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09400HB4768ham001

LRB094 17603 DRH 55680 a

1 AMENDMENT TO HOUSE BILL 4768

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4768 by replacing  
3 everything after the enacting clause with the following:

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

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

7 Sec. 6-107. Graduated license.

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

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

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

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

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

22 (b) The application of any person under the age of 18  
23 years, and not legally emancipated by marriage, for a drivers  
24 license or permit to operate a motor vehicle issued under the

1 laws of this State, shall be accompanied by the written consent  
2 of either parent of the applicant; otherwise by the guardian  
3 having custody of the applicant, or in the event there is no  
4 parent or guardian, then by another responsible adult. The  
5 written consent must accompany any application for a driver's  
6 license under this subsection (b), regardless of whether or not  
7 the required written consent also accompanied the person's  
8 previous application for an instruction permit.

9 No graduated driver's license shall be issued to any  
10 applicant under 18 years of age, unless the applicant is at  
11 least 16 years of age and has:

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

14 (2) Passed an approved driver education course and  
15 submits proof of having passed the course as may be  
16 required.

17 (3) certification by the parent, legal guardian, or  
18 responsible adult that the applicant has had a minimum of  
19 50 25 hours of behind-the-wheel practice time, at least 10  
20 hours of which have been at night, and is sufficiently  
21 prepared and able to safely operate a motor vehicle.

22 (c) No graduated driver's license or permit shall be issued  
23 to any applicant under 18 years of age who has committed the  
24 offense of operating a motor vehicle without a valid license or  
25 permit in violation of Section 6-101 of this Code and no  
26 graduated driver's license or permit shall be issued to any  
27 applicant under 18 years of age who has committed an offense  
28 that would otherwise result in a mandatory revocation of a  
29 license or permit as provided in Section 6-205 of this Code or  
30 who has been either convicted of or adjudicated a delinquent  
31 based upon a violation of the Cannabis Control Act, the  
32 Illinois Controlled Substances Act, or the Methamphetamine  
33 Control and Community Protection Act while that individual was  
34 in actual physical control of a motor vehicle. For purposes of

1 this Section, any person placed on probation under Section 10  
2 of the Cannabis Control Act, Section 410 of the Illinois  
3 Controlled Substances Act, or Section 70 of the Methamphetamine  
4 Control and Community Protection Act shall not be considered  
5 convicted. Any person found guilty of this offense, while in  
6 actual physical control of a motor vehicle, shall have an entry  
7 made in the court record by the judge that this offense did  
8 occur while the person was in actual physical control of a  
9 motor vehicle and order the clerk of the court to report the  
10 violation to the Secretary of State as such.

11 (d) No graduated driver's license shall be issued for 6  
12 months to any applicant under the age of 18 years who has been  
13 convicted of any offense defined as a serious traffic violation  
14 in this Code or a similar provision of a local ordinance.

15 (e) No graduated driver's license holder under the age of  
16 18 years shall operate any motor vehicle, except a motor driven  
17 cycle or motorcycle, with more than one passenger in the front  
18 seat of the motor vehicle and no more passengers in the back  
19 seats than the number of available seat safety belts as set  
20 forth in Section 12-603 of this Code.

21 (f) No graduated driver's license holder under the age of  
22 18 shall operate a motor vehicle unless each driver and  
23 passenger under the age of 19 is wearing a properly adjusted  
24 and fastened seat safety belt and each child under the age of 8  
25 is protected as required under the Child Passenger Protection  
26 Act.

27 (g) If a graduated driver's license holder is under the age  
28 of 18 when he or she receives the license, for the first 6  
29 months he or she holds the license or until he or she reaches  
30 the age of 18, whichever occurs sooner, the graduated license  
31 holder may not operate a motor vehicle with more than one  
32 passenger in the vehicle who is under the age of 20, unless any  
33 additional passenger or passengers are siblings,  
34 step-siblings, children, or stepchildren of the driver.

1 (Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05; 94-239,  
2 eff. 1-1-06; 94-241, eff. 1-1-06; 94-556, eff. 9-11-05; revised  
3 8-19-05.)".