



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB3148

Introduced 2/15/2018, by Sen. Napoleon Harris, III

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-108 from Ch. 95 1/2, par. 6-108  
625 ILCS 5/6-118  
625 ILCS 5/6-201  
625 ILCS 5/6-205  
625 ILCS 5/6-206

Amends the Illinois Vehicle Code. Increases the fee for a restricted driving permit from \$8 to \$12, which shall be imposed annually until the expiration of the permit. Provides that a restricted driving permit shall expire no later than 2 years (rather than within one year) from the date of issuance. Effective January 1, 2019.

LRB100 15996 AXK 31114 b

FISCAL NOTE ACT  
MAY APPLY

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 Sections 6-108, 6-118, 6-201, 6-205, and 6-206 as follows:

6 (625 ILCS 5/6-108) (from Ch. 95 1/2, par. 6-108)

7 Sec. 6-108. Cancellation of license issued to minor.

8 (a) The Secretary of State shall cancel the license or  
9 permit of any minor under the age of 18 years in any of the  
10 following events:

11 1. Upon the verified written request of the person who  
12 consented to the application of the minor that the license  
13 or permit be cancelled;

14 2. Upon receipt of satisfactory evidence of the death  
15 of the person who consented to the application of the  
16 minor;

17 3. Upon receipt of satisfactory evidence that the  
18 person who consented to the application of a minor no  
19 longer has legal custody of the minor;

20 4. Upon receipt of information, submitted on a form  
21 prescribed by the Secretary of State under Section 26-3a of  
22 the School Code and provided voluntarily by nonpublic  
23 schools, that a license-holding minor no longer meets the

1 school attendance requirements defined in Section 6-107 of  
2 this Code.

3 A minor who provides proof acceptable to the Secretary  
4 that the minor has resumed regular school attendance or  
5 home instruction or that his or her license or permit was  
6 cancelled in error shall have his or her license  
7 reinstated. The Secretary shall adopt rules for  
8 implementing this subdivision (a)4;

9 5. Upon determination by the Secretary that at the time  
10 of license issuance, the minor held an instruction permit  
11 and had a traffic citation for which a disposition had not  
12 been rendered.

13 After cancellation, the Secretary of State shall not issue  
14 a new license or permit until the applicant meets the  
15 provisions of Section 6-107 of this Code.

16 (b) The Secretary of State shall cancel the license or  
17 permit of any person under the age of 18 years if he or she is  
18 convicted of violating the Cannabis Control Act, the Illinois  
19 Controlled Substances Act, or the Methamphetamine Control and  
20 Community Protection Act while that person was in actual  
21 physical control of a motor vehicle. For purposes of this  
22 Section, any person placed on probation under Section 10 of the  
23 Cannabis Control Act, Section 410 of the Illinois Controlled  
24 Substances Act, or Section 70 of the Methamphetamine Control  
25 and Community Protection Act shall not be considered convicted.  
26 Any person found guilty of this offense, while in actual

1 physical control of a motor vehicle, shall have an entry made  
2 in the court record by the judge that this offense did occur  
3 while the person was in actual physical control of a motor  
4 vehicle and order the clerk of the court to report the  
5 violation to the Secretary of State as such. After the  
6 cancellation, the Secretary of State shall not issue a new  
7 license or permit for a period of one year after the date of  
8 cancellation or until the minor attains the age of 18 years,  
9 whichever is longer. However, upon application, the Secretary  
10 of State may, if satisfied that the person applying will not  
11 endanger the public safety, or welfare, issue a restricted  
12 driving permit granting the privilege of driving a motor  
13 vehicle between the person's residence and person's place of  
14 employment or within the scope of the person's employment  
15 related duties, or to allow transportation for the person or a  
16 household member of the person's family for the receipt of  
17 necessary medical care or, if the professional evaluation  
18 indicates, provide transportation for the petitioner for  
19 alcohol remedial or rehabilitative activity, or for the person  
20 to attend classes, as a student, in an accredited educational  
21 institution; if the person is able to demonstrate that no  
22 alternative means of transportation is reasonably available;  
23 provided that the Secretary's discretion shall be limited to  
24 cases where undue hardship would result from a failure to issue  
25 such restricted driving permit. In each case the Secretary of  
26 State may issue a restricted driving permit for a period as he

1 deems appropriate, except that the permit shall expire no later  
 2 than 2 years ~~within one year~~ from the date of issuance. A  
 3 restricted driving permit issued hereunder shall be subject to  
 4 cancellation, revocation, and suspension by the Secretary of  
 5 State in like manner and for like cause as a driver's license  
 6 issued hereunder may be cancelled, revoked, or suspended;  
 7 except that a conviction upon one or more offenses against laws  
 8 or ordinances regulating the movement of traffic shall be  
 9 deemed sufficient cause for the revocation, suspension, or  
 10 cancellation of a restricted driving permit. The Secretary of  
 11 State may, as a condition to the issuance of a restricted  
 12 driving permit, require the applicant to participate in a  
 13 driver remedial or rehabilitative program. Thereafter, upon  
 14 reapplication for a license as provided in Section 6-106 of  
 15 this Code or a permit as provided in Section 6-105 of this Code  
 16 and upon payment of the appropriate application fee, the  
 17 Secretary of State shall issue the applicant a license as  
 18 provided in Section 6-106 of this Code or shall issue the  
 19 applicant a permit as provided in Section 6-105.

20 (Source: P.A. 98-168, eff. 1-1-14; 98-756, eff. 7-16-14.)

21 (625 ILCS 5/6-118)

22 Sec. 6-118. Fees.

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

25 Original driver's license ..... \$30

1 Original or renewal driver's license  
2 issued to 18, 19 and 20 year olds ..... 5  
3 All driver's licenses for persons  
4 age 69 through age 80 ..... 5  
5 All driver's licenses for persons  
6 age 81 through age 86 ..... 2  
7 All driver's licenses for persons  
8 age 87 or older ..... 0  
9 Renewal driver's license (except for  
10 applicants ages 18, 19 and 20 or  
11 age 69 and older) ..... 30  
12 Original instruction permit issued to  
13 persons (except those age 69 and older)  
14 who do not hold or have not previously  
15 held an Illinois instruction permit or  
16 driver's license ..... 20  
17 Instruction permit issued to any person  
18 holding an Illinois driver's license  
19 who wishes a change in classifications,  
20 other than at the time of renewal ..... 5  
21 Any instruction permit issued to a person  
22 age 69 and older ..... 5  
23 Instruction permit issued to any person,  
24 under age 69, not currently holding a  
25 valid Illinois driver's license or  
26 instruction permit but who has

1           previously been issued either document

2           in Illinois..... 10

3   Restricted driving permit ..... 12 ~~8~~

4   Monitoring device driving permit ..... 8

5   Duplicate or corrected driver's license

6       or permit..... 5

7   Duplicate or corrected restricted

8       driving permit ..... 5

9   Duplicate or corrected monitoring

10   device driving permit ..... 5

11   Duplicate driver's license or permit issued to

12       an active-duty member of the

13       United States Armed Forces,

14       the member's spouse, or

15       the dependent children living

16       with the member ..... 0

17   Original or renewal M or L endorsement..... 5

18 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

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

21           Commercial driver's license:

22               \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund

23               (Commercial Driver's License Information

24               System/American Association of Motor Vehicle

25               Administrators network/National Motor Vehicle

26               Title Information Service Trust Fund);

1           \$20 for the Motor Carrier Safety Inspection Fund;  
 2           \$10 for the driver's license;  
 3           and \$24 for the CDL: ..... \$60

4       Renewal commercial driver's license:

5           \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;  
 6           \$20 for the Motor Carrier Safety Inspection Fund;  
 7           \$10 for the driver's license; and  
 8           \$24 for the CDL: ..... \$60

9       Commercial learner's permit

10           issued to any person holding a valid  
 11           Illinois driver's license for the  
 12           purpose of changing to a  
 13           CDL classification: \$6 for the  
 14           CDLIS/AAMVAnet/NMVTIS Trust Fund;  
 15           \$20 for the Motor Carrier  
 16           Safety Inspection Fund; and  
 17           \$24 for the CDL classification ..... \$50

18       Commercial learner's permit

19           issued to any person holding a valid  
 20           Illinois CDL for the purpose of  
 21           making a change in a classification,  
 22           endorsement or restriction ..... \$5

23       CDL duplicate or corrected license ..... \$5

24       In order to ensure the proper implementation of the Uniform  
 25       Commercial Driver License Act, Article V of this Chapter, the  
 26       Secretary of State is empowered to pro-rate the \$24 fee for the



1 commercial driver's license proportionate to the expiration  
2 date of the applicant's Illinois driver's license.

3 The fee for any duplicate license or permit shall be waived  
4 for any person who presents the Secretary of State's office  
5 with a police report showing that his license or permit was  
6 stolen.

7 The fee for any duplicate license or permit shall be waived  
8 for any person age 60 or older whose driver's license or permit  
9 has been lost or stolen.

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

14 The fee for a restricted driving permit under this  
15 subsection (a) shall be imposed annually until the expiration  
16 of the permit.

17 (b) Any person whose license or privilege to operate a  
18 motor vehicle in this State has been suspended or revoked under  
19 Section 3-707, any provision of Chapter 6, Chapter 11, or  
20 Section 7-205, 7-303, or 7-702 of the Family Financial  
21 Responsibility Law of this Code, shall in addition to any other  
22 fees required by this Code, pay a reinstatement fee as follows:

23	Suspension under Section 3-707 .....	\$100
24	Suspension under Section 11-1431 .....	\$100
25	Summary suspension under Section 11-501.1 .....	\$250
26	Suspension under Section 11-501.9 .....	\$250

1	Summary revocation under Section 11-501.1 .....	\$500
2	Other suspension .....	\$70
3	Revocation .....	\$500

4 However, any person whose license or privilege to operate a  
5 motor vehicle in this State has been suspended or revoked for a  
6 second or subsequent time for a violation of Section 11-501,  
7 11-501.1, or 11-501.9 of this Code or a similar provision of a  
8 local ordinance or a similar out-of-state offense or Section  
9 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012  
10 and each suspension or revocation was for a violation of  
11 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar  
12 provision of a local ordinance or a similar out-of-state  
13 offense or Section 9-3 of the Criminal Code of 1961 or the  
14 Criminal Code of 2012 shall pay, in addition to any other fees  
15 required by this Code, a reinstatement fee as follows:

16	Summary suspension under Section 11-501.1 .....	\$500
17	Suspension under Section 11-501.9 .....	\$500
18	Summary revocation under Section 11-501.1 .....	\$500
19	Revocation .....	\$500

20 (c) All fees collected under the provisions of this Chapter  
21 6 shall be disbursed under subsection (g) of Section 2-119 of  
22 this Code, except as follows:

23 1. The following amounts shall be paid into the Drivers  
24 Education Fund:

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

1 (B) \$5 of the \$30 fee for an original driver's  
2 license;

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

5 (D) \$4 of the \$8 fee for a restricted driving  
6 permit; and

7 (E) \$4 of the \$8 fee for a monitoring device  
8 driving permit.

9 2. \$30 of the \$250 fee for reinstatement of a license  
10 summarily suspended under Section 11-501.1 or suspended  
11 under Section 11-501.9 shall be deposited into the Drunk  
12 and Drugged Driving Prevention Fund. However, for a person  
13 whose license or privilege to operate a motor vehicle in  
14 this State has been suspended or revoked for a second or  
15 subsequent time for a violation of Section 11-501,  
16 11-501.1, or 11-501.9 of this Code or Section 9-3 of the  
17 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of  
18 the \$500 fee for reinstatement of a license summarily  
19 suspended under Section 11-501.1 or suspended under  
20 Section 11-501.9, and \$190 of the \$500 fee for  
21 reinstatement of a revoked license shall be deposited into  
22 the Drunk and Drugged Driving Prevention Fund. \$190 of the  
23 \$500 fee for reinstatement of a license summarily revoked  
24 pursuant to Section 11-501.1 shall be deposited into the  
25 Drunk and Drugged Driving Prevention Fund.

26 3. \$6 of the original or renewal fee for a commercial

1 driver's license and \$6 of the commercial learner's permit  
2 fee when the permit is issued to any person holding a valid  
3 Illinois driver's license, shall be paid into the  
4 CDLIS/AAMVAnet/NMVTIS Trust Fund.

5 4. \$30 of the \$70 fee for reinstatement of a license  
6 suspended under the Family Financial Responsibility Law  
7 shall be paid into the Family Responsibility Fund.

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

11 6. \$20 of any original or renewal fee for a commercial  
12 driver's license or commercial learner's permit shall be  
13 paid into the Motor Carrier Safety Inspection Fund.

14 7. The following amounts shall be paid into the General  
15 Revenue Fund:

16 (A) \$190 of the \$250 reinstatement fee for a  
17 summary suspension under Section 11-501.1 or a  
18 suspension under Section 11-501.9;

19 (B) \$40 of the \$70 reinstatement fee for any other  
20 suspension provided in subsection (b) of this Section;  
21 and

22 (C) \$440 of the \$500 reinstatement fee for a first  
23 offense revocation and \$310 of the \$500 reinstatement  
24 fee for a second or subsequent revocation.

25 8. Fees collected under paragraph (4) of subsection (d)  
26 and subsection (h) of Section 6-205 of this Code;

1           subparagraph (C) of paragraph 3 of subsection (c) of  
2           Section 6-206 of this Code; and paragraph (4) of subsection  
3           (a) of Section 6-206.1 of this Code, shall be paid into the  
4           funds set forth in those Sections.

5           (d) All of the proceeds of the additional fees imposed by  
6           this amendatory Act of the 96th General Assembly shall be  
7           deposited into the Capital Projects Fund.

8           (e) The additional fees imposed by this amendatory Act of  
9           the 96th General Assembly shall become effective 90 days after  
10          becoming law.

11          (f) As used in this Section, "active-duty member of the  
12          United States Armed Forces" means a member of the Armed  
13          Services or Reserve Forces of the United States or a member of  
14          the Illinois National Guard who is called to active duty  
15          pursuant to an executive order of the President of the United  
16          States, an act of the Congress of the United States, or an  
17          order of the Governor.

18          (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
19          10 of P.A. 99-414 for the effective date of changes made by  
20          P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;  
21          98-1172, eff. 1-12-15; 99-127, eff. 1-1-16; 99-438, eff.  
22          1-1-16; 99-642, eff. 7-28-16; 99-933, eff. 1-27-17.)

23           (625 ILCS 5/6-201)

24           Sec. 6-201. Authority to cancel licenses and permits.

25           (a) The Secretary of State is authorized to cancel any

1 license or permit upon determining that the holder thereof:

2 1. was not entitled to the issuance thereof hereunder;

3 or

4 2. failed to give the required or correct information  
5 in his application; or

6 3. failed to pay any fees, civil penalties owed to the  
7 Illinois Commerce Commission, or taxes due under this Act  
8 and upon reasonable notice and demand; or

9 4. committed any fraud in the making of such  
10 application; or

11 5. is ineligible therefor under the provisions of  
12 Section 6-103 of this Act, as amended; or

13 6. has refused or neglected to submit an alcohol, drug,  
14 and intoxicating compound evaluation or to submit to  
15 examination or re-examination as required under this Act;  
16 or

17 7. has been convicted of violating the Cannabis Control  
18 Act, the Illinois Controlled Substances Act, the  
19 Methamphetamine Control and Community Protection Act, or  
20 the Use of Intoxicating Compounds Act while that individual  
21 was in actual physical control of a motor vehicle. For  
22 purposes of this Section, any person placed on probation  
23 under Section 10 of the Cannabis Control Act, Section 410  
24 of the Illinois Controlled Substances Act, or Section 70 of  
25 the Methamphetamine Control and Community Protection Act  
26 shall not be considered convicted. Any person found guilty

1 of this offense, while in actual physical control of a  
2 motor vehicle, shall have an entry made in the court record  
3 by the judge that this offense did occur while the person  
4 was in actual physical control of a motor vehicle and order  
5 the clerk of the court to report the violation to the  
6 Secretary of State as such. After the cancellation, the  
7 Secretary of State shall not issue a new license or permit  
8 for a period of one year after the date of cancellation.  
9 However, upon application, the Secretary of State may, if  
10 satisfied that the person applying will not endanger the  
11 public safety, or welfare, issue a restricted driving  
12 permit granting the privilege of driving a motor vehicle  
13 between the petitioner's residence and petitioner's place  
14 of employment or within the scope of the petitioner's  
15 employment related duties, or to allow transportation for  
16 the petitioner or a household member of the petitioner's  
17 family for the receipt of necessary medical care, or  
18 provide transportation for the petitioner to and from  
19 alcohol or drug remedial or rehabilitative activity  
20 recommended by a licensed service provider, or for the  
21 petitioner to attend classes, as a student, in an  
22 accredited educational institution. The petitioner must  
23 demonstrate that no alternative means of transportation is  
24 reasonably available; provided that the Secretary's  
25 discretion shall be limited to cases where undue hardship,  
26 as defined by the rules of the Secretary of State, would

1 result from a failure to issue such restricted driving  
2 permit. In each case the Secretary of State may issue such  
3 restricted driving permit for such period as he deems  
4 appropriate, except that such permit shall expire no later  
5 than 2 years ~~within one year~~ from the date of issuance. A  
6 restricted driving permit issued hereunder shall be  
7 subject to cancellation, revocation and suspension by the  
8 Secretary of State in like manner and for like cause as a  
9 driver's license issued hereunder may be cancelled,  
10 revoked or suspended; except that a conviction upon one or  
11 more offenses against laws or ordinances regulating the  
12 movement of traffic shall be deemed sufficient cause for  
13 the revocation, suspension or cancellation of a restricted  
14 driving permit. The Secretary of State may, as a condition  
15 to the issuance of a restricted driving permit, require the  
16 applicant to participate in a driver remedial or  
17 rehabilitative program. In accordance with 49 C.F.R. 384,  
18 the Secretary of State may not issue a restricted driving  
19 permit for the operation of a commercial motor vehicle to a  
20 person holding a CDL whose driving privileges have been  
21 revoked, suspended, cancelled, or disqualified under this  
22 Code; or

23 8. failed to submit a report as required by Section  
24 6-116.5 of this Code; or

25 9. has been convicted of a sex offense as defined in  
26 the Sex Offender Registration Act. The driver's license



1 shall remain cancelled until the driver registers as a sex  
2 offender as required by the Sex Offender Registration Act,  
3 proof of the registration is furnished to the Secretary of  
4 State and the sex offender provides proof of current  
5 address to the Secretary; or

6 10. is ineligible for a license or permit under Section  
7 6-107, 6-107.1, or 6-108 of this Code; or

8 11. refused or neglected to appear at a Driver Services  
9 facility to have the license or permit corrected and a new  
10 license or permit issued or to present documentation for  
11 verification of identity; or

12 12. failed to submit a medical examiner's certificate  
13 or medical variance as required by 49 C.F.R. 383.71 or  
14 submitted a fraudulent medical examiner's certificate or  
15 medical variance; or

16 13. has had his or her medical examiner's certificate,  
17 medical variance, or both removed or rescinded by the  
18 Federal Motor Carrier Safety Administration; or

19 14. failed to self-certify as to the type of driving in  
20 which the CDL driver engages or expects to engage; or

21 15. has submitted acceptable documentation indicating  
22 out-of-state residency to the Secretary of State to be  
23 released from the requirement of showing proof of financial  
24 responsibility in this State; or

25 16. was convicted of fraud relating to the testing or  
26 issuance of a CDL or CLP, in which case only the CDL or CLP

1 shall be cancelled. After cancellation, the Secretary  
2 shall not issue a CLP or CDL for a period of one year from  
3 the date of cancellation; or

4 17. has a special restricted license under subsection  
5 (g) of Section 6-113 of this Code and failed to submit the  
6 required annual vision specialist report that the special  
7 restricted license holder's vision has not changed; or

8 18. has a special restricted license under subsection  
9 (g) of Section 6-113 of this Code and was convicted or  
10 received court supervision for a violation of this Code  
11 that occurred during nighttime hours or was involved in a  
12 motor vehicle accident during nighttime hours in which the  
13 restricted license holder was at fault; or

14 19. has assisted an out-of-state resident in acquiring  
15 an Illinois driver's license or identification card by  
16 providing or allowing the out-of-state resident to use his  
17 or her Illinois address of residence and is complicit in  
18 distributing and forwarding the Illinois driver's license  
19 or identification card to the out-of-state resident.

20 (b) Upon such cancellation the licensee or permittee must  
21 surrender the license or permit so cancelled to the Secretary  
22 of State.

23 (c) Except as provided in Sections 6-206.1 and 7-702.1, the  
24 Secretary of State shall have exclusive authority to grant,  
25 issue, deny, cancel, suspend and revoke driving privileges,  
26 drivers' licenses and restricted driving permits.

1 (d) The Secretary of State may adopt rules to implement  
2 this Section.

3 (Source: P.A. 100-409, eff. 8-25-17.)

4 (625 ILCS 5/6-205)

5 Sec. 6-205. Mandatory revocation of license or permit;  
6 hardship cases.

7 (a) Except as provided in this Section, the Secretary of  
8 State shall immediately revoke the license, permit, or driving  
9 privileges of any driver upon receiving a report of the  
10 driver's conviction of any of the following offenses:

11 1. Reckless homicide resulting from the operation of a  
12 motor vehicle;

13 2. Violation of Section 11-501 of this Code or a  
14 similar provision of a local ordinance relating to the  
15 offense of operating or being in physical control of a  
16 vehicle while under the influence of alcohol, other drug or  
17 drugs, intoxicating compound or compounds, or any  
18 combination thereof;

19 3. Any felony under the laws of any State or the  
20 federal government in the commission of which a motor  
21 vehicle was used;

22 4. Violation of Section 11-401 of this Code relating to  
23 the offense of leaving the scene of a traffic accident  
24 involving death or personal injury;

25 5. Perjury or the making of a false affidavit or

1 statement under oath to the Secretary of State under this  
2 Code or under any other law relating to the ownership or  
3 operation of motor vehicles;

4 6. Conviction upon 3 charges of violation of Section  
5 11-503 of this Code relating to the offense of reckless  
6 driving committed within a period of 12 months;

7 7. Conviction of any offense defined in Section 4-102  
8 of this Code;

9 8. Violation of Section 11-504 of this Code relating to  
10 the offense of drag racing;

11 9. Violation of Chapters 8 and 9 of this Code;

12 10. Violation of Section 12-5 of the Criminal Code of  
13 1961 or the Criminal Code of 2012 arising from the use of a  
14 motor vehicle;

15 11. Violation of Section 11-204.1 of this Code relating  
16 to aggravated fleeing or attempting to elude a peace  
17 officer;

18 12. Violation of paragraph (1) of subsection (b) of  
19 Section 6-507, or a similar law of any other state,  
20 relating to the unlawful operation of a commercial motor  
21 vehicle;

22 13. Violation of paragraph (a) of Section 11-502 of  
23 this Code or a similar provision of a local ordinance if  
24 the driver has been previously convicted of a violation of  
25 that Section or a similar provision of a local ordinance  
26 and the driver was less than 21 years of age at the time of

1 the offense;

2 14. Violation of paragraph (a) of Section 11-506 of  
3 this Code or a similar provision of a local ordinance  
4 relating to the offense of street racing;

5 15. A second or subsequent conviction of driving while  
6 the person's driver's license, permit or privileges was  
7 revoked for reckless homicide or a similar out-of-state  
8 offense;

9 16. Any offense against any provision in this Code, or  
10 any local ordinance, regulating the movement of traffic  
11 when that offense was the proximate cause of the death of  
12 any person. Any person whose driving privileges have been  
13 revoked pursuant to this paragraph may seek to have the  
14 revocation terminated or to have the length of revocation  
15 reduced by requesting an administrative hearing with the  
16 Secretary of State prior to the projected driver's license  
17 application eligibility date;

18 17. Violation of subsection (a-2) of Section 11-1301.3  
19 of this Code or a similar provision of a local ordinance;

20 18. A second or subsequent conviction of illegal  
21 possession, while operating or in actual physical control,  
22 as a driver, of a motor vehicle, of any controlled  
23 substance prohibited under the Illinois Controlled  
24 Substances Act, any cannabis prohibited under the Cannabis  
25 Control Act, or any methamphetamine prohibited under the  
26 Methamphetamine Control and Community Protection Act. A

1 defendant found guilty of this offense while operating a  
2 motor vehicle shall have an entry made in the court record  
3 by the presiding judge that this offense did occur while  
4 the defendant was operating a motor vehicle and order the  
5 clerk of the court to report the violation to the Secretary  
6 of State;

7 19. Violation of subsection (a) of Section 11-1414 of  
8 this Code, or a similar provision of a local ordinance,  
9 relating to the offense of overtaking or passing of a  
10 school bus when the driver, in committing the violation, is  
11 involved in a motor vehicle accident that results in death  
12 to another and the violation is a proximate cause of the  
13 death.

14 (b) The Secretary of State shall also immediately revoke  
15 the license or permit of any driver in the following  
16 situations:

17 1. Of any minor upon receiving the notice provided for  
18 in Section 5-901 of the Juvenile Court Act of 1987 that the  
19 minor has been adjudicated under that Act as having  
20 committed an offense relating to motor vehicles prescribed  
21 in Section 4-103 of this Code;

22 2. Of any person when any other law of this State  
23 requires either the revocation or suspension of a license  
24 or permit;

25 3. Of any person adjudicated under the Juvenile Court  
26 Act of 1987 based on an offense determined to have been

1 committed in furtherance of the criminal activities of an  
2 organized gang as provided in Section 5-710 of that Act,  
3 and that involved the operation or use of a motor vehicle  
4 or the use of a driver's license or permit. The revocation  
5 shall remain in effect for the period determined by the  
6 court.

7 (c) (1) Whenever a person is convicted of any of the  
8 offenses enumerated in this Section, the court may recommend  
9 and the Secretary of State in his discretion, without regard to  
10 whether the recommendation is made by the court may, upon  
11 application, issue to the person a restricted driving permit  
12 granting the privilege of driving a motor vehicle between the  
13 petitioner's residence and petitioner's place of employment or  
14 within the scope of the petitioner's employment related duties,  
15 or to allow the petitioner to transport himself or herself or a  
16 family member of the petitioner's household to a medical  
17 facility for the receipt of necessary medical care or to allow  
18 the petitioner to transport himself or herself to and from  
19 alcohol or drug remedial or rehabilitative activity  
20 recommended by a licensed service provider, or to allow the  
21 petitioner to transport himself or herself or a family member  
22 of the petitioner's household to classes, as a student, at an  
23 accredited educational institution, or to allow the petitioner  
24 to transport children, elderly persons, or persons with  
25 disabilities who do not hold driving privileges and are living  
26 in the petitioner's household to and from daycare; if the

1 petitioner is able to demonstrate that no alternative means of  
2 transportation is reasonably available and that the petitioner  
3 will not endanger the public safety or welfare; provided that  
4 the Secretary's discretion shall be limited to cases where  
5 undue hardship, as defined by the rules of the Secretary of  
6 State, would result from a failure to issue the restricted  
7 driving permit.

8 (1.5) A person subject to the provisions of paragraph 4 of  
9 subsection (b) of Section 6-208 of this Code may make  
10 application for a restricted driving permit at a hearing  
11 conducted under Section 2-118 of this Code after the expiration  
12 of 5 years from the effective date of the most recent  
13 revocation, or after 5 years from the date of release from a  
14 period of imprisonment resulting from a conviction of the most  
15 recent offense, whichever is later, provided the person, in  
16 addition to all other requirements of the Secretary, shows by  
17 clear and convincing evidence:

18 (A) a minimum of 3 years of uninterrupted abstinence  
19 from alcohol and the unlawful use or consumption of  
20 cannabis under the Cannabis Control Act, a controlled  
21 substance under the Illinois Controlled Substances Act, an  
22 intoxicating compound under the Use of Intoxicating  
23 Compounds Act, or methamphetamine under the  
24 Methamphetamine Control and Community Protection Act; and

25 (B) the successful completion of any rehabilitative  
26 treatment and involvement in any ongoing rehabilitative



1 activity that may be recommended by a properly licensed  
2 service provider according to an assessment of the person's  
3 alcohol or drug use under Section 11-501.01 of this Code.

4 In determining whether an applicant is eligible for a  
5 restricted driving permit under this paragraph (1.5), the  
6 Secretary may consider any relevant evidence, including, but  
7 not limited to, testimony, affidavits, records, and the results  
8 of regular alcohol or drug tests. Persons subject to the  
9 provisions of paragraph 4 of subsection (b) of Section 6-208 of  
10 this Code and who have been convicted of more than one  
11 violation of paragraph (3), paragraph (4), or paragraph (5) of  
12 subsection (a) of Section 11-501 of this Code shall not be  
13 eligible to apply for a restricted driving permit.

14 A restricted driving permit issued under this paragraph  
15 (1.5) shall provide that the holder may only operate motor  
16 vehicles equipped with an ignition interlock device as required  
17 under paragraph (2) of subsection (c) of this Section and  
18 subparagraph (A) of paragraph 3 of subsection (c) of Section  
19 6-206 of this Code. The Secretary may revoke a restricted  
20 driving permit or amend the conditions of a restricted driving  
21 permit issued under this paragraph (1.5) if the holder operates  
22 a vehicle that is not equipped with an ignition interlock  
23 device, or for any other reason authorized under this Code.

24 A restricted driving permit issued under this paragraph  
25 (1.5) shall be revoked, and the holder barred from applying for  
26 or being issued a restricted driving permit in the future, if

1 the holder is subsequently convicted of a violation of Section  
2 11-501 of this Code, a similar provision of a local ordinance,  
3 or a similar offense in another state.

4 (2) If a person's license or permit is revoked or suspended  
5 due to 2 or more convictions of violating Section 11-501 of  
6 this Code or a similar provision of a local ordinance or a  
7 similar out-of-state offense, or Section 9-3 of the Criminal  
8 Code of 1961 or the Criminal Code of 2012, where the use of  
9 alcohol or other drugs is recited as an element of the offense,  
10 or a similar out-of-state offense, or a combination of these  
11 offenses, arising out of separate occurrences, that person, if  
12 issued a restricted driving permit, may not operate a vehicle  
13 unless it has been equipped with an ignition interlock device  
14 as defined in Section 1-129.1.

15 (3) If:

16 (A) a person's license or permit is revoked or  
17 suspended 2 or more times due to any combination of:

18 (i) a single conviction of violating Section  
19 11-501 of this Code or a similar provision of a local  
20 ordinance or a similar out-of-state offense, or  
21 Section 9-3 of the Criminal Code of 1961 or the  
22 Criminal Code of 2012, where the use of alcohol or  
23 other drugs is recited as an element of the offense, or  
24 a similar out-of-state offense; or

25 (ii) a statutory summary suspension or revocation  
26 under Section 11-501.1; or

1 (iii) a suspension pursuant to Section 6-203.1;  
2 arising out of separate occurrences; or

3 (B) a person has been convicted of one violation of  
4 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
5 of Section 11-501 of this Code, Section 9-3 of the Criminal  
6 Code of 1961 or the Criminal Code of 2012, relating to the  
7 offense of reckless homicide where the use of alcohol or  
8 other drugs was recited as an element of the offense, or a  
9 similar provision of a law of another state;

10 that person, if issued a restricted driving permit, may not  
11 operate a vehicle unless it has been equipped with an ignition  
12 interlock device as defined in Section 1-129.1.

13 (4) The person issued a permit conditioned on the use of an  
14 ignition interlock device must pay to the Secretary of State  
15 DUI Administration Fund an amount not to exceed \$30 per month.  
16 The Secretary shall establish by rule the amount and the  
17 procedures, terms, and conditions relating to these fees.

18 (5) If the restricted driving permit is issued for  
19 employment purposes, then the prohibition against operating a  
20 motor vehicle that is not equipped with an ignition interlock  
21 device does not apply to the operation of an occupational  
22 vehicle owned or leased by that person's employer when used  
23 solely for employment purposes. For any person who, within a  
24 5-year period, is convicted of a second or subsequent offense  
25 under Section 11-501 of this Code, or a similar provision of a  
26 local ordinance or similar out-of-state offense, this

1 employment exemption does not apply until either a one-year  
2 period has elapsed during which that person had his or her  
3 driving privileges revoked or a one-year period has elapsed  
4 during which that person had a restricted driving permit which  
5 required the use of an ignition interlock device on every motor  
6 vehicle owned or operated by that person.

7 (6) In each case the Secretary of State may issue a  
8 restricted driving permit for a period he deems appropriate,  
9 except that the permit shall expire no later than 2 years  
10 ~~within one year~~ from the date of issuance. A restricted driving  
11 permit issued under this Section shall be subject to  
12 cancellation, revocation, and suspension by the Secretary of  
13 State in like manner and for like cause as a driver's license  
14 issued under this Code may be cancelled, revoked, or suspended;  
15 except that a conviction upon one or more offenses against laws  
16 or ordinances regulating the movement of traffic shall be  
17 deemed sufficient cause for the revocation, suspension, or  
18 cancellation of a restricted driving permit. The Secretary of  
19 State may, as a condition to the issuance of a restricted  
20 driving permit, require the petitioner to participate in a  
21 designated driver remedial or rehabilitative program. The  
22 Secretary of State is authorized to cancel a restricted driving  
23 permit if the permit holder does not successfully complete the  
24 program. However, if an individual's driving privileges have  
25 been revoked in accordance with paragraph 13 of subsection (a)  
26 of this Section, no restricted driving permit shall be issued

1 until the individual has served 6 months of the revocation  
2 period.

3 (c-5) (Blank).

4 (c-6) If a person is convicted of a second violation of  
5 operating a motor vehicle while the person's driver's license,  
6 permit or privilege was revoked, where the revocation was for a  
7 violation of Section 9-3 of the Criminal Code of 1961 or the  
8 Criminal Code of 2012 relating to the offense of reckless  
9 homicide or a similar out-of-state offense, the person's  
10 driving privileges shall be revoked pursuant to subdivision  
11 (a)(15) of this Section. The person may not make application  
12 for a license or permit until the expiration of five years from  
13 the effective date of the revocation or the expiration of five  
14 years from the date of release from a term of imprisonment,  
15 whichever is later.

16 (c-7) If a person is convicted of a third or subsequent  
17 violation of operating a motor vehicle while the person's  
18 driver's license, permit or privilege was revoked, where the  
19 revocation was for a violation of Section 9-3 of the Criminal  
20 Code of 1961 or the Criminal Code of 2012 relating to the  
21 offense of reckless homicide or a similar out-of-state offense,  
22 the person may never apply for a license or permit.

23 (d)(1) Whenever a person under the age of 21 is convicted  
24 under Section 11-501 of this Code or a similar provision of a  
25 local ordinance or a similar out-of-state offense, the  
26 Secretary of State shall revoke the driving privileges of that

1 person. One year after the date of revocation, and upon  
2 application, the Secretary of State may, if satisfied that the  
3 person applying will not endanger the public safety or welfare,  
4 issue a restricted driving permit granting the privilege of  
5 driving a motor vehicle only between the hours of 5 a.m. and 9  
6 p.m. or as otherwise provided by this Section for a period of  
7 one year. After this one-year period, and upon reapplication  
8 for a license as provided in Section 6-106, upon payment of the  
9 appropriate reinstatement fee provided under paragraph (b) of  
10 Section 6-118, the Secretary of State, in his discretion, may  
11 reinstate the petitioner's driver's license and driving  
12 privileges, or extend the restricted driving permit as many  
13 times as the Secretary of State deems appropriate, by  
14 additional periods of not more than 24 ~~12~~ months each.

15 (2) If a person's license or permit is revoked or  
16 suspended due to 2 or more convictions of violating Section  
17 11-501 of this Code or a similar provision of a local  
18 ordinance or a similar out-of-state offense, or Section 9-3  
19 of the Criminal Code of 1961 or the Criminal Code of 2012,  
20 where the use of alcohol or other drugs is recited as an  
21 element of the offense, or a similar out-of-state offense,  
22 or a combination of these offenses, arising out of separate  
23 occurrences, that person, if issued a restricted driving  
24 permit, may not operate a vehicle unless it has been  
25 equipped with an ignition interlock device as defined in  
26 Section 1-129.1.

1           (3) If a person's license or permit is revoked or  
2 suspended 2 or more times due to any combination of:

3           (A) a single conviction of violating Section  
4 11-501 of this Code or a similar provision of a local  
5 ordinance or a similar out-of-state offense, or  
6 Section 9-3 of the Criminal Code of 1961 or the  
7 Criminal Code of 2012, where the use of alcohol or  
8 other drugs is recited as an element of the offense, or  
9 a similar out-of-state offense; or

10          (B) a statutory summary suspension or revocation  
11 under Section 11-501.1; or

12          (C) a suspension pursuant to Section 6-203.1;  
13 arising out of separate occurrences, that person, if issued  
14 a restricted driving permit, may not operate a vehicle  
15 unless it has been equipped with an ignition interlock  
16 device as defined in Section 1-129.1.

17          (3.5) If a person's license or permit is revoked or  
18 suspended due to a conviction for a violation of  
19 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
20 of Section 11-501 of this Code, or a similar provision of a  
21 local ordinance or similar out-of-state offense, that  
22 person, if issued a restricted driving permit, may not  
23 operate a vehicle unless it has been equipped with an  
24 ignition interlock device as defined in Section 1-129.1.

25          (4) The person issued a permit conditioned upon the use  
26 of an interlock device must pay to the Secretary of State

1           DUI Administration Fund an amount not to exceed \$30 per  
2           month. The Secretary shall establish by rule the amount and  
3           the procedures, terms, and conditions relating to these  
4           fees.

5           (5) If the restricted driving permit is issued for  
6           employment purposes, then the prohibition against driving  
7           a vehicle that is not equipped with an ignition interlock  
8           device does not apply to the operation of an occupational  
9           vehicle owned or leased by that person's employer when used  
10          solely for employment purposes. For any person who, within  
11          a 5-year period, is convicted of a second or subsequent  
12          offense under Section 11-501 of this Code, or a similar  
13          provision of a local ordinance or similar out-of-state  
14          offense, this employment exemption does not apply until  
15          either a one-year period has elapsed during which that  
16          person had his or her driving privileges revoked or a  
17          one-year period has elapsed during which that person had a  
18          restricted driving permit which required the use of an  
19          ignition interlock device on every motor vehicle owned or  
20          operated by that person.

21          (6) A restricted driving permit issued under this  
22          Section shall be subject to cancellation, revocation, and  
23          suspension by the Secretary of State in like manner and for  
24          like cause as a driver's license issued under this Code may  
25          be cancelled, revoked, or suspended; except that a  
26          conviction upon one or more offenses against laws or



1           ordinances regulating the movement of traffic shall be  
2           deemed sufficient cause for the revocation, suspension, or  
3           cancellation of a restricted driving permit.

4           (d-5) The revocation of the license, permit, or driving  
5           privileges of a person convicted of a third or subsequent  
6           violation of Section 6-303 of this Code committed while his or  
7           her driver's license, permit, or privilege was revoked because  
8           of a violation of Section 9-3 of the Criminal Code of 1961 or  
9           the Criminal Code of 2012, relating to the offense of reckless  
10          homicide, or a similar provision of a law of another state, is  
11          permanent. The Secretary may not, at any time, issue a license  
12          or permit to that person.

13          (e) This Section is subject to the provisions of the Driver  
14          License Compact.

15          (f) Any revocation imposed upon any person under  
16          subsections 2 and 3 of paragraph (b) that is in effect on  
17          December 31, 1988 shall be converted to a suspension for a like  
18          period of time.

19          (g) The Secretary of State shall not issue a restricted  
20          driving permit to a person under the age of 16 years whose  
21          driving privileges have been revoked under any provisions of  
22          this Code.

23          (h) The Secretary of State shall require the use of  
24          ignition interlock devices for a period not less than 5 years  
25          on all vehicles owned by a person who has been convicted of a  
26          second or subsequent offense under Section 11-501 of this Code

1 or a similar provision of a local ordinance. The person must  
2 pay to the Secretary of State DUI Administration Fund an amount  
3 not to exceed \$30 for each month that he or she uses the  
4 device. The Secretary shall establish by rule and regulation  
5 the procedures for certification and use of the interlock  
6 system, the amount of the fee, and the procedures, terms, and  
7 conditions relating to these fees. During the time period in  
8 which a person is required to install an ignition interlock  
9 device under this subsection (h), that person shall only  
10 operate vehicles in which ignition interlock devices have been  
11 installed, except as allowed by subdivision (c) (5) or (d) (5) of  
12 this Section.

13 (i) (Blank).

14 (j) In accordance with 49 C.F.R. 384, the Secretary of  
15 State may not issue a restricted driving permit for the  
16 operation of a commercial motor vehicle to a person holding a  
17 CDL whose driving privileges have been revoked, suspended,  
18 cancelled, or disqualified under any provisions of this Code.

19 (k) The Secretary of State shall notify by mail any person  
20 whose driving privileges have been revoked under paragraph 16  
21 of subsection (a) of this Section that his or her driving  
22 privileges and driver's license will be revoked 90 days from  
23 the date of the mailing of the notice.

24 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;  
25 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;  
26 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff. 7-28-16;

1 100-223, eff. 8-18-17.)

2 (625 ILCS 5/6-206)

3 Sec. 6-206. Discretionary authority to suspend or revoke  
4 license or permit; right to a hearing.

5 (a) The Secretary of State is authorized to suspend or  
6 revoke the driving privileges of any person without preliminary  
7 hearing upon a showing of the person's records or other  
8 sufficient evidence that the person:

9 1. Has committed an offense for which mandatory  
10 revocation of a driver's license or permit is required upon  
11 conviction;

12 2. Has been convicted of not less than 3 offenses  
13 against traffic regulations governing the movement of  
14 vehicles committed within any 12 month period. No  
15 revocation or suspension shall be entered more than 6  
16 months after the date of last conviction;

17 3. Has been repeatedly involved as a driver in motor  
18 vehicle collisions or has been repeatedly convicted of  
19 offenses against laws and ordinances regulating the  
20 movement of traffic, to a degree that indicates lack of  
21 ability to exercise ordinary and reasonable care in the  
22 safe operation of a motor vehicle or disrespect for the  
23 traffic laws and the safety of other persons upon the  
24 highway;

25 4. Has by the unlawful operation of a motor vehicle

1           caused or contributed to an accident resulting in injury  
2           requiring immediate professional treatment in a medical  
3           facility or doctor's office to any person, except that any  
4           suspension or revocation imposed by the Secretary of State  
5           under the provisions of this subsection shall start no  
6           later than 6 months after being convicted of violating a  
7           law or ordinance regulating the movement of traffic, which  
8           violation is related to the accident, or shall start not  
9           more than one year after the date of the accident,  
10          whichever date occurs later;

11           5. Has permitted an unlawful or fraudulent use of a  
12          driver's license, identification card, or permit;

13           6. Has been lawfully convicted of an offense or  
14          offenses in another state, including the authorization  
15          contained in Section 6-203.1, which if committed within  
16          this State would be grounds for suspension or revocation;

17           7. Has refused or failed to submit to an examination  
18          provided for by Section 6-207 or has failed to pass the  
19          examination;

20           8. Is ineligible for a driver's license or permit under  
21          the provisions of Section 6-103;

22           9. Has made a false statement or knowingly concealed a  
23          material fact or has used false information or  
24          identification in any application for a license,  
25          identification card, or permit;

26           10. Has possessed, displayed, or attempted to

1 fraudulently use any license, identification card, or  
2 permit not issued to the person;

3 11. Has operated a motor vehicle upon a highway of this  
4 State when the person's driving privilege or privilege to  
5 obtain a driver's license or permit was revoked or  
6 suspended unless the operation was authorized by a  
7 monitoring device driving permit, judicial driving permit  
8 issued prior to January 1, 2009, probationary license to  
9 drive, or a restricted driving permit issued under this  
10 Code;

11 12. Has submitted to any portion of the application  
12 process for another person or has obtained the services of  
13 another person to submit to any portion of the application  
14 process for the purpose of obtaining a license,  
15 identification card, or permit for some other person;

16 13. Has operated a motor vehicle upon a highway of this  
17 State when the person's driver's license or permit was  
18 invalid under the provisions of Sections 6-107.1 and 6-110;

19 14. Has committed a violation of Section 6-301,  
20 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or  
21 14B of the Illinois Identification Card Act;

22 15. Has been convicted of violating Section 21-2 of the  
23 Criminal Code of 1961 or the Criminal Code of 2012 relating  
24 to criminal trespass to vehicles in which case, the  
25 suspension shall be for one year;

26 16. Has been convicted of violating Section 11-204 of

1 this Code relating to fleeing from a peace officer;

2 17. Has refused to submit to a test, or tests, as  
3 required under Section 11-501.1 of this Code and the person  
4 has not sought a hearing as provided for in Section  
5 11-501.1;

6 18. Has, since issuance of a driver's license or  
7 permit, been adjudged to be afflicted with or suffering  
8 from any mental disability or disease;

9 19. Has committed a violation of paragraph (a) or (b)  
10 of Section 6-101 relating to driving without a driver's  
11 license;

12 20. Has been convicted of violating Section 6-104  
13 relating to classification of driver's license;

14 21. Has been convicted of violating Section 11-402 of  
15 this Code relating to leaving the scene of an accident  
16 resulting in damage to a vehicle in excess of \$1,000, in  
17 which case the suspension shall be for one year;

18 22. Has used a motor vehicle in violating paragraph  
19 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
20 the Criminal Code of 1961 or the Criminal Code of 2012  
21 relating to unlawful use of weapons, in which case the  
22 suspension shall be for one year;

23 23. Has, as a driver, been convicted of committing a  
24 violation of paragraph (a) of Section 11-502 of this Code  
25 for a second or subsequent time within one year of a  
26 similar violation;

1           24. Has been convicted by a court-martial or punished  
2           by non-judicial punishment by military authorities of the  
3           United States at a military installation in Illinois or in  
4           another state of or for a traffic related offense that is  
5           the same as or similar to an offense specified under  
6           Section 6-205 or 6-206 of this Code;

7           25. Has permitted any form of identification to be used  
8           by another in the application process in order to obtain or  
9           attempt to obtain a license, identification card, or  
10          permit;

11          26. Has altered or attempted to alter a license or has  
12          possessed an altered license, identification card, or  
13          permit;

14          27. Has violated Section 6-16 of the Liquor Control Act  
15          of 1934;

16          28. Has been convicted for a first time of the illegal  
17          possession, while operating or in actual physical control,  
18          as a driver, of a motor vehicle, of any controlled  
19          substance prohibited under the Illinois Controlled  
20          Substances Act, any cannabis prohibited under the Cannabis  
21          Control Act, or any methamphetamine prohibited under the  
22          Methamphetamine Control and Community Protection Act, in  
23          which case the person's driving privileges shall be  
24          suspended for one year. Any defendant found guilty of this  
25          offense while operating a motor vehicle, shall have an  
26          entry made in the court record by the presiding judge that

1           this offense did occur while the defendant was operating a  
2           motor vehicle and order the clerk of the court to report  
3           the violation to the Secretary of State;

4           29. Has been convicted of the following offenses that  
5           were committed while the person was operating or in actual  
6           physical control, as a driver, of a motor vehicle: criminal  
7           sexual assault, predatory criminal sexual assault of a  
8           child, aggravated criminal sexual assault, criminal sexual  
9           abuse, aggravated criminal sexual abuse, juvenile pimping,  
10          soliciting for a juvenile prostitute, promoting juvenile  
11          prostitution as described in subdivision (a)(1), (a)(2),  
12          or (a)(3) of Section 11-14.4 of the Criminal Code of 1961  
13          or the Criminal Code of 2012, and the manufacture, sale or  
14          delivery of controlled substances or instruments used for  
15          illegal drug use or abuse in which case the driver's  
16          driving privileges shall be suspended for one year;

17          30. Has been convicted a second or subsequent time for  
18          any combination of the offenses named in paragraph 29 of  
19          this subsection, in which case the person's driving  
20          privileges shall be suspended for 5 years;

21          31. Has refused to submit to a test as required by  
22          Section 11-501.6 of this Code or Section 5-16c of the Boat  
23          Registration and Safety Act or has submitted to a test  
24          resulting in an alcohol concentration of 0.08 or more or  
25          any amount of a drug, substance, or compound resulting from  
26          the unlawful use or consumption of cannabis as listed in



1 the Cannabis Control Act, a controlled substance as listed  
2 in the Illinois Controlled Substances Act, an intoxicating  
3 compound as listed in the Use of Intoxicating Compounds  
4 Act, or methamphetamine as listed in the Methamphetamine  
5 Control and Community Protection Act, in which case the  
6 penalty shall be as prescribed in Section 6-208.1;

7 32. Has been convicted of Section 24-1.2 of the  
8 Criminal Code of 1961 or the Criminal Code of 2012 relating  
9 to the aggravated discharge of a firearm if the offender  
10 was located in a motor vehicle at the time the firearm was  
11 discharged, in which case the suspension shall be for 3  
12 years;

13 33. Has as a driver, who was less than 21 years of age  
14 on the date of the offense, been convicted a first time of  
15 a violation of paragraph (a) of Section 11-502 of this Code  
16 or a similar provision of a local ordinance;

17 34. Has committed a violation of Section 11-1301.5 of  
18 this Code or a similar provision of a local ordinance;

19 35. Has committed a violation of Section 11-1301.6 of  
20 this Code or a similar provision of a local ordinance;

21 36. Is under the age of 21 years at the time of arrest  
22 and has been convicted of not less than 2 offenses against  
23 traffic regulations governing the movement of vehicles  
24 committed within any 24 month period. No revocation or  
25 suspension shall be entered more than 6 months after the  
26 date of last conviction;

1           37. Has committed a violation of subsection (c) of  
2           Section 11-907 of this Code that resulted in damage to the  
3           property of another or the death or injury of another;

4           38. Has been convicted of a violation of Section 6-20  
5           of the Liquor Control Act of 1934 or a similar provision of  
6           a local ordinance;

7           39. Has committed a second or subsequent violation of  
8           Section 11-1201 of this Code;

9           40. Has committed a violation of subsection (a-1) of  
10          Section 11-908 of this Code;

11          41. Has committed a second or subsequent violation of  
12          Section 11-605.1 of this Code, a similar provision of a  
13          local ordinance, or a similar violation in any other state  
14          within 2 years of the date of the previous violation, in  
15          which case the suspension shall be for 90 days;

16          42. Has committed a violation of subsection (a-1) of  
17          Section 11-1301.3 of this Code or a similar provision of a  
18          local ordinance;

19          43. Has received a disposition of court supervision for  
20          a violation of subsection (a), (d), or (e) of Section 6-20  
21          of the Liquor Control Act of 1934 or a similar provision of  
22          a local ordinance, in which case the suspension shall be  
23          for a period of 3 months;

24          44. Is under the age of 21 years at the time of arrest  
25          and has been convicted of an offense against traffic  
26          regulations governing the movement of vehicles after

1           having previously had his or her driving privileges  
2           suspended or revoked pursuant to subparagraph 36 of this  
3           Section;

4           45. Has, in connection with or during the course of a  
5           formal hearing conducted under Section 2-118 of this Code:  
6           (i) committed perjury; (ii) submitted fraudulent or  
7           falsified documents; (iii) submitted documents that have  
8           been materially altered; or (iv) submitted, as his or her  
9           own, documents that were in fact prepared or composed for  
10          another person;

11          46. Has committed a violation of subsection (j) of  
12          Section 3-413 of this Code;

13          47. Has committed a violation of Section 11-502.1 of  
14          this Code; or

15          48. Has submitted a falsified or altered medical  
16          examiner's certificate to the Secretary of State or  
17          provided false information to obtain a medical examiner's  
18          certificate.

19          For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,  
20          and 27 of this subsection, license means any driver's license,  
21          any traffic ticket issued when the person's driver's license is  
22          deposited in lieu of bail, a suspension notice issued by the  
23          Secretary of State, a duplicate or corrected driver's license,  
24          a probationary driver's license or a temporary driver's  
25          license.

26          (b) If any conviction forming the basis of a suspension or

1 revocation authorized under this Section is appealed, the  
2 Secretary of State may rescind or withhold the entry of the  
3 order of suspension or revocation, as the case may be, provided  
4 that a certified copy of a stay order of a court is filed with  
5 the Secretary of State. If the conviction is affirmed on  
6 appeal, the date of the conviction shall relate back to the  
7 time the original judgment of conviction was entered and the 6  
8 month limitation prescribed shall not apply.

9 (c) 1. Upon suspending or revoking the driver's license or  
10 permit of any person as authorized in this Section, the  
11 Secretary of State shall immediately notify the person in  
12 writing of the revocation or suspension. The notice to be  
13 deposited in the United States mail, postage prepaid, to the  
14 last known address of the person.

15 2. If the Secretary of State suspends the driver's license  
16 of a person under subsection 2 of paragraph (a) of this  
17 Section, a person's privilege to operate a vehicle as an  
18 occupation shall not be suspended, provided an affidavit is  
19 properly completed, the appropriate fee received, and a permit  
20 issued prior to the effective date of the suspension, unless 5  
21 offenses were committed, at least 2 of which occurred while  
22 operating a commercial vehicle in connection with the driver's  
23 regular occupation. All other driving privileges shall be  
24 suspended by the Secretary of State. Any driver prior to  
25 operating a vehicle for occupational purposes only must submit  
26 the affidavit on forms to be provided by the Secretary of State

1 setting forth the facts of the person's occupation. The  
2 affidavit shall also state the number of offenses committed  
3 while operating a vehicle in connection with the driver's  
4 regular occupation. The affidavit shall be accompanied by the  
5 driver's license. Upon receipt of a properly completed  
6 affidavit, the Secretary of State shall issue the driver a  
7 permit to operate a vehicle in connection with the driver's  
8 regular occupation only. Unless the permit is issued by the  
9 Secretary of State prior to the date of suspension, the  
10 privilege to drive any motor vehicle shall be suspended as set  
11 forth in the notice that was mailed under this Section. If an  
12 affidavit is received subsequent to the effective date of this  
13 suspension, a permit may be issued for the remainder of the  
14 suspension period.

15 The provisions of this subparagraph shall not apply to any  
16 driver required to possess a CDL for the purpose of operating a  
17 commercial motor vehicle.

18 Any person who falsely states any fact in the affidavit  
19 required herein shall be guilty of perjury under Section 6-302  
20 and upon conviction thereof shall have all driving privileges  
21 revoked without further rights.

22 3. At the conclusion of a hearing under Section 2-118 of  
23 this Code, the Secretary of State shall either rescind or  
24 continue an order of revocation or shall substitute an order of  
25 suspension; or, good cause appearing therefor, rescind,  
26 continue, change, or extend the order of suspension. If the

1 Secretary of State does not rescind the order, the Secretary  
2 may upon application, to relieve undue hardship (as defined by  
3 the rules of the Secretary of State), issue a restricted  
4 driving permit granting the privilege of driving a motor  
5 vehicle between the petitioner's residence and petitioner's  
6 place of employment or within the scope of the petitioner's  
7 employment related duties, or to allow the petitioner to  
8 transport himself or herself, or a family member of the  
9 petitioner's household to a medical facility, to receive  
10 necessary medical care, to allow the petitioner to transport  
11 himself or herself to and from alcohol or drug remedial or  
12 rehabilitative activity recommended by a licensed service  
13 provider, or to allow the petitioner to transport himself or  
14 herself or a family member of the petitioner's household to  
15 classes, as a student, at an accredited educational  
16 institution, or to allow the petitioner to transport children,  
17 elderly persons, or persons with disabilities who do not hold  
18 driving privileges and are living in the petitioner's household  
19 to and from daycare. The petitioner must demonstrate that no  
20 alternative means of transportation is reasonably available  
21 and that the petitioner will not endanger the public safety or  
22 welfare.

23 (A) If a person's license or permit is revoked or  
24 suspended due to 2 or more convictions of violating Section  
25 11-501 of this Code or a similar provision of a local  
26 ordinance or a similar out-of-state offense, or Section 9-3

1 of the Criminal Code of 1961 or the Criminal Code of 2012,  
2 where the use of alcohol or other drugs is recited as an  
3 element of the offense, or a similar out-of-state offense,  
4 or a combination of these offenses, arising out of separate  
5 occurrences, that person, if issued a restricted driving  
6 permit, may not operate a vehicle unless it has been  
7 equipped with an ignition interlock device as defined in  
8 Section 1-129.1.

9 (B) If a person's license or permit is revoked or  
10 suspended 2 or more times due to any combination of:

11 (i) a single conviction of violating Section  
12 11-501 of this Code or a similar provision of a local  
13 ordinance or a similar out-of-state offense or Section  
14 9-3 of the Criminal Code of 1961 or the Criminal Code  
15 of 2012, where the use of alcohol or other drugs is  
16 recited as an element of the offense, or a similar  
17 out-of-state offense; or

18 (ii) a statutory summary suspension or revocation  
19 under Section 11-501.1; or

20 (iii) a suspension under Section 6-203.1;

21 arising out of separate occurrences; that person, if issued  
22 a restricted driving permit, may not operate a vehicle  
23 unless it has been equipped with an ignition interlock  
24 device as defined in Section 1-129.1.

25 (B-5) If a person's license or permit is revoked or  
26 suspended due to a conviction for a violation of

1           subparagraph (C) or (F) of paragraph (1) of subsection (d)  
2           of Section 11-501 of this Code, or a similar provision of a  
3           local ordinance or similar out-of-state offense, that  
4           person, if issued a restricted driving permit, may not  
5           operate a vehicle unless it has been equipped with an  
6           ignition interlock device as defined in Section 1-129.1.

7           (C) The person issued a permit conditioned upon the use  
8           of an ignition interlock device must pay to the Secretary  
9           of State DUI Administration Fund an amount not to exceed  
10          \$30 per month. The Secretary shall establish by rule the  
11          amount and the procedures, terms, and conditions relating  
12          to these fees.

13          (D) If the restricted driving permit is issued for  
14          employment purposes, then the prohibition against  
15          operating a motor vehicle that is not equipped with an  
16          ignition interlock device does not apply to the operation  
17          of an occupational vehicle owned or leased by that person's  
18          employer when used solely for employment purposes. For any  
19          person who, within a 5-year period, is convicted of a  
20          second or subsequent offense under Section 11-501 of this  
21          Code, or a similar provision of a local ordinance or  
22          similar out-of-state offense, this employment exemption  
23          does not apply until either a one-year period has elapsed  
24          during which that person had his or her driving privileges  
25          revoked or a one-year period has elapsed during which that  
26          person had a restricted driving permit which required the



1 use of an ignition interlock device on every motor vehicle  
2 owned or operated by that person.

3 (E) In each case the Secretary may issue a restricted  
4 driving permit for a period deemed appropriate, except that  
5 all permits shall expire no later than 2 years ~~within one~~  
6 ~~year~~ from the date of issuance. A restricted driving permit  
7 issued under this Section shall be subject to cancellation,  
8 revocation, and suspension by the Secretary of State in  
9 like manner and for like cause as a driver's license issued  
10 under this Code may be cancelled, revoked, or suspended;  
11 except that a conviction upon one or more offenses against  
12 laws or ordinances regulating the movement of traffic shall  
13 be deemed sufficient cause for the revocation, suspension,  
14 or cancellation of a restricted driving permit. The  
15 Secretary of State may, as a condition to the issuance of a  
16 restricted driving permit, require the applicant to  
17 participate in a designated driver remedial or  
18 rehabilitative program. The Secretary of State is  
19 authorized to cancel a restricted driving permit if the  
20 permit holder does not successfully complete the program.

21 (F) A person subject to the provisions of paragraph 4  
22 of subsection (b) of Section 6-208 of this Code may make  
23 application for a restricted driving permit at a hearing  
24 conducted under Section 2-118 of this Code after the  
25 expiration of 5 years from the effective date of the most  
26 recent revocation or after 5 years from the date of release

1 from a period of imprisonment resulting from a conviction  
2 of the most recent offense, whichever is later, provided  
3 the person, in addition to all other requirements of the  
4 Secretary, shows by clear and convincing evidence:

5 (i) a minimum of 3 years of uninterrupted  
6 abstinence from alcohol and the unlawful use or  
7 consumption of cannabis under the Cannabis Control  
8 Act, a controlled substance under the Illinois  
9 Controlled Substances Act, an intoxicating compound  
10 under the Use of Intoxicating Compounds Act, or  
11 methamphetamine under the Methamphetamine Control and  
12 Community Protection Act; and

13 (ii) the successful completion of any  
14 rehabilitative treatment and involvement in any  
15 ongoing rehabilitative activity that may be  
16 recommended by a properly licensed service provider  
17 according to an assessment of the person's alcohol or  
18 drug use under Section 11-501.01 of this Code.

19 In determining whether an applicant is eligible for a  
20 restricted driving permit under this subparagraph (F), the  
21 Secretary may consider any relevant evidence, including,  
22 but not limited to, testimony, affidavits, records, and the  
23 results of regular alcohol or drug tests. Persons subject  
24 to the provisions of paragraph 4 of subsection (b) of  
25 Section 6-208 of this Code and who have been convicted of  
26 more than one violation of paragraph (3), paragraph (4), or

1 paragraph (5) of subsection (a) of Section 11-501 of this  
2 Code shall not be eligible to apply for a restricted  
3 driving permit under this subparagraph (F).

4 A restricted driving permit issued under this  
5 subparagraph (F) shall provide that the holder may only  
6 operate motor vehicles equipped with an ignition interlock  
7 device as required under paragraph (2) of subsection (c) of  
8 Section 6-205 of this Code and subparagraph (A) of  
9 paragraph 3 of subsection (c) of this Section. The  
10 Secretary may revoke a restricted driving permit or amend  
11 the conditions of a restricted driving permit issued under  
12 this subparagraph (F) if the holder operates a vehicle that  
13 is not equipped with an ignition interlock device, or for  
14 any other reason authorized under this Code.

15 A restricted driving permit issued under this  
16 subparagraph (F) shall be revoked, and the holder barred  
17 from applying for or being issued a restricted driving  
18 permit in the future, if the holder is convicted of a  
19 violation of Section 11-501 of this Code, a similar  
20 provision of a local ordinance, or a similar offense in  
21 another state.

22 (c-3) In the case of a suspension under paragraph 43 of  
23 subsection (a), reports received by the Secretary of State  
24 under this Section shall, except during the actual time the  
25 suspension is in effect, be privileged information and for use  
26 only by the courts, police officers, prosecuting authorities,

1 the driver licensing administrator of any other state, the  
2 Secretary of State, or the parent or legal guardian of a driver  
3 under the age of 18. However, beginning January 1, 2008, if the  
4 person is a CDL holder, the suspension shall also be made  
5 available to the driver licensing administrator of any other  
6 state, the U.S. Department of Transportation, and the affected  
7 driver or motor carrier or prospective motor carrier upon  
8 request.

9 (c-4) In the case of a suspension under paragraph 43 of  
10 subsection (a), the Secretary of State shall notify the person  
11 by mail that his or her driving privileges and driver's license  
12 will be suspended one month after the date of the mailing of  
13 the notice.

14 (c-5) The Secretary of State may, as a condition of the  
15 reissuance of a driver's license or permit to an applicant  
16 whose driver's license or permit has been suspended before he  
17 or she reached the age of 21 years pursuant to any of the  
18 provisions of this Section, require the applicant to  
19 participate in a driver remedial education course and be  
20 retested under Section 6-109 of this Code.

21 (d) This Section is subject to the provisions of the  
22 Drivers License Compact.

23 (e) The Secretary of State shall not issue a restricted  
24 driving permit to a person under the age of 16 years whose  
25 driving privileges have been suspended or revoked under any  
26 provisions of this Code.

1           (f) In accordance with 49 C.F.R. 384, the Secretary of  
2 State may not issue a restricted driving permit for the  
3 operation of a commercial motor vehicle to a person holding a  
4 CDL whose driving privileges have been suspended, revoked,  
5 cancelled, or disqualified under any provisions of this Code.

6           (Source: P.A. 98-103, eff. 1-1-14; 98-122, eff. 1-1-14; 98-726,  
7 eff. 1-1-15; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15;  
8 99-290, eff. 1-1-16; 99-467, eff. 1-1-16; 99-483, eff. 1-1-16;  
9 99-607, eff. 7-22-16; 99-642, eff. 7-28-16.)

10           Section 99. Effective date. This Act takes effect January  
11 1, 2019.