



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3952

Introduced 11/12/2019, by Rep. Sue Scherer

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-206

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall reinstate the driving privileges of a person whose driving privileges were were suspended or revoked under certain circumstances if the person shows the following: (1) the suspension or revocation of the person's driving privileges resulted from an incident in which the person's vision was impaired exclusively by the glare of the sun; (2) the incident would not have occurred but for the impairment of the person's vision by the glare of the sun; (3) there is no evidence that the person was, at the time of the incident, otherwise impaired, distracted, or inattentive in a manner that would constitute a violation of this Code or an ordinance; and (4) other than any offenses for which the person was charged as a result of the incident, the person was not charged with any offense against a law or ordinance regulating the movement of traffic after the accident or in the 12-month period preceding the accident. Effective immediately.

LRB101 15246 TAE 64418 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 Section 6-206 as follows:

6 (625 ILCS 5/6-206)

7 (Text of Section before amendment by P.A. 101-90 and  
8 101-470)

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

11 (a) The Secretary of State is authorized to suspend or  
12 revoke the driving privileges of any person without preliminary  
13 hearing upon a showing of the person's records or other  
14 sufficient evidence that the person:

15 1. Has committed an offense for which mandatory  
16 revocation of a driver's license or permit is required upon  
17 conviction;

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

23 3. Has been repeatedly involved as a driver in motor

1 vehicle collisions or has been repeatedly convicted of  
2 offenses against laws and ordinances regulating the  
3 movement of traffic, to a degree that indicates lack of  
4 ability to exercise ordinary and reasonable care in the  
5 safe operation of a motor vehicle or disrespect for the  
6 traffic laws and the safety of other persons upon the  
7 highway;

8 4. Has by the unlawful operation of a motor vehicle  
9 caused or contributed to an accident resulting in injury  
10 requiring immediate professional treatment in a medical  
11 facility or doctor's office to any person, except that any  
12 suspension or revocation imposed by the Secretary of State  
13 under the provisions of this subsection shall start no  
14 later than 6 months after being convicted of violating a  
15 law or ordinance regulating the movement of traffic, which  
16 violation is related to the accident, or shall start not  
17 more than one year after the date of the accident,  
18 whichever date occurs later;

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

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

25 7. Has refused or failed to submit to an examination  
26 provided for by Section 6-207 or has failed to pass the

1 examination;

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

4 9. Has made a false statement or knowingly concealed a  
5 material fact or has used false information or  
6 identification in any application for a license,  
7 identification card, or permit;

8 10. Has possessed, displayed, or attempted to  
9 fraudulently use any license, identification card, or  
10 permit not issued to the person;

11 11. Has operated a motor vehicle upon a highway of this  
12 State when the person's driving privilege or privilege to  
13 obtain a driver's license or permit was revoked or  
14 suspended unless the operation was authorized by a  
15 monitoring device driving permit, judicial driving permit  
16 issued prior to January 1, 2009, probationary license to  
17 drive, or a restricted driving permit issued under this  
18 Code;

19 12. Has submitted to any portion of the application  
20 process for another person or has obtained the services of  
21 another person to submit to any portion of the application  
22 process for the purpose of obtaining a license,  
23 identification card, or permit for some other person;

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

1           14. Has committed a violation of Section 6-301,  
2           6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or  
3           14B of the Illinois Identification Card Act;

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

8           16. Has been convicted of violating Section 11-204 of  
9           this Code relating to fleeing from a peace officer;

10          17. Has refused to submit to a test, or tests, as  
11          required under Section 11-501.1 of this Code and the person  
12          has not sought a hearing as provided for in Section  
13          11-501.1;

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

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

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

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

26          22. Has used a motor vehicle in violating paragraph

1 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
2 the Criminal Code of 1961 or the Criminal Code of 2012  
3 relating to unlawful use of weapons, in which case the  
4 suspension shall be for one year;

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

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

15 25. Has permitted any form of identification to be used  
16 by another in the application process in order to obtain or  
17 attempt to obtain a license, identification card, or  
18 permit;

19 26. Has altered or attempted to alter a license or has  
20 possessed an altered license, identification card, or  
21 permit;

22 27. Has violated Section 6-16 of the Liquor Control Act  
23 of 1934;

24 28. Has been convicted for a first time of the illegal  
25 possession, while operating or in actual physical control,  
26 as a driver, of a motor vehicle, of any controlled

1 substance prohibited under the Illinois Controlled  
2 Substances Act, any cannabis prohibited under the Cannabis  
3 Control Act, or any methamphetamine prohibited under the  
4 Methamphetamine Control and Community Protection Act, in  
5 which case the person's driving privileges shall be  
6 suspended for one year. Any defendant found guilty of this  
7 offense while operating a motor vehicle, shall have an  
8 entry made in the court record by the presiding judge that  
9 this offense did occur while the defendant was operating a  
10 motor vehicle and order the clerk of the court to report  
11 the violation to the Secretary of State;

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

25 30. Has been convicted a second or subsequent time for  
26 any combination of the offenses named in paragraph 29 of

1           this subsection, in which case the person's driving  
2           privileges shall be suspended for 5 years;

3           31. Has refused to submit to a test as required by  
4           Section 11-501.6 of this Code or Section 5-16c of the Boat  
5           Registration and Safety Act or has submitted to a test  
6           resulting in an alcohol concentration of 0.08 or more or  
7           any amount of a drug, substance, or compound resulting from  
8           the unlawful use or consumption of cannabis as listed in  
9           the Cannabis Control Act, a controlled substance as listed  
10          in the Illinois Controlled Substances Act, an intoxicating  
11          compound as listed in the Use of Intoxicating Compounds  
12          Act, or methamphetamine as listed in the Methamphetamine  
13          Control and Community Protection Act, in which case the  
14          penalty shall be as prescribed in Section 6-208.1;

15          32. Has been convicted of Section 24-1.2 of the  
16          Criminal Code of 1961 or the Criminal Code of 2012 relating  
17          to the aggravated discharge of a firearm if the offender  
18          was located in a motor vehicle at the time the firearm was  
19          discharged, in which case the suspension shall be for 3  
20          years;

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

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



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

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

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

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

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

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

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

24           42. Has committed a violation of subsection (a-1) of  
25 Section 11-1301.3 of this Code or a similar provision of a  
26 local ordinance;

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

6           44. Is under the age of 21 years at the time of arrest  
7 and has been convicted of an offense against traffic  
8 regulations governing the movement of vehicles after  
9 having previously had his or her driving privileges  
10 suspended or revoked pursuant to subparagraph 36 of this  
11 Section;

12           45. Has, in connection with or during the course of a  
13 formal hearing conducted under Section 2-118 of this Code:  
14 (i) committed perjury; (ii) submitted fraudulent or  
15 falsified documents; (iii) submitted documents that have  
16 been materially altered; or (iv) submitted, as his or her  
17 own, documents that were in fact prepared or composed for  
18 another person;

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

21           47. Has committed a violation of Section 11-502.1 of  
22 this Code; or

23           48. Has submitted a falsified or altered medical  
24 examiner's certificate to the Secretary of State or  
25 provided false information to obtain a medical examiner's  
26 certificate.

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

8 (b) If any conviction forming the basis of a suspension or  
9 revocation authorized under this Section is appealed, the  
10 Secretary of State may rescind or withhold the entry of the  
11 order of suspension or revocation, as the case may be, provided  
12 that a certified copy of a stay order of a court is filed with  
13 the Secretary of State. If the conviction is affirmed on  
14 appeal, the date of the conviction shall relate back to the  
15 time the original judgment of conviction was entered and the 6  
16 month limitation prescribed shall not apply.

17 (c) 1. Upon suspending or revoking the driver's license or  
18 permit of any person as authorized in this Section, the  
19 Secretary of State shall immediately notify the person in  
20 writing of the revocation or suspension. The notice to be  
21 deposited in the United States mail, postage prepaid, to the  
22 last known address of the person.

23 2. If the Secretary of State suspends the driver's license  
24 of a person under subsection 2 of paragraph (a) of this  
25 Section, a person's privilege to operate a vehicle as an  
26 occupation shall not be suspended, provided an affidavit is

1 properly completed, the appropriate fee received, and a permit  
2 issued prior to the effective date of the suspension, unless 5  
3 offenses were committed, at least 2 of which occurred while  
4 operating a commercial vehicle in connection with the driver's  
5 regular occupation. All other driving privileges shall be  
6 suspended by the Secretary of State. Any driver prior to  
7 operating a vehicle for occupational purposes only must submit  
8 the affidavit on forms to be provided by the Secretary of State  
9 setting forth the facts of the person's occupation. The  
10 affidavit shall also state the number of offenses committed  
11 while operating a vehicle in connection with the driver's  
12 regular occupation. The affidavit shall be accompanied by the  
13 driver's license. Upon receipt of a properly completed  
14 affidavit, the Secretary of State shall issue the driver a  
15 permit to operate a vehicle in connection with the driver's  
16 regular occupation only. Unless the permit is issued by the  
17 Secretary of State prior to the date of suspension, the  
18 privilege to drive any motor vehicle shall be suspended as set  
19 forth in the notice that was mailed under this Section. If an  
20 affidavit is received subsequent to the effective date of this  
21 suspension, a permit may be issued for the remainder of the  
22 suspension period.

23 The provisions of this subparagraph shall not apply to any  
24 driver required to possess a CDL for the purpose of operating a  
25 commercial motor vehicle.

26 Any person who falsely states any fact in the affidavit

1 required herein shall be guilty of perjury under Section 6-302  
2 and upon conviction thereof shall have all driving privileges  
3 revoked without further rights.

4 3. At the conclusion of a hearing under Section 2-118 of  
5 this Code, the Secretary of State shall either rescind or  
6 continue an order of revocation or shall substitute an order of  
7 suspension; or, good cause appearing therefor, rescind,  
8 continue, change, or extend the order of suspension. If the  
9 Secretary of State does not rescind the order, the Secretary  
10 may upon application, to relieve undue hardship (as defined by  
11 the rules of the Secretary of State), issue a restricted  
12 driving permit granting the privilege of driving a motor  
13 vehicle between the petitioner's residence and petitioner's  
14 place of employment or within the scope of the petitioner's  
15 employment related duties, or to allow the petitioner to  
16 transport himself or herself, or a family member of the  
17 petitioner's household to a medical facility, to receive  
18 necessary medical care, to allow the petitioner to transport  
19 himself or herself to and from alcohol or drug remedial or  
20 rehabilitative activity recommended by a licensed service  
21 provider, or to allow the petitioner to transport himself or  
22 herself or a family member of the petitioner's household to  
23 classes, as a student, at an accredited educational  
24 institution, or to allow the petitioner to transport children,  
25 elderly persons, or persons with disabilities who do not hold  
26 driving privileges and are living in the petitioner's household

1 to and from daycare. The petitioner must demonstrate that no  
2 alternative means of transportation is reasonably available  
3 and that the petitioner will not endanger the public safety or  
4 welfare.

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

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

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

26 (ii) a statutory summary suspension or revocation

1 under Section 11-501.1; or

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

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

7 (B-5) If a person's license or permit is revoked or  
8 suspended due to a conviction for a violation of  
9 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
10 of Section 11-501 of this Code, or a similar provision of a  
11 local ordinance or similar out-of-state offense, that  
12 person, if issued a restricted driving permit, may not  
13 operate a vehicle unless it has been equipped with an  
14 ignition interlock device as defined in Section 1-129.1.

15 (C) The person issued a permit conditioned upon the use  
16 of an ignition interlock device must pay to the Secretary  
17 of State DUI Administration Fund an amount not to exceed  
18 \$30 per month. The Secretary shall establish by rule the  
19 amount and the procedures, terms, and conditions relating  
20 to these fees.

21 (D) If the restricted driving permit is issued for  
22 employment purposes, then the prohibition against  
23 operating a motor vehicle that is not equipped with an  
24 ignition interlock device does not apply to the operation  
25 of an occupational vehicle owned or leased by that person's  
26 employer when used solely for employment purposes. For any

1 person who, within a 5-year period, is convicted of a  
2 second or subsequent offense under Section 11-501 of this  
3 Code, or a similar provision of a local ordinance or  
4 similar out-of-state offense, this employment exemption  
5 does not apply until either a one-year period has elapsed  
6 during which that person had his or her driving privileges  
7 revoked or a one-year period has elapsed during which that  
8 person had a restricted driving permit which required the  
9 use of an ignition interlock device on every motor vehicle  
10 owned or operated by that person.

11 (E) In each case the Secretary may issue a restricted  
12 driving permit for a period deemed appropriate, except that  
13 all permits shall expire no later than 2 years from the  
14 date of issuance. A restricted driving permit issued under  
15 this Section shall be subject to cancellation, revocation,  
16 and suspension by the Secretary of State in like manner and  
17 for like cause as a driver's license issued under this Code  
18 may be cancelled, revoked, or suspended; except that a  
19 conviction upon one or more offenses against laws or  
20 ordinances regulating the movement of traffic shall be  
21 deemed sufficient cause for the revocation, suspension, or  
22 cancellation of a restricted driving permit. The Secretary  
23 of State may, as a condition to the issuance of a  
24 restricted driving permit, require the applicant to  
25 participate in a designated driver remedial or  
26 rehabilitative program. The Secretary of State is



1 authorized to cancel a restricted driving permit if the  
2 permit holder does not successfully complete the program.

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

13 (i) a minimum of 3 years of uninterrupted  
14 abstinence from alcohol and the unlawful use or  
15 consumption of cannabis under the Cannabis Control  
16 Act, a controlled substance under the Illinois  
17 Controlled Substances Act, an intoxicating compound  
18 under the Use of Intoxicating Compounds Act, or  
19 methamphetamine under the Methamphetamine Control and  
20 Community Protection Act; and

21 (ii) the successful completion of any  
22 rehabilitative treatment and involvement in any  
23 ongoing rehabilitative activity that may be  
24 recommended by a properly licensed service provider  
25 according to an assessment of the person's alcohol or  
26 drug use under Section 11-501.01 of this Code.

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

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

23          A restricted driving permit issued under this  
24          subparagraph (F) shall be revoked, and the holder barred  
25          from applying for or being issued a restricted driving  
26          permit in the future, if the holder is convicted of a

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

4 (c-3) In the case of a suspension under paragraph 43 of  
5 subsection (a), reports received by the Secretary of State  
6 under this Section shall, except during the actual time the  
7 suspension is in effect, be privileged information and for use  
8 only by the courts, police officers, prosecuting authorities,  
9 the driver licensing administrator of any other state, the  
10 Secretary of State, or the parent or legal guardian of a driver  
11 under the age of 18. However, beginning January 1, 2008, if the  
12 person is a CDL holder, the suspension shall also be made  
13 available to the driver licensing administrator of any other  
14 state, the U.S. Department of Transportation, and the affected  
15 driver or motor carrier or prospective motor carrier upon  
16 request.

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

22 (c-5) The Secretary of State may, as a condition of the  
23 reissuance of a driver's license or permit to an applicant  
24 whose driver's license or permit has been suspended before he  
25 or she reached the age of 21 years pursuant to any of the  
26 provisions of this Section, require the applicant to

1 participate in a driver remedial education course and be  
2 retested under Section 6-109 of this Code.

3 (d) This Section is subject to the provisions of the  
4 Drivers License Compact.

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

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

14 (g) The Secretary shall reinstate the driving privileges of  
15 a person whose driving privileges were suspended or revoked  
16 under this Section if the person shows that:

17 (1) the suspension or revocation of the person's  
18 driving privileges resulted from an incident in which the  
19 person's vision was impaired exclusively by the glare of  
20 the sun;

21 (2) the incident would not have occurred but for the  
22 impairment of the person's vision by the glare of the sun;

23 (3) there is no evidence that the person was, at the  
24 time of the incident, otherwise impaired, distracted, or  
25 inattentive in a manner that would constitute a violation  
26 of this Code or an ordinance; and

1           (4) other than any offenses for which the person was  
2           charged as a result of the incident, the person was not  
3           charged with any offense against a law or ordinance  
4           regulating the movement of traffic after the accident or in  
5           the 12-month period preceding the accident.

6           (Source: P.A. 99-143, eff. 7-27-15; 99-290, eff. 1-1-16;  
7           99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-607, eff. 7-22-16;  
8           99-642, eff. 7-28-16; 100-803, eff. 1-1-19.)

9           (Text of Section after amendment by P.A. 101-90 and  
10          101-470)

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

13          (a) The Secretary of State is authorized to suspend or  
14          revoke the driving privileges of any person without preliminary  
15          hearing upon a showing of the person's records or other  
16          sufficient evidence that the person:

17                 1. Has committed an offense for which mandatory  
18                 revocation of a driver's license or permit is required upon  
19                 conviction;

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

25                 3. Has been repeatedly involved as a driver in motor

1 vehicle collisions or has been repeatedly convicted of  
2 offenses against laws and ordinances regulating the  
3 movement of traffic, to a degree that indicates lack of  
4 ability to exercise ordinary and reasonable care in the  
5 safe operation of a motor vehicle or disrespect for the  
6 traffic laws and the safety of other persons upon the  
7 highway;

8 4. Has by the unlawful operation of a motor vehicle  
9 caused or contributed to an accident resulting in injury  
10 requiring immediate professional treatment in a medical  
11 facility or doctor's office to any person, except that any  
12 suspension or revocation imposed by the Secretary of State  
13 under the provisions of this subsection shall start no  
14 later than 6 months after being convicted of violating a  
15 law or ordinance regulating the movement of traffic, which  
16 violation is related to the accident, or shall start not  
17 more than one year after the date of the accident,  
18 whichever date occurs later;

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

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

25 7. Has refused or failed to submit to an examination  
26 provided for by Section 6-207 or has failed to pass the

1 examination;

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

4 9. Has made a false statement or knowingly concealed a  
5 material fact or has used false information or  
6 identification in any application for a license,  
7 identification card, or permit;

8 10. Has possessed, displayed, or attempted to  
9 fraudulently use any license, identification card, or  
10 permit not issued to the person;

11 11. Has operated a motor vehicle upon a highway of this  
12 State when the person's driving privilege or privilege to  
13 obtain a driver's license or permit was revoked or  
14 suspended unless the operation was authorized by a  
15 monitoring device driving permit, judicial driving permit  
16 issued prior to January 1, 2009, probationary license to  
17 drive, or a restricted driving permit issued under this  
18 Code;

19 12. Has submitted to any portion of the application  
20 process for another person or has obtained the services of  
21 another person to submit to any portion of the application  
22 process for the purpose of obtaining a license,  
23 identification card, or permit for some other person;

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

1           14. Has committed a violation of Section 6-301,  
2           6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or  
3           14B of the Illinois Identification Card Act;

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

8           16. Has been convicted of violating Section 11-204 of  
9           this Code relating to fleeing from a peace officer;

10          17. Has refused to submit to a test, or tests, as  
11          required under Section 11-501.1 of this Code and the person  
12          has not sought a hearing as provided for in Section  
13          11-501.1;

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

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

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

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

26          22. Has used a motor vehicle in violating paragraph



1 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
2 the Criminal Code of 1961 or the Criminal Code of 2012  
3 relating to unlawful use of weapons, in which case the  
4 suspension shall be for one year;

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

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

15 25. Has permitted any form of identification to be used  
16 by another in the application process in order to obtain or  
17 attempt to obtain a license, identification card, or  
18 permit;

19 26. Has altered or attempted to alter a license or has  
20 possessed an altered license, identification card, or  
21 permit;

22 27. Has violated Section 6-16 of the Liquor Control Act  
23 of 1934;

24 28. Has been convicted for a first time of the illegal  
25 possession, while operating or in actual physical control,  
26 as a driver, of a motor vehicle, of any controlled

1 substance prohibited under the Illinois Controlled  
2 Substances Act, any cannabis prohibited under the Cannabis  
3 Control Act, or any methamphetamine prohibited under the  
4 Methamphetamine Control and Community Protection Act, in  
5 which case the person's driving privileges shall be  
6 suspended for one year. Any defendant found guilty of this  
7 offense while operating a motor vehicle, shall have an  
8 entry made in the court record by the presiding judge that  
9 this offense did occur while the defendant was operating a  
10 motor vehicle and order the clerk of the court to report  
11 the violation to the Secretary of State;

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

25 30. Has been convicted a second or subsequent time for  
26 any combination of the offenses named in paragraph 29 of

1           this subsection, in which case the person's driving  
2           privileges shall be suspended for 5 years;

3           31. Has refused to submit to a test as required by  
4           Section 11-501.6 of this Code or Section 5-16c of the Boat  
5           Registration and Safety Act or has submitted to a test  
6           resulting in an alcohol concentration of 0.08 or more or  
7           any amount of a drug, substance, or compound resulting from  
8           the unlawful use or consumption of cannabis as listed in  
9           the Cannabis Control Act, a controlled substance as listed  
10          in the Illinois Controlled Substances Act, an intoxicating  
11          compound as listed in the Use of Intoxicating Compounds  
12          Act, or methamphetamine as listed in the Methamphetamine  
13          Control and Community Protection Act, in which case the  
14          penalty shall be as prescribed in Section 6-208.1;

15          32. Has been convicted of Section 24-1.2 of the  
16          Criminal Code of 1961 or the Criminal Code of 2012 relating  
17          to the aggravated discharge of a firearm if the offender  
18          was located in a motor vehicle at the time the firearm was  
19          discharged, in which case the suspension shall be for 3  
20          years;

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

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

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

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

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

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

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

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

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

24           42. Has committed a violation of subsection (a-1) of  
25 Section 11-1301.3 of this Code or a similar provision of a  
26 local ordinance;

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

6           44. Is under the age of 21 years at the time of arrest  
7 and has been convicted of an offense against traffic  
8 regulations governing the movement of vehicles after  
9 having previously had his or her driving privileges  
10 suspended or revoked pursuant to subparagraph 36 of this  
11 Section;

12           45. Has, in connection with or during the course of a  
13 formal hearing conducted under Section 2-118 of this Code:  
14 (i) committed perjury; (ii) submitted fraudulent or  
15 falsified documents; (iii) submitted documents that have  
16 been materially altered; or (iv) submitted, as his or her  
17 own, documents that were in fact prepared or composed for  
18 another person;

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

21           47. Has committed a violation of Section 11-502.1 of  
22 this Code;

23           48. Has submitted a falsified or altered medical  
24 examiner's certificate to the Secretary of State or  
25 provided false information to obtain a medical examiner's  
26 certificate; ~~or~~

1           49. Has committed a violation of subsection (b-5) of  
2           Section 12-610.2 that resulted in great bodily harm,  
3           permanent disability, or disfigurement, in which case the  
4           driving privileges shall be suspended for 12 months; or-

5           50. ~~49.~~ Has been convicted of a violation of Section  
6           11-1002 or 11-1002.5 that resulted in a Type A injury to  
7           another, in which case the person's driving privileges  
8           shall be suspended for 12 months.

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

16          (b) If any conviction forming the basis of a suspension or  
17          revocation authorized under this Section is appealed, the  
18          Secretary of State may rescind or withhold the entry of the  
19          order of suspension or revocation, as the case may be, provided  
20          that a certified copy of a stay order of a court is filed with  
21          the Secretary of State. If the conviction is affirmed on  
22          appeal, the date of the conviction shall relate back to the  
23          time the original judgment of conviction was entered and the 6  
24          month limitation prescribed shall not apply.

25          (c) 1. Upon suspending or revoking the driver's license or  
26          permit of any person as authorized in this Section, the

1 Secretary of State shall immediately notify the person in  
2 writing of the revocation or suspension. The notice to be  
3 deposited in the United States mail, postage prepaid, to the  
4 last known address of the person.

5 2. If the Secretary of State suspends the driver's license  
6 of a person under subsection 2 of paragraph (a) of this  
7 Section, a person's privilege to operate a vehicle as an  
8 occupation shall not be suspended, provided an affidavit is  
9 properly completed, the appropriate fee received, and a permit  
10 issued prior to the effective date of the suspension, unless 5  
11 offenses were committed, at least 2 of which occurred while  
12 operating a commercial vehicle in connection with the driver's  
13 regular occupation. All other driving privileges shall be  
14 suspended by the Secretary of State. Any driver prior to  
15 operating a vehicle for occupational purposes only must submit  
16 the affidavit on forms to be provided by the Secretary of State  
17 setting forth the facts of the person's occupation. The  
18 affidavit shall also state the number of offenses committed  
19 while operating a vehicle in connection with the driver's  
20 regular occupation. The affidavit shall be accompanied by the  
21 driver's license. Upon receipt of a properly completed  
22 affidavit, the Secretary of State shall issue the driver a  
23 permit to operate a vehicle in connection with the driver's  
24 regular occupation only. Unless the permit is issued by the  
25 Secretary of State prior to the date of suspension, the  
26 privilege to drive any motor vehicle shall be suspended as set

1     forth in the notice that was mailed under this Section. If an  
2     affidavit is received subsequent to the effective date of this  
3     suspension, a permit may be issued for the remainder of the  
4     suspension period.

5             The provisions of this subparagraph shall not apply to any  
6     driver required to possess a CDL for the purpose of operating a  
7     commercial motor vehicle.

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

12            3. At the conclusion of a hearing under Section 2-118 of  
13    this Code, the Secretary of State shall either rescind or  
14    continue an order of revocation or shall substitute an order of  
15    suspension; or, good cause appearing therefor, rescind,  
16    continue, change, or extend the order of suspension. If the  
17    Secretary of State does not rescind the order, the Secretary  
18    may upon application, to relieve undue hardship (as defined by  
19    the rules of the Secretary of State), issue a restricted  
20    driving permit granting the privilege of driving a motor  
21    vehicle between the petitioner's residence and petitioner's  
22    place of employment or within the scope of the petitioner's  
23    employment related duties, or to allow the petitioner to  
24    transport himself or herself, or a family member of the  
25    petitioner's household to a medical facility, to receive  
26    necessary medical care, to allow the petitioner to transport



1 himself or herself to and from alcohol or drug remedial or  
2 rehabilitative activity recommended by a licensed service  
3 provider, or to allow the petitioner to transport himself or  
4 herself or a family member of the petitioner's household to  
5 classes, as a student, at an accredited educational  
6 institution, or to allow the petitioner to transport children,  
7 elderly persons, or persons with disabilities who do not hold  
8 driving privileges and are living in the petitioner's household  
9 to and from daycare. The petitioner must demonstrate that no  
10 alternative means of transportation is reasonably available  
11 and that the petitioner will not endanger the public safety or  
12 welfare.

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

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

1 (i) a single conviction of violating Section  
2 11-501 of this Code or a similar provision of a local  
3 ordinance or a similar out-of-state offense or Section  
4 9-3 of the Criminal Code of 1961 or the Criminal Code  
5 of 2012, where the use of alcohol or other drugs is  
6 recited as an element of the offense, or a similar  
7 out-of-state offense; or

8 (ii) a statutory summary suspension or revocation  
9 under Section 11-501.1; or

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

15 (B-5) If a person's license or permit is revoked or  
16 suspended due to a conviction for a violation of  
17 subparagraph (C) or (F) of paragraph (1) of subsection (d)  
18 of Section 11-501 of this Code, or a similar provision of a  
19 local ordinance or similar out-of-state offense, that  
20 person, if issued a restricted driving permit, may not  
21 operate a vehicle unless it has been equipped with an  
22 ignition interlock device as defined in Section 1-129.1.

23 (C) The person issued a permit conditioned upon the use  
24 of an ignition interlock device must pay to the Secretary  
25 of State DUI Administration Fund an amount not to exceed  
26 \$30 per month. The Secretary shall establish by rule the

1 amount and the procedures, terms, and conditions relating  
2 to these fees.

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

19 (E) In each case the Secretary may issue a restricted  
20 driving permit for a period deemed appropriate, except that  
21 all permits shall expire no later than 2 years from the  
22 date of issuance. A restricted driving permit issued under  
23 this Section shall be subject to cancellation, revocation,  
24 and suspension by the Secretary of State in like manner and  
25 for like cause as a driver's license issued under this Code  
26 may be cancelled, revoked, or suspended; except that a

1 conviction upon one or more offenses against laws or  
2 ordinances regulating the movement of traffic shall be  
3 deemed sufficient cause for the revocation, suspension, or  
4 cancellation of a restricted driving permit. The Secretary  
5 of State may, as a condition to the issuance of a  
6 restricted driving permit, require the applicant to  
7 participate in a designated driver remedial or  
8 rehabilitative program. The Secretary of State is  
9 authorized to cancel a restricted driving permit if the  
10 permit holder does not successfully complete the program.

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

21 (i) a minimum of 3 years of uninterrupted  
22 abstinence from alcohol and the unlawful use or  
23 consumption of cannabis under the Cannabis Control  
24 Act, a controlled substance under the Illinois  
25 Controlled Substances Act, an intoxicating compound  
26 under the Use of Intoxicating Compounds Act, or

1 methamphetamine under the Methamphetamine Control and  
2 Community Protection Act; and

3 (ii) the successful completion of any  
4 rehabilitative treatment and involvement in any  
5 ongoing rehabilitative activity that may be  
6 recommended by a properly licensed service provider  
7 according to an assessment of the person's alcohol or  
8 drug use under Section 11-501.01 of this Code.

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

20 A restricted driving permit issued under this  
21 subparagraph (F) shall provide that the holder may only  
22 operate motor vehicles equipped with an ignition interlock  
23 device as required under paragraph (2) of subsection (c) of  
24 Section 6-205 of this Code and subparagraph (A) of  
25 paragraph 3 of subsection (c) of this Section. The  
26 Secretary may revoke a restricted driving permit or amend

1 the conditions of a restricted driving permit issued under  
2 this subparagraph (F) if the holder operates a vehicle that  
3 is not equipped with an ignition interlock device, or for  
4 any other reason authorized under this Code.

5 A restricted driving permit issued under this  
6 subparagraph (F) shall be revoked, and the holder barred  
7 from applying for or being issued a restricted driving  
8 permit in the future, if the holder is convicted of a  
9 violation of Section 11-501 of this Code, a similar  
10 provision of a local ordinance, or a similar offense in  
11 another state.

12 (c-3) In the case of a suspension under paragraph 43 of  
13 subsection (a), reports received by the Secretary of State  
14 under this Section shall, except during the actual time the  
15 suspension is in effect, be privileged information and for use  
16 only by the courts, police officers, prosecuting authorities,  
17 the driver licensing administrator of any other state, the  
18 Secretary of State, or the parent or legal guardian of a driver  
19 under the age of 18. However, beginning January 1, 2008, if the  
20 person is a CDL holder, the suspension shall also be made  
21 available to the driver licensing administrator of any other  
22 state, the U.S. Department of Transportation, and the affected  
23 driver or motor carrier or prospective motor carrier upon  
24 request.

25 (c-4) In the case of a suspension under paragraph 43 of  
26 subsection (a), the Secretary of State shall notify the person

1 by mail that his or her driving privileges and driver's license  
2 will be suspended one month after the date of the mailing of  
3 the notice.

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

11 (d) This Section is subject to the provisions of the  
12 Drivers License Compact.

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

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

22 (g) The Secretary shall reinstate the driving privileges of  
23 a person whose driving privileges were suspended or revoked  
24 under this Section if the person shows that:

25 (1) the suspension or revocation of the person's  
26 driving privileges vision resulted from an incident in

1 which the person's vision was impaired by the glare of the  
2 sun;

3 (2) the incident would not have occurred but for the  
4 impairment of the person's vision by the glare of the sun;

5 (3) there is no evidence that the person was, at the  
6 time of the incident, otherwise impaired, distracted, or  
7 inattentive in a manner that would constitute a violation  
8 of this Code or an ordinance;

9 (4) other than any offenses for which the person was  
10 charged as a result of the incident, the person was not  
11 charged with any offense against a law or ordinance  
12 regulating the movement of traffic after the accident or in  
13 the 12-month period preceding the accident.

14 (Source: P.A. 100-803, eff. 1-1-19; 101-90, eff. 7-1-20;  
15 101-470, eff. 7-1-20; revised 9-23-19.)

16 Section 95. No acceleration or delay. Where this Act makes  
17 changes in a statute that is represented in this Act by text  
18 that is not yet or no longer in effect (for example, a Section  
19 represented by multiple versions), the use of that text does  
20 not accelerate or delay the taking effect of (i) the changes  
21 made by this Act or (ii) provisions derived from any other  
22 Public Act.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.