation was the proximate
10 cause of a death, within 24 months of release from a term
11 of imprisonment;

12 16. To any person who, with intent to influence any act
13 related to the issuance of any driver's license or permit,
14 by an employee of the Secretary of State's Office, or the
15 owner or employee of any commercial driver training school
16 licensed by the Secretary of State, or any other individual
17 authorized by the laws of this State to give driving
18 instructions or administer all or part of a driver's
19 license examination, promises or tenders to that person any
20 property or personal advantage which that person is not
21 authorized by law to accept. Any persons promising or
22 tendering such property or personal advantage shall be
23 disqualified from holding any class of driver's license or
24 permit for 120 consecutive days. The Secretary of State
25 shall establish by rule the procedures for implementing
26 this period of disqualification and the procedures by which

1 persons so disqualified may obtain administrative review
2 of the decision to disqualify;

3 17. To any person for whom the Secretary of State
4 cannot verify the accuracy of any information or
5 documentation submitted in application for a driver's
6 license; ~~or~~

7 18. To any person who has been adjudicated under the
8 Juvenile Court Act of 1987 based upon an offense that is
9 determined by the court to have been committed in
10 furtherance of the criminal activities of an organized
11 gang, as provided in Section 5-710 of that Act, and that
12 involved the operation or use of a motor vehicle or the use
13 of a driver's license or permit. The person shall be denied
14 a license or permit for the period determined by the court;
15 or -

16 19. Beginning July 1, 2017, to any person who has been
17 issued an identification card under the Illinois
18 Identification Card Act. Any such person may, at his or her
19 discretion, surrender the identification card in order to
20 become eligible to obtain a driver's license.

21 The Secretary of State shall retain all conviction
22 information, if the information is required to be held
23 confidential under the Juvenile Court Act of 1987.

24 (Source: P.A. 98-167, eff. 7-1-14; 98-756, eff. 7-16-14;
25 99-173, eff. 7-29-15.)

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

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

3 (a) Every application for any permit or license authorized
4 to be issued under this Code shall be made upon a form
5 furnished by the Secretary of State. Every application shall be
6 accompanied by the proper fee and payment of such fee shall
7 entitle the applicant to not more than 3 attempts to pass the
8 examination within a period of one year after the date of
9 application.

10 (b) Every application shall state the legal name, social
11 security number, zip code, date of birth, sex, and residence
12 address of the applicant; briefly describe the applicant; state
13 whether the applicant has theretofore been licensed as a
14 driver, and, if so, when and by what state or country, and
15 whether any such license has ever been cancelled, suspended,
16 revoked or refused, and, if so, the date and reason for such
17 cancellation, suspension, revocation or refusal; shall include
18 an affirmation by the applicant that all information set forth
19 is true and correct; and shall bear the applicant's signature.
20 In addition to the residence address, the Secretary may allow
21 the applicant to provide a mailing address. In the case of an
22 applicant who is a judicial officer or peace officer, the
23 Secretary may allow the applicant to provide an office or work
24 address in lieu of a residence or mailing address. The
25 application form may also require the statement of such
26 additional relevant information as the Secretary of State shall

1 deem necessary to determine the applicant's competency and
2 eligibility. The Secretary of State may, in his discretion, by
3 rule or regulation, provide that an application for a drivers
4 license or permit may include a suitable photograph of the
5 applicant in the form prescribed by the Secretary, and he may
6 further provide that each drivers license shall include a
7 photograph of the driver. The Secretary of State may utilize a
8 photograph process or system most suitable to deter alteration
9 or improper reproduction of a drivers license and to prevent
10 substitution of another photo thereon. For the purposes of this
11 subsection (b), "peace officer" means any person who by virtue
12 of his or her office or public employment is vested by law with
13 a duty to maintain public order or to make arrests for a
14 violation of any penal statute of this State, whether that duty
15 extends to all violations or is limited to specific violations.

16 (b-5) Beginning July 1, 2017, every applicant for a
17 driver's license or permit shall provide proof of lawful status
18 in the United States as defined in 6 CFR 37.3, as amended.
19 Applicants who are unable to provide the Secretary with proof
20 of lawful status may apply for a driver's license or permit
21 under Section 6-105.1 of this Code.

22 (c) The application form shall include a notice to the
23 applicant of the registration obligations of sex offenders
24 under the Sex Offender Registration Act. The notice shall be
25 provided in a form and manner prescribed by the Secretary of
26 State. For purposes of this subsection (c), "sex offender" has

1 the meaning ascribed to it in Section 2 of the Sex Offender
2 Registration Act.

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

20 (e) Beginning on or before July 1, 2015, for each original
21 or renewal driver's license application under this Code, the
22 Secretary shall inquire as to whether the applicant is a
23 veteran for purposes of issuing a driver's license with a
24 veteran designation under subsection (e-5) of Section 6-110 of
25 this Code. The acceptable forms of proof shall include, but are
26 not limited to, Department of Defense form DD-214. The

1 Secretary shall determine by rule what other forms of proof of
2 a person's status as a veteran are acceptable.

3 The Illinois Department of Veterans' Affairs shall confirm
4 the status of the applicant as an honorably discharged veteran
5 before the Secretary may issue the driver's license.

6 For purposes of this subsection (e):

7 "Active duty" means active duty under an executive order of
8 the President of the United States, an Act of the Congress of
9 the United States, or an order of the Governor.

10 "Armed forces" means any of the Armed Forces of the United
11 States, including a member of any reserve component or National
12 Guard unit called to active duty.

13 "Veteran" means a person who has served on active duty in
14 the armed forces and was discharged or separated under
15 honorable conditions.

16 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847,
17 eff. 1-1-13; 98-323, eff. 1-1-14; 98-463, eff. 8-16-13; 98-756,
18 eff. 7-16-14.)