

1 AN ACT in relation to vehicles.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-107 as follows:

6 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

7 Sec. 6-107. Graduated license.

8 (a) The purpose of the Graduated Licensing Program is
9 to develop safe and mature driving habits in young,
10 inexperienced drivers and reduce or prevent motor vehicle
11 accidents, fatalities, and injuries by:

12 (1) providing for an increase in the time of
13 practice period before granting permission to obtain a
14 driver's license;

15 (2) strengthening driver licensing and testing
16 standards for persons under the age of 21 years;

17 (3) sanctioning driving privileges of drivers under
18 age 21 who have committed serious traffic violations or
19 other specified offenses; and

20 (4) setting stricter standards to promote the
21 public's health and safety.

22 (b) The application of any person under the age of 18
23 years, and not legally emancipated by marriage, for a drivers
24 license or permit to operate a motor vehicle issued under the
25 laws of this State, shall be accompanied by the written
26 consent of either parent of the applicant; otherwise by the
27 guardian having custody of the applicant, or in the event
28 there is no parent or guardian, then by another responsible
29 adult.

30 No graduated driver's license shall be issued to any
31 applicant under 18 years of age, unless the applicant has:

1 (1) Held a valid instruction permit for a minimum
2 of 3 months.

3 (2) Passed an approved driver education course and
4 submits proof of having passed the course as may be
5 required.

6 (3) certification by the parent, legal guardian, or
7 responsible adult that the applicant has had a minimum of
8 25 hours of behind-the-wheel practice time and is
9 sufficiently prepared and able to safely operate a motor
10 vehicle.

11 (c) No graduated driver's license or permit shall be
12 issued to any applicant under 18 years of age who has
13 committed the offense of operating a motor vehicle without a
14 valid license or permit in violation of Section 6-101 of this
15 Code and no graduated driver's license or permit shall be
16 issued to any applicant under 18 years of age who has
17 committed an offense that would otherwise result in a
18 mandatory revocation of a license or permit as provided in
19 Section 6-205 of this Code or who has been either convicted
20 of or adjudicated a delinquent based upon a violation of the
21 Cannabis Control Act or the Illinois Controlled Substances
22 Act, while that individual was in actual physical control of
23 a motor vehicle. For purposes of this Section, any person
24 placed on probation under Section 10 of the Cannabis Control
25 Act or Section 410 of the Illinois Controlled Substances Act
26 shall not be considered convicted. Any person found guilty of
27 this offense, while in actual physical control of a motor
28 vehicle, shall have an entry made in the court record by the
29 judge that this offense did occur while the person was in
30 actual physical control of a motor vehicle and order the
31 clerk of the court to report the violation to the Secretary
32 of State as such.

33 (d) No graduated driver's license shall be issued for 6
34 months to any applicant under the age of 18 years who has

1 been convicted of any offense defined as a serious traffic
2 violation in this Code or a similar provision of a local
3 ordinance.

4 (e) No graduated driver's license holder under the age
5 of 18 years shall operate any motor vehicle, except a motor
6 driven cycle or motorcycle, with more than one passenger in
7 the front seat of the motor vehicle and no more passengers in
8 the back seats than the number of available seat safety belts
9 as set forth in Section 12-603 of this Code.

10 (f) No graduated driver's license holder under the age
11 of 18 shall operate a motor vehicle unless each driver and
12 front or back seat passenger under the age of 18 is wearing a
13 properly adjusted and fastened seat safety belt.

14 (g) Except as otherwise provided in this subsection (g),
15 a graduated driver's license holder under the age of 18 years
16 may not use a cellular or other mobile telephone while
17 driving. This subsection (g) does not apply to the use,
18 while driving, of a cellular or other mobile telephone for
19 the sole purpose of communicating with any of the following
20 regarding an emergency situation: an emergency telephone
21 system or other service that refers emergency calls to the
22 appropriate public safety agency; a hospital, physician,
23 physician's office, or health clinic; an ambulance company; a
24 fire department; or a police department.

25 (Source: P.A. 90-369, eff. 1-1-98.)