



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1506

Introduced 2/9/2017, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-105	from Ch. 95 1/2, par. 6-105
625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106
625 ILCS 5/6-107.1	
625 ILCS 5/6-110	from Ch. 95 1/2, par. 6-110

Amends the Illinois Vehicle Code. Provides the Secretary the State shall designate a space on each instruction permit for persons 18 years of age or older, instruction permit for a minor, or driver's license where, at the request of the applicant, the words "mental disability" shall be placed and shall offer to each applicant an option to place the designation on his or her permit or driver's license. Provides the acceptable forms of proof for eligibility of the designation shall include a verified written statement from a medical specialist, a licensed physician assistant, or a licensed advanced practice nurse or any other proof the Secretary deems necessary. Defines "mental disability".

LRB100 09075 AXK 19226 b

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 Sections 6-105, 6-106, 6-107.1, and 6-110 as follows:

6 (625 ILCS 5/6-105) (from Ch. 95 1/2, par. 6-105)

7 Sec. 6-105. Instruction permits and temporary licenses for
8 persons 18 years of age or older.

9 (a) Except as provided in this Section, the Secretary of
10 State upon receiving proper application and payment of the
11 required fee may issue an instruction permit to any person 18
12 years of age or older who is not ineligible for a license under
13 paragraphs 1, 3, 4, 5, 7, or 8 of Section 6-103, after the
14 applicant has successfully passed such examination as the
15 Secretary of State in his discretion may prescribe.

16 1. An instruction permit entitles the holder while having
17 the permit in his immediate possession to drive a motor
18 vehicle, excluding a motor driven cycle or motorcycle, upon the
19 highways for a period of 12 months after the date of its
20 issuance when accompanied by a licensed driver who is 21 years
21 of age or older, who has had a valid driver's license
22 classification to operate such vehicle for at least one year
23 and has had one year of driving experience with such

1 classification and who is occupying a seat beside the driver.

2 2. A 12 month instruction permit for a motor driven cycle
3 or motorcycle may be issued to a person 18 years of age or
4 more, and entitles the holder to drive upon the highways during
5 daylight under the direct supervision of a licensed motor
6 driven cycle operator or motorcycle operator with the same or
7 greater classification, who is 21 years of age or older and who
8 has at least one year of driving experience.

9 3. (Blank).

10 (b) (Blank).

11 (c) The Secretary of State may issue a temporary driver's
12 license to an applicant for a license permitting the operation
13 of a motor vehicle while the Secretary is completing an
14 investigation and determination of all facts relative to such
15 applicant's eligibility to receive such license, or for any
16 other reason prescribed by rule or regulation promulgated by
17 the Secretary of State. Such permit must be in the applicant's
18 immediate possession while operating a motor vehicle, and it
19 shall be invalid when the applicant's driver's license has been
20 issued or for good cause has been refused. In each case the
21 Secretary of State may issue the temporary driver's license for
22 such period as appropriate but in no event for longer than 90
23 days.

24 (d) Beginning on or after January 1, 2018, the Secretary of
25 State shall designate a space on each instruction permit where,
26 at the request of the applicant, the words "mental disability"

1 shall be placed and shall offer to each applicant an option to
2 place the designation on his or her permit. The acceptable
3 forms of proof for eligibility of the designation shall include
4 a verified written statement from a medical specialist, a
5 licensed physician assistant, or a licensed advanced practice
6 nurse or any other proof the Secretary deems necessary. The
7 Secretary may determine which mental disabilities would
8 qualify for a mental disability designation under this
9 subsection (d). The mental disability designation shall be
10 available to a person identified as an individual with a mental
11 disability under subsection (f) of Section 6-106 of this Code.

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

13 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

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

22 (b) Every application shall state the legal name, social
23 security number, zip code, date of birth, sex, and residence
24 address of the applicant; briefly describe the applicant; state
25 whether the applicant has theretofore been licensed as a

1 driver, and, if so, when and by what state or country, and
2 whether any such license has ever been cancelled, suspended,
3 revoked or refused, and, if so, the date and reason for such
4 cancellation, suspension, revocation or refusal; shall include
5 an affirmation by the applicant that all information set forth
6 is true and correct; and shall bear the applicant's signature.
7 In addition to the residence address, the Secretary may allow
8 the applicant to provide a mailing address. In the case of an
9 applicant who is a judicial officer or peace officer, the
10 Secretary may allow the applicant to provide an office or work
11 address in lieu of a residence or mailing address. The
12 application form may also require the statement of such
13 additional relevant information as the Secretary of State shall
14 deem necessary to determine the applicant's competency and
15 eligibility. The Secretary of State may, in his discretion, by
16 rule or regulation, provide that an application for a drivers
17 license or permit may include a suitable photograph of the
18 applicant in the form prescribed by the Secretary, and he may
19 further provide that each drivers license shall include a
20 photograph of the driver. The Secretary of State may utilize a
21 photograph process or system most suitable to deter alteration
22 or improper reproduction of a drivers license and to prevent
23 substitution of another photo thereon. For the purposes of this
24 subsection (b), "peace officer" means any person who by virtue
25 of his or her office or public employment is vested by law with
26 a duty to maintain public order or to make arrests for a

1 violation of any penal statute of this State, whether that duty
2 extends to all violations or is limited to specific violations.

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

9 (c) The application form shall include a notice to the
10 applicant of the registration obligations of sex offenders
11 under the Sex Offender Registration Act. The notice shall be
12 provided in a form and manner prescribed by the Secretary of
13 State. For purposes of this subsection (c), "sex offender" has
14 the meaning ascribed to it in Section 2 of the Sex Offender
15 Registration Act.

16 (d) Any male United States citizen or immigrant who applies
17 for any permit or license authorized to be issued under this
18 Code or for a renewal of any permit or license, and who is at
19 least 18 years of age but less than 26 years of age, must be
20 registered in compliance with the requirements of the federal
21 Military Selective Service Act. The Secretary of State must
22 forward in an electronic format the necessary personal
23 information regarding the applicants identified in this
24 subsection (d) to the Selective Service System. The applicant's
25 signature on the application serves as an indication that the
26 applicant either has already registered with the Selective

1 Service System or that he is authorizing the Secretary to
2 forward to the Selective Service System the necessary
3 information for registration. The Secretary must notify the
4 applicant at the time of application that his signature
5 constitutes consent to registration with the Selective Service
6 System, if he is not already registered.

7 (e) Beginning on or before July 1, 2015, for each original
8 or renewal driver's license application under this Code, the
9 Secretary shall inquire as to whether the applicant is a
10 veteran for purposes of issuing a driver's license with a
11 veteran designation under subsection (e-5) of Section 6-110 of
12 this Code. The acceptable forms of proof shall include, but are
13 not limited to, Department of Defense form DD-214. The Illinois
14 Department of Veterans' Affairs shall advise the Secretary as
15 to what other forms of proof of a person's status as a veteran
16 are acceptable.

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

20 For purposes of this subsection (e):

21 "Armed forces" means any of the Armed Forces of the United
22 States, including a member of any reserve component or National
23 Guard unit.

24 "Veteran" means a person who has served in the armed forces
25 and was discharged or separated under honorable conditions.

26 (f) Beginning on or before January 1, 2018, for each

1 original or renewal driver's license application under this
2 Code, the Secretary shall offer to each applicant an option to
3 place a mental disability designation on his or her driver's
4 license under subsection (e-7) of Section 6-110 of this Code.
5 The acceptable forms of proof for eligibility of the
6 designation shall include a verified written statement from a
7 medical specialist, a licensed physician assistant, or a
8 licensed advanced practice nurse or any other proof the
9 Secretary deems necessary. The Secretary may determine which
10 mental disabilities would qualify for a mental disability
11 designation under this subsection (f).

12 For purposes of this subsection (f), "mental disability"
13 means an individual's mental impairment that limits one or more
14 of the major life activities and a record of such impairment,
15 or an individual who is regarded as having such impairment.

16 (Source: P.A. 98-323, eff. 1-1-14; 98-463, eff. 8-16-13;
17 98-756, eff. 7-16-14; 99-511, eff. 1-1-17; 99-544, eff.
18 7-15-16; revised 9-13-16.)

19 (625 ILCS 5/6-107.1)

20 Sec. 6-107.1. Instruction permit for a minor.

21 (a) The Secretary of State, upon receiving proper
22 application and payment of the required fee, may issue an
23 instruction permit to any person under the age of 18 years who
24 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,
25 or 8 of Section 6-103, after the applicant has successfully

1 passed such examination as the Secretary of State in his
2 discretion may prescribe.

3 (1) An instruction permit issued under this Section
4 shall be valid for a period of 24 months after the date of
5 its issuance and shall be restricted, by the Secretary of
6 State, to the operation of a motor vehicle by the minor
7 only when under direct supervision of the adult instructor
8 of a driver education program during enrollment in the
9 program or when practicing under direct supervision of a
10 parent, legal guardian, family member, or a person in loco
11 parentis who is 21 years of age or more, has a license
12 classification to operate such vehicle and at least one
13 year of driving experience, and who is occupying a seat
14 beside the driver.

15 (2) A 24 month instruction permit for a motor driven
16 cycle may be issued to a person 16 or 17 years of age and
17 entitles the holder to drive upon the highways during
18 daylight under direct supervision of a licensed motor
19 driven cycle operator or motorcycle operator 21 years of
20 age or older who has a license classification to operate
21 such motor driven cycle or motorcycle and at least one year
22 of driving experience.

23 (3) A 24 month instruction permit for a motorcycle
24 other than a motor driven cycle may be issued to a person
25 16 or 17 years of age in accordance with the provisions of
26 paragraph 2 of Section 6-103 and entitles a holder to drive

1 upon the highways during daylight under the direct
2 supervision of a licensed motorcycle operator 21 years of
3 age or older who has at least one year of driving
4 experience.

5 (b) An instruction permit issued under this Section when
6 issued to a person under the age of 18 years shall, as a matter
7 of law, be invalid for the operation of any motor vehicle
8 during the following times:

9 (1) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

10 (2) Between 11:00 p.m. Saturday and 6:00 a.m. on
11 Sunday; and

12 (3) Between 10:00 p.m. on Sunday to Thursday,
13 inclusive, and 6:00 a.m. on the following day.

14 The instruction permit of a person under the age of 18
15 shall not be invalid as described in paragraph (b) of this
16 Section if the instruction permit holder under the age of 18
17 was:

18 (1) accompanied by the minor's parent or guardian or
19 other person in custody or control of the minor;

20 (2) on an errand at the direction of the minor's parent
21 or guardian, without any detour or stop;

22 (3) in a motor vehicle involved in interstate travel;

23 (4) going to or returning home from an employment
24 activity, without any detour or stop;

25 (5) involved in an emergency;

26 (6) going to or returning home from, without any detour

1 or stop, an official school, religious, or other
2 recreational activity supervised by adults and sponsored
3 by a government or governmental agency, a civic
4 organization, or another similar entity that takes
5 responsibility for the licensee, without any detour or
6 stop;

7 (7) exercising First Amendment rights protected by the
8 United States Constitution, such as the free exercise of
9 religion, freedom of speech, and the right of assembly; or

10 (8) married or had been married or is an emancipated
11 minor under the Emancipation of Minors Act.

12 (b-1) No instruction permit shall be issued to any
13 applicant who is under the age of 18 years and who has been
14 certified to be a chronic or habitual truant, as defined in
15 Section 26-2a of the School Code.

16 An applicant under the age of 18 years who provides proof
17 that he or she has resumed regular school attendance or that
18 his or her application was denied in error shall be eligible to
19 receive an instruction permit if other requirements are met.
20 The Secretary shall adopt rules for implementing this
21 subsection (b-1).

22 (c) Any person under the age of 16 years who possesses an
23 instruction permit and whose driving privileges have been
24 suspended or revoked under the provisions of this Code shall
25 not be granted a Family Financial Responsibility Driving Permit
26 or a Restricted Driving Permit.

1 (d) Beginning on or after January 1, 2018, the Secretary of
2 State shall designate a space on each instruction permit where,
3 at the request of the applicant, the words "mental disability"
4 shall be placed and shall offer to each applicant the option to
5 place the designation on his or her permit. The acceptable
6 forms of proof for eligibility of the designation shall include
7 a verified written statement from a medical specialist, a
8 licensed physician assistant, or a licensed advanced practice
9 nurse or any other proof the Secretary deems necessary. The
10 Secretary may determine which mental disabilities would
11 qualify for a mental disability designation under this
12 subsection (d). The mental disability designation shall be
13 available to a person identified as an individual with a mental
14 disability under subsection (f) of Section 6-106 of this Code.

15 (Source: P.A. 95-310, eff. 1-1-08; 96-1237, eff. 1-1-11.)

16 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

17 Sec. 6-110. Licenses issued to drivers.

18 (a) The Secretary of State shall issue to every qualifying
19 applicant a driver's license as applied for, which license
20 shall bear a distinguishing number assigned to the licensee,
21 the legal name, signature, zip code, date of birth, residence
22 address, and a brief description of the licensee.

23 Licenses issued shall also indicate the classification and
24 the restrictions under Section 6-104 of this Code. The
25 Secretary may adopt rules to establish informational

1 restrictions that can be placed on the driver's license
2 regarding specific conditions of the licensee.

3 A driver's license issued may, in the discretion of the
4 Secretary, include a suitable photograph of a type prescribed
5 by the Secretary.

6 (a-1) If the licensee is less than 18 years of age, unless
7 one of the exceptions in subsection (a-2) apply, the license
8 shall, as a matter of law, be invalid for the operation of any
9 motor vehicle during the following times:

10 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

11 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
12 Sunday; and

13 (C) Between 10:00 p.m. on Sunday to Thursday,
14 inclusive, and 6:00 a.m. on the following day.

15 (a-2) The driver's license of a person under the age of 18
16 shall not be invalid as described in subsection (a-1) of this
17 Section if the licensee under the age of 18 was:

18 (1) accompanied by the licensee's parent or guardian or
19 other person in custody or control of the minor;

20 (2) on an errand at the direction of the minor's parent
21 or guardian, without any detour or stop;

22 (3) in a motor vehicle involved in interstate travel;

23 (4) going to or returning home from an employment
24 activity, without any detour or stop;

25 (5) involved in an emergency;

26 (6) going to or returning home from, without any detour

1 or stop, an official school, religious, or other
2 recreational activity supervised by adults and sponsored
3 by a government or governmental agency, a civic
4 organization, or another similar entity that takes
5 responsibility for the licensee, without any detour or
6 stop;

7 (7) exercising First Amendment rights protected by the
8 United States Constitution, such as the free exercise of
9 religion, freedom of speech, and the right of assembly; or

10 (8) married or had been married or is an emancipated
11 minor under the Emancipation of Minors Act.

12 (a-2.5) The driver's license of a person who is 17 years of
13 age and has been licensed for at least 12 months is not invalid
14 as described in subsection (a-1) of this Section while the
15 licensee is participating as an assigned driver in a Safe Rides
16 program that meets the following criteria:

17 (1) the program is sponsored by the Boy Scouts of
18 America or another national public service organization;
19 and

20 (2) the sponsoring organization carries liability
21 insurance covering the program.

22 (a-3) If a graduated driver's license holder over the age
23 of 18 committed an offense against traffic regulations
24 governing the movement of vehicles or any violation of Section
25 6-107 or Section 12-603.1 of this Code in the 6 months prior to
26 the graduated driver's license holder's 18th birthday, and was

1 subsequently convicted of the offense, the provisions of
2 subsection (a-1) shall continue to apply until such time as a
3 period of 6 consecutive months has elapsed without an
4 additional violation and subsequent conviction of an offense
5 against traffic regulations governing the movement of vehicles
6 or Section 6-107 or Section 12-603.1 of this Code.

7 (a-4) If an applicant for a driver's license or instruction
8 permit has a current identification card issued by the
9 Secretary of State, the Secretary may require the applicant to
10 utilize the same residence address and name on the
11 identification card, driver's license, and instruction permit
12 records maintained by the Secretary. The Secretary may
13 promulgate rules to implement this provision.

14 (a-5) If an applicant for a driver's license is a judicial
15 officer or a peace officer, the applicant may elect to have his
16 or her office or work address listed on the license instead of
17 the applicant's residence or mailing address. The Secretary of
18 State shall adopt rules to implement this subsection (a-5). For
19 the purposes of this subsection (a-5), "peace officer" means
20 any person who by virtue of his or her office or public
21 employment is vested by law with a duty to maintain public
22 order or to make arrests for a violation of any penal statute
23 of this State, whether that duty extends to all violations or
24 is limited to specific violations.

25 (b) Until the Secretary of State establishes a First Person
26 Consent organ and tissue donor registry under Section 6-117 of

1 this Code, the Secretary of State shall provide a format on the
2 reverse of each driver's license issued which the licensee may
3 use to execute a document of gift conforming to the provisions
4 of the Illinois Anatomical Gift Act. The format shall allow the
5 licensee to indicate the gift intended, whether specific
6 organs, any organ, or the entire body, and shall accommodate
7 the signatures of the donor and 2 witnesses. The Secretary
8 shall also inform each applicant or licensee of this format,
9 describe the procedure for its execution, and may offer the
10 necessary witnesses; provided that in so doing, the Secretary
11 shall advise the applicant or licensee that he or she is under
12 no compulsion to execute a document of gift. A brochure
13 explaining this method of executing an anatomical gift document
14 shall be given to each applicant or licensee. The brochure
15 shall advise the applicant or licensee that he or she is under
16 no compulsion to execute a document of gift, and that he or she
17 may wish to consult with family, friends or clergy before doing
18 so. The Secretary of State may undertake additional efforts,
19 including education and awareness activities, to promote organ
20 and tissue donation.

21 (c) The Secretary of State shall designate on each driver's
22 license issued a space where the licensee may place a sticker
23 or decal of the uniform size as the Secretary may specify,
24 which sticker or decal may indicate in appropriate language
25 that the owner of the license carries an Emergency Medical
26 Information Card.

1 The sticker may be provided by any person, hospital,
2 school, medical group, or association interested in assisting
3 in implementing the Emergency Medical Information Card, but
4 shall meet the specifications as the Secretary may by rule or
5 regulation require.

6 (d) The Secretary of State shall designate on each driver's
7 license issued a space where the licensee may indicate his
8 blood type and RH factor.

9 (e) The Secretary of State shall provide that each original
10 or renewal driver's license issued to a licensee under 21 years
11 of age shall be of a distinct nature from those driver's
12 licenses issued to individuals 21 years of age and older. The
13 color designated for driver's licenses for licensees under 21
14 years of age shall be at the discretion of the Secretary of
15 State.

16 (e-1) The Secretary shall provide that each driver's
17 license issued to a person under the age of 21 displays the
18 date upon which the person becomes 18 years of age and the date
19 upon which the person becomes 21 years of age.

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

1 drivers' licenses with the word "veteran" appearing on the face
2 of the licenses. This authorization is predicated on the unique
3 status of veterans. The Secretary may not issue any other
4 driver's license which identifies an occupation, status,
5 affiliation, hobby, or other unique characteristics of the
6 license holder which is unrelated to the purpose of the
7 driver's license.

8 (e-5) Beginning on or before July 1, 2015, the Secretary of
9 State shall designate a space on each original or renewal
10 driver's license where, at the request of the applicant, the
11 word "veteran" shall be placed. The veteran designation shall
12 be available to a person identified as a veteran under
13 subsection (e) of Section 6-106 of this Code who was discharged
14 or separated under honorable conditions.

15 (e-7) Beginning on or before January 1, 2018, the Secretary
16 of State shall designate a space on each original or renewal
17 driver's license where, at the request of the applicant, the
18 words "mental disability" shall be placed. The mental
19 disability designation shall be available to a person
20 identified as an individual with a mental disability under
21 subsection (f) of Section 6-106 of this Code.

22 (f) The Secretary of State shall inform all Illinois
23 licensed commercial motor vehicle operators of the
24 requirements of the Uniform Commercial Driver License Act,
25 Article V of this Chapter, and shall make provisions to insure
26 that all drivers, seeking to obtain a commercial driver's

1 license, be afforded an opportunity prior to April 1, 1992, to
2 obtain the license. The Secretary is authorized to extend
3 driver's license expiration dates, and assign specific times,
4 dates and locations where these commercial driver's tests shall
5 be conducted. Any applicant, regardless of the current
6 expiration date of the applicant's driver's license, may be
7 subject to any assignment by the Secretary. Failure to comply
8 with the Secretary's assignment may result in the applicant's
9 forfeiture of an opportunity to receive a commercial driver's
10 license prior to April 1, 1992.

11 (g) The Secretary of State shall designate on a driver's
12 license issued, a space where the licensee may indicate that he
13 or she has drafted a living will in accordance with the
14 Illinois Living Will Act or a durable power of attorney for
15 health care in accordance with the Illinois Power of Attorney
16 Act.

17 (g-1) The Secretary of State, in his or her discretion, may
18 designate on each driver's license issued a space where the
19 licensee may place a sticker or decal, issued by the Secretary
20 of State, of uniform size as the Secretary may specify, that
21 shall indicate in appropriate language that the owner of the
22 license has renewed his or her driver's license.

23 (h) A person who acts in good faith in accordance with the
24 terms of this Section is not liable for damages in any civil
25 action or subject to prosecution in any criminal proceeding for
26 his or her act.

1 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847,
2 eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463,
3 eff. 8-16-13.)