SB1499

97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1499

Introduced 2/9/2011, by Sen. Christine Radogno

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-306.3   from Ch. 95 1/2, par. 6-306.3

    Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning deposit of a driver's license as bail.

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   Section 6-306.3 as follows:

6   (625 ILCS 5/6-306.3) (from Ch. 95 1/2, par. 6-306.3)

7   Sec. 6-306.3. License as bail.

8   (a) Except as provided in Section 6-306.4 of this Code, any

9   person arrested and ~~and~~ charged with violation of Section

10   3-701, 3-707, or 3-710, or of any violation of Chapters 11 or

11   12 of this Code, except the provisions of Sections 3-708,

12   11-401, 11-501, 11-503, 11-504, or 11-506 of this Code shall

13   have the option of depositing his valid driver's license issued

14   under this Code with the officer demanding bail in lieu of any

15   other security for his appearance in court in answer to any

16   such charge.

17   (b) However, a uniform bail schedule and regulations

18   adopted pursuant to Supreme Court Rule or Order may require

19   that a driver's license issued under this Code must be

20   deposited, in addition to appropriate cash deposit, where

21   persons arrested and charged with violating Sections 3-708,

22   11-401, 11-501, 11-503, 11-504, or 11-506 of this Code elect to

23   take advantage of the uniform schedule establishing the amount

1   of bail in such cases.

2   (c) When a license is deposited as security in lieu of or

3   in addition to bail, the judge, court clerk, or other official

4   accepting such deposit shall issue to the licensee a receipt

5   for such license upon a form approved or provided by the

6   Secretary of State.

7   (d) If the licensee whose license has been deposited as

8   security for bail does not appear in court in compliance with

9   the time and place for hearing as notified in such receipt, or

10   the continued date thereof, if any has been ordered by the

11   court, the court shall continue the case for a minimum of 30

12   days and require a notice of the continued court date be sent

13   to the licensee at his last known address. The clerk of such

14   court shall notify the licensee of the court's order. If the

15   licensee does not appear in and surrender on the continued

16   court date, or within such period, satisfy the court that his

17   appearance in and surrender to the court is impossible and

18   without any fault on his part, the court shall enter an order

19   of failure to appear to answer such charge after depositing

20   license in lieu of bail. The clerk of such court shall notify

21   the Secretary of State of the court's order.

22   The Secretary of State, when notified by the clerk of such

23   court that an order of failure to appear to answer such charge

24   after depositing license in lieu of bail has been entered,

25   shall immediately suspend the driver's license of such licensee

26   without a hearing and shall not remove such suspension, nor

1   issue any hardship license or privilege to such licensee

2   thereafter until notified by such court that the licensee has

3   appeared and answered the charges placed against him.

4   (e) 1. Any Illinois resident who has executed a written

5   promise to comply with Section 6-306.2 of this Code, in effect

6   until July 28, 1986, shall continue to be suspended until he or

7   she complies with the terms and conditions of the written

8   promise.

9   2. The Secretary of State, when notified by the clerk of

10   such court that an order of failure to appear to answer a

11   charge after promising to appear has been entered, shall

12   immediately suspend the driver's license of such licensee

13   without a hearing and shall not remove such suspension, nor

14   issue a hardship license or privilege to such licensee

15   thereafter until notified by such court that the licensee has

16   appeared and answered the charges placed against him.

17   (Source: P.A. 95-310, eff. 1-1-08.)