

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 6-205, 6-206, 6-208, and 6-303 as follows:

6 (625 ILCS 5/6-205)

7 Sec. 6-205. Mandatory revocation of license or permit;
8 Hardship cases.

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

13 1. Reckless homicide resulting from the operation of a
14 motor vehicle;

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

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

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

4 5. Perjury or the making of a false affidavit or
5 statement under oath to the Secretary of State under this
6 Code or under any other law relating to the ownership or
7 operation of motor vehicles;

8 6. Conviction upon 3 charges of violation of Section
9 11-503 of this Code relating to the offense of reckless
10 driving committed within a period of 12 months;

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

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

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

16 10. Violation of Section 12-5 of the Criminal Code of
17 1961 or the Criminal Code of 2012 arising from the use of a
18 motor vehicle;

19 11. Violation of Section 11-204.1 of this Code relating
20 to aggravated fleeing or attempting to elude a peace
21 officer;

22 12. Violation of paragraph (1) of subsection (b) of
23 Section 6-507, or a similar law of any other state,
24 relating to the unlawful operation of a commercial motor
25 vehicle;

26 13. Violation of paragraph (a) of Section 11-502 of

1 this Code or a similar provision of a local ordinance if
2 the driver has been previously convicted of a violation of
3 that Section or a similar provision of a local ordinance
4 and the driver was less than 21 years of age at the time of
5 the offense;

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

9 15. A second or subsequent conviction of driving while
10 the person's driver's license, permit or privileges was
11 revoked for reckless homicide or a similar out-of-state
12 offense;

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

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

24 18. A second or subsequent conviction of 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. A
5 defendant found guilty of this offense while operating a
6 motor vehicle shall have an entry made in the court record
7 by the presiding judge that this offense did occur while
8 the defendant was operating a motor vehicle and order the
9 clerk of the court to report the violation to the Secretary
10 of State.

11 (b) The Secretary of State shall also immediately revoke
12 the license or permit of any driver in the following
13 situations:

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

19 2. Of any person when any other law of this State
20 requires either the revocation or suspension of a license
21 or permit;

22 3. Of any person adjudicated under the Juvenile Court
23 Act of 1987 based on an offense determined to have been
24 committed in furtherance of the criminal activities of an
25 organized gang as provided in Section 5-710 of that Act,
26 and that involved the operation or use of a motor vehicle

1 or the use of a driver's license or permit. The revocation
2 shall remain in effect for the period determined by the
3 court. Upon the direction of the court, the Secretary shall
4 issue the person a judicial driving permit, also known as a
5 JDP. The JDP shall be subject to the same terms as a JDP
6 issued under Section 6-206.1, except that the court may
7 direct that a JDP issued under this subdivision (b)(3) be
8 effective immediately.

9 (c)(1) Whenever a person is convicted of any of the
10 offenses enumerated in this Section, the court may recommend
11 and the Secretary of State in his discretion, without regard to
12 whether the recommendation is made by the court may, upon
13 application, issue to the person a restricted driving permit
14 granting the privilege of driving a motor vehicle between the
15 petitioner's residence and petitioner's place of employment or
16 within the scope of the petitioner's employment related duties,
17 or to allow the petitioner to transport himself or herself or a
18 family member of the petitioner's household to a medical
19 facility for the receipt of necessary medical care or to allow
20 the petitioner to transport himself or herself to and from
21 alcohol or drug remedial or rehabilitative activity
22 recommended by a licensed service provider, or to allow the
23 petitioner to transport himself or herself or a family member
24 of the petitioner's household to classes, as a student, at an
25 accredited educational institution, or to allow the petitioner
26 to transport children, elderly persons, or disabled persons who

1 do not hold driving privileges and are living in the
2 petitioner's household to and from daycare; if the petitioner
3 is able to demonstrate that no alternative means of
4 transportation is reasonably available and that the petitioner
5 will not endanger the public safety or welfare; provided that
6 the Secretary's discretion shall be limited to cases where
7 undue hardship, as defined by the rules of the Secretary of
8 State, would result from a failure to issue the restricted
9 driving permit. ~~Those multiple offenders identified in~~
10 ~~subdivision (b)4 of Section 6-208 of this Code, however, shall~~
11 ~~not be eligible for the issuance of a restricted driving~~
12 ~~permit.~~

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

23 (A) a minimum of 3 years of uninterrupted
24 abstinence from alcohol and the unlawful use or
25 consumption of cannabis under the Cannabis Control
26 Act, a controlled substance under the Illinois

1 Controlled Substances Act, an intoxicating compound
2 under the Use of Intoxicating Compounds Act, or
3 methamphetamine under the Methamphetamine Control and
4 Community Protection Act; and

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

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

22 A restricted driving permit issued under this
23 paragraph (1.5) shall provide that the holder may only
24 operate motor vehicles equipped with an ignition interlock
25 device as required under paragraph (2) of subsection (c) of
26 this Section and subparagraph (A) of paragraph 3 of

1 subsection (c) of Section 6-206 of this Code. The Secretary
2 may revoke a restricted driving permit or amend the
3 conditions of a restricted driving permit issued under this
4 paragraph (1.5) if the holder operates a vehicle that is
5 not equipped with an ignition interlock device, or for any
6 other reason authorized under this Code.

7 A restricted driving permit issued under this
8 paragraph (1.5) shall be revoked, and the holder barred
9 from applying for or being issued a restricted driving
10 permit in the future, if the holder is subsequently
11 convicted of a violation of Section 11-501 of this Code, a
12 similar provision of a local ordinance, or a similar
13 offense in another state.

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

26 (3) If:

1 (A) a person's license or permit is revoked or
2 suspended 2 or more times within a 10 year period due
3 to any combination of:

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

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

13 (iii) a suspension pursuant to Section
14 6-203.1;

15 arising out of separate occurrences; or

16 (B) a person has been convicted of one violation of
17 Section 6-303 of this Code committed while his or her
18 driver's license, permit, or privilege was revoked
19 because of a violation of Section 9-3 of the Criminal
20 Code of 1961 or the Criminal Code of 2012, relating to
21 the offense of reckless homicide where the use of
22 alcohol or other drugs was recited as an element of the
23 offense, or a similar provision of a law of another
24 state;

25 that person, if issued a restricted driving permit, may not
26 operate a vehicle unless it has been equipped with an

1 ignition interlock device as defined in Section 1-129.1.

2 (4) The person issued a permit conditioned on the use
3 of an ignition interlock device must pay to the Secretary
4 of State DUI Administration Fund an amount not to exceed
5 \$30 per month. The Secretary shall establish by rule the
6 amount and the procedures, terms, and conditions relating
7 to these fees.

8 (5) If the restricted driving permit is issued for
9 employment purposes, then the prohibition against
10 operating a motor vehicle that is not equipped with an
11 ignition interlock device does not apply to the operation
12 of an occupational vehicle owned or leased by that person's
13 employer when used solely for employment purposes.

14 (6) In each case the Secretary of State may issue a
15 restricted driving permit for a period he deems
16 appropriate, except that the permit shall expire within one
17 year from the date of issuance. The Secretary may not,
18 however, issue a restricted driving permit to any person
19 whose current revocation is the result of a second or
20 subsequent conviction for a violation of Section 11-501 of
21 this Code or a similar provision of a local ordinance or
22 any similar out-of-state offense, or Section 9-3 of the
23 Criminal Code of 1961 or the Criminal Code of 2012, where
24 the use of alcohol or other drugs is recited as an element
25 of the offense, or any similar out-of-state offense, or any
26 combination of these offenses, until the expiration of at

1 least one year from the date of the revocation. A
2 restricted driving permit issued under this Section shall
3 be subject to cancellation, revocation, and suspension by
4 the Secretary of State in like manner and for like cause as
5 a driver's license issued under this Code may be cancelled,
6 revoked, or suspended; except that a conviction upon one or
7 more offenses against laws or ordinances regulating the
8 movement of traffic shall be deemed sufficient cause for
9 the revocation, suspension, or cancellation of a
10 restricted driving permit. The Secretary of State may, as a
11 condition to the issuance of a restricted driving permit,
12 require the petitioner to participate in a designated
13 driver remedial or rehabilitative program. The Secretary
14 of State is authorized to cancel a restricted driving
15 permit if the permit holder does not successfully complete
16 the program. However, if an individual's driving
17 privileges have been revoked in accordance with paragraph
18 13 of subsection (a) of this Section, no restricted driving
19 permit shall be issued until the individual has served 6
20 months of the revocation period.

21 (c-5) (Blank).

22 (c-6) If a person is convicted of a second violation of
23 operating a motor vehicle while the person's driver's license,
24 permit or privilege was revoked, where the revocation was for a
25 violation of Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012 relating to the offense of reckless

1 homicide or a similar out-of-state offense, the person's
2 driving privileges shall be revoked pursuant to subdivision
3 (a)(15) of this Section. The person may not make application
4 for a license or permit until the expiration of five years from
5 the effective date of the revocation or the expiration of five
6 years from the date of release from a term of imprisonment,
7 whichever is later.

8 (c-7) If a person is convicted of a third or subsequent
9 violation of operating a motor vehicle while the person's
10 driver's license, permit or privilege was revoked, where the
11 revocation was for a violation of Section 9-3 of the Criminal
12 Code of 1961 or the Criminal Code of 2012 relating to the
13 offense of reckless homicide or a similar out-of-state offense,
14 the person may never apply for a license or permit.

15 (d)(1) Whenever a person under the age of 21 is convicted
16 under Section 11-501 of this Code or a similar provision of a
17 local ordinance or a similar out-of-state offense, the
18 Secretary of State shall revoke the driving privileges of that
19 person. One year after the date of revocation, and upon
20 application, the Secretary of State may, if satisfied that the
21 person applying will not endanger the public safety or welfare,
22 issue a restricted driving permit granting the privilege of
23 driving a motor vehicle only between the hours of 5 a.m. and 9
24 p.m. or as otherwise provided by this Section for a period of
25 one year. After this one year period, and upon reapplication
26 for a license as provided in Section 6-106, upon payment of the

1 appropriate reinstatement fee provided under paragraph (b) of
2 Section 6-118, the Secretary of State, in his discretion, may
3 reinstate the petitioner's driver's license and driving
4 privileges, or extend the restricted driving permit as many
5 times as the Secretary of State deems appropriate, by
6 additional periods of not more than 12 months each.

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

19 (3) If a person's license or permit is revoked or
20 suspended 2 or more times within a 10 year period due to
21 any combination of:

22 (A) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense, or
25 Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012, where the use of alcohol or

1 other drugs is recited as an element of the offense, or
2 a similar out-of-state offense; or

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

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

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

16 (5) If the restricted driving permit is issued for
17 employment purposes, then the prohibition against driving
18 a vehicle that is not equipped with an ignition interlock
19 device does not apply to the operation of an occupational
20 vehicle owned or leased by that person's employer when used
21 solely for employment purposes.

22 (6) A restricted driving permit issued under this
23 Section shall be subject to cancellation, revocation, and
24 suspension by the Secretary of State in like manner and for
25 like cause as a driver's license issued under this Code may
26 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.

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

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

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

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

24 (h) The Secretary of State shall require the use of
25 ignition interlock devices on all vehicles owned by a person
26 who has been convicted of a second or subsequent offense under

1 Section 11-501 of this Code or a similar provision of a local
2 ordinance. The person must pay to the Secretary of State DUI
3 Administration Fund an amount not to exceed \$30 for each month
4 that he or she uses the device. The Secretary shall establish
5 by rule and regulation the procedures for certification and use
6 of the interlock system, the amount of the fee, and the
7 procedures, terms, and conditions relating to these fees.

8 (i) (Blank).

9 (j) 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 revoked, suspended,
13 cancelled, or disqualified under any provisions of this Code.

14 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;
15 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.
16 7-1-11; 97-333, eff. 8-12-11; 97-838, eff. 1-1-13; 97-844, eff.
17 1-1-13; 97-1150, eff. 1-25-13.)

18 (625 ILCS 5/6-206)

19 Sec. 6-206. Discretionary authority to suspend or revoke
20 license or permit; Right to a hearing.

21 (a) The Secretary of State is authorized to suspend or
22 revoke the driving privileges of any person without preliminary
23 hearing upon a showing of the person's records or other
24 sufficient evidence that the person:

25 1. Has committed an offense for which mandatory

1 revocation of a driver's license or permit is required upon
2 conviction;

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

8 3. Has been repeatedly involved as a driver in motor
9 vehicle collisions or has been repeatedly convicted of
10 offenses against laws and ordinances regulating the
11 movement of traffic, to a degree that indicates lack of
12 ability to exercise ordinary and reasonable care in the
13 safe operation of a motor vehicle or disrespect for the
14 traffic laws and the safety of other persons upon the
15 highway;

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

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

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

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

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

12 9. Has made a false statement or knowingly concealed a
13 material fact or has used false information or
14 identification in any application for a license,
15 identification card, or permit;

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

19 11. Has operated a motor vehicle upon a highway of this
20 State when the person's driving privilege or privilege to
21 obtain a driver's license or permit was revoked or
22 suspended unless the operation was authorized by a
23 monitoring device driving permit, judicial driving permit
24 issued prior to January 1, 2009, probationary license to
25 drive, or a restricted driving permit issued under this
26 Code;

1 12. Has submitted to any portion of the application
2 process for another person or has obtained the services of
3 another person to submit to any portion of the application
4 process for the purpose of obtaining a license,
5 identification card, or permit for some other person;

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

9 14. Has committed a violation of Section 6-301,
10 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B
11 of the Illinois Identification Card Act;

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

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

18 17. Has refused to submit to a test, or tests, as
19 required under Section 11-501.1 of this Code and the person
20 has not sought a hearing as provided for in Section
21 11-501.1;

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

25 19. Has committed a violation of paragraph (a) or (b)
26 of Section 6-101 relating to driving without a driver's

1 license;

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

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

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

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

17 24. Has been convicted by a court-martial or punished
18 by non-judicial punishment by military authorities of the
19 United States at a military installation in Illinois of or
20 for a traffic related offense that is the same as or
21 similar to an offense specified under Section 6-205 or
22 6-206 of this Code;

23 25. Has permitted any form of identification to be used
24 by another in the application process in order to obtain or
25 attempt to obtain a license, identification card, or
26 permit;

1 26. Has altered or attempted to alter a license or has
2 possessed an altered license, identification card, or
3 permit;

4 27. Has violated Section 6-16 of the Liquor Control Act
5 of 1934;

6 28. Has been convicted for a first time of the illegal
7 possession, while operating or in actual physical control,
8 as a driver, of a motor vehicle, of any controlled
9 substance prohibited under the Illinois Controlled
10 Substances Act, any cannabis prohibited under the Cannabis
11 Control Act, or any methamphetamine prohibited under the
12 Methamphetamine Control and Community Protection Act, in
13 which case the person's driving privileges shall be
14 suspended for one year. Any defendant found guilty of this
15 offense while operating a motor vehicle, shall have an
16 entry made in the court record by the presiding judge that
17 this offense did occur while the defendant was operating a
18 motor vehicle and order the clerk of the court to report
19 the violation to the Secretary of State;

20 29. Has been convicted of the following offenses that
21 were committed while the person was operating or in actual
22 physical control, as a driver, of a motor vehicle: criminal
23 sexual assault, predatory criminal sexual assault of a
24 child, aggravated criminal sexual assault, criminal sexual
25 abuse, aggravated criminal sexual abuse, juvenile pimping,
26 soliciting for a juvenile prostitute, promoting juvenile

1 prostitution as described in subdivision (a)(1), (a)(2),
2 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
3 or the Criminal Code of 2012, and the manufacture, sale or
4 delivery of controlled substances or instruments used for
5 illegal drug use or abuse in which case the driver's
6 driving privileges shall be suspended for one year;

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

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

23 32. Has been convicted of Section 24-1.2 of the
24 Criminal Code of 1961 or the Criminal Code of 2012 relating
25 to the aggravated discharge of a firearm if the offender
26 was located in a motor vehicle at the time the firearm was

1 discharged, in which case the suspension shall be for 3
2 years;

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

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

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

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

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

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

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

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

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

6 42. Has committed a violation of subsection (a-1) of
7 Section 11-1301.3 of this Code or a similar provision of a
8 local ordinance;

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

14 44. Is under the age of 21 years at the time of arrest
15 and has been convicted of an offense against traffic
16 regulations governing the movement of vehicles after
17 having previously had his or her driving privileges
18 suspended or revoked pursuant to subparagraph 36 of this
19 Section;

20 45. Has, in connection with or during the course of a
21 formal hearing conducted under Section 2-118 of this Code:
22 (i) committed perjury; (ii) submitted fraudulent or
23 falsified documents; (iii) submitted documents that have
24 been materially altered; or (iv) submitted, as his or her
25 own, documents that were in fact prepared or composed for
26 another person;

1 46. Has committed a violation of subsection (j) of
2 Section 3-413 of this Code; or

3 47. Has committed a violation of Section 11-502.1 of
4 this Code.

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

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

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

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

1 remainder of the suspension period.

2 The provisions of this subparagraph shall not apply to
3 any driver required to possess a CDL for the purpose of
4 operating a commercial motor vehicle.

5 Any person who falsely states any fact in the affidavit
6 required herein shall be guilty of perjury under Section
7 6-302 and upon conviction thereof shall have all driving
8 privileges revoked without further rights.

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

1 licensed service provider, or to allow the petitioner to
2 transport himself or herself or a family member of the
3 petitioner's household to classes, as a student, at an
4 accredited educational institution, or to allow the
5 petitioner to transport children, elderly persons, or
6 disabled persons who do not hold driving privileges and are
7 living in the petitioner's household to and from daycare.
8 The petitioner must demonstrate that no alternative means
9 of transportation is reasonably available and that the
10 petitioner will not endanger the public safety or welfare.
11 ~~Those multiple offenders identified in subdivision (b)4 of~~
12 ~~Section 6-208 of this Code, however, shall not be eligible~~
13 ~~for the issuance of a restricted driving permit.~~

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

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

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

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

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

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

24 (D) If the restricted driving permit is issued for
25 employment purposes, then the prohibition against
26 operating a motor vehicle that is not equipped with an

1 ignition interlock device does not apply to the
2 operation of an occupational vehicle owned or leased by
3 that person's employer when used solely for employment
4 purposes.

5 (E) In each case the Secretary may issue a
6 restricted driving permit for a period deemed
7 appropriate, except that all permits shall expire
8 within one year from the date of issuance. The
9 Secretary may not, however, issue a restricted driving
10 permit to any person whose current revocation is the
11 result of a second or subsequent conviction for a
12 violation of Section 11-501 of this Code or a similar
13 provision of a local ordinance or any similar
14 out-of-state offense, or Section 9-3 of the Criminal
15 Code of 1961 or the Criminal Code of 2012, where the
16 use of alcohol or other drugs is recited as an element
17 of the offense, or any similar out-of-state offense, or
18 any combination of those offenses, until the
19 expiration of at least one year from the date of the
20 revocation. A restricted driving permit issued under
21 this Section shall be subject to cancellation,
22 revocation, and suspension by the Secretary of State in
23 like manner and for like cause as a driver's license
24 issued under this Code may be cancelled, revoked, or
25 suspended; except that a conviction upon one or more
26 offenses against laws or ordinances regulating the

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

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

1 Act, or methamphetamine under the Methamphetamine
2 Control and 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
7 provider according to an assessment of the
8 person's alcohol or drug use under Section
9 11-501.01 of this Code.

10 In determining whether an applicant is eligible
11 for a restricted driving permit under this
12 subparagraph (F), the Secretary may consider any
13 relevant evidence, including, but not limited to,
14 testimony, affidavits, records, and the results of
15 regular alcohol or drug tests. Persons subject to the
16 provisions of paragraph (4) of subsection (b) of
17 Section 6-208 of this Code and who have been convicted
18 of more than one violation of paragraph (3), paragraph
19 (4), or paragraph (5) of subsection (a) of Section
20 11-501 of this Code shall not be eligible to apply for
21 a restricted driving permit under this subparagraph
22 (F).

23 A restricted driving permit issued under this
24 subparagraph (F) shall provide that the holder may only
25 operate motor vehicles equipped with an ignition
26 interlock device as required under paragraph (2) of

1 subsection (c) of Section 6-205 of this Code and
2 subparagraph (A) of paragraph 3 of subsection (c) of
3 this Section. The Secretary may revoke a restricted
4 driving permit or amend the conditions of a restricted
5 driving permit issued under this subparagraph (F) if
6 the holder operates a vehicle that is not equipped with
7 an ignition interlock device, or for any other reason
8 authorized under this Code.

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

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

1 driver or motor carrier or prospective motor carrier upon
2 request.

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

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

15 (d) This Section is subject to the provisions of the
16 Drivers License Compact.

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

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

26 (Source: P.A. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11;

1 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13;
2 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff.
3 1-1-14; 98-122, eff. 1-1-14; revised 9-19-13.)

4 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

5 Sec. 6-208. Period of Suspension - Application After
6 Revocation.

7 (a) Except as otherwise provided by this Code or any other
8 law of this State, the Secretary of State shall not suspend a
9 driver's license, permit, or privilege to drive a motor vehicle
10 on the highways for a period of more than one year.

11 (b) Any person whose license, permit, or privilege to drive
12 a motor vehicle on the highways has been revoked shall not be
13 entitled to have such license, permit, or privilege renewed or
14 restored. However, such person may, except as provided under
15 subsections (d) and (d-5) of Section 6-205, make application
16 for a license pursuant to Section 6-106 (i) if the revocation
17 was for a cause that has been removed or (ii) as provided in
18 the following subparagraphs:

19 1. Except as provided in subparagraphs 1.5, 2, 3, 4,
20 and 5, the person may make application for a license (A)
21 after the expiration of one year from the effective date of
22 the revocation, (B) in the case of a violation of paragraph
23 (b) of Section 11-401 of this Code or a similar provision
24 of a local ordinance, after the expiration of 3 years from
25 the effective date of the revocation, or (C) in the case of

1 a violation of Section 9-3 of the Criminal Code of 1961 or
2 the Criminal Code of 2012 or a similar provision of a law
3 of another state relating to the offense of reckless
4 homicide or a violation of subparagraph (F) of paragraph 1
5 of subsection (d) of Section 11-501 of this Code relating
6 to aggravated driving under the influence of alcohol, other
7 drug or drugs, intoxicating compound or compounds, or any
8 combination thereof, if the violation was the proximate
9 cause of a death, after the expiration of 2 years from the
10 effective date of the revocation or after the expiration of
11 24 months from the date of release from a period of
12 imprisonment as provided in Section 6-103 of this Code,
13 whichever is later.

14 1.5. If the person is convicted of a violation of
15 Section 6-303 of this Code committed while his or her
16 driver's license, permit, or privilege was revoked because
17 of a violation of Section 9-3 of the Criminal Code of 1961
18 or the Criminal Code of 2012, relating to the offense of
19 reckless homicide, or a similar provision of a law of
20 another state, the person may not make application for a
21 license or permit until the expiration of 3 years from the
22 date of the conviction.

23 2. If such person is convicted of committing a second
24 violation within a 20-year period of:

25 (A) Section 11-501 of this Code or a similar
26 provision of a local ordinance;

1 (B) Paragraph (b) of Section 11-401 of this Code or
2 a similar provision of a local ordinance;

3 (C) Section 9-3 of the Criminal Code of 1961 or the
4 Criminal Code of 2012, relating to the offense of
5 reckless homicide; or

6 (D) any combination of the above offenses
7 committed at different instances;

8 then such person may not make application for a license
9 until after the expiration of 5 years from the effective
10 date of the most recent revocation. The 20-year period
11 shall be computed by using the dates the offenses were
12 committed and shall also include similar out-of-state
13 offenses and similar offenses committed on a military
14 installation.

15 2.5. If a person is convicted of a second violation of
16 Section 6-303 of this Code committed while the person's
17 driver's license, permit, or privilege was revoked because
18 of a violation of Section 9-3 of the Criminal Code of 1961
19 or the Criminal Code of 2012, relating to the offense of
20 reckless homicide, or a similar provision of a law of
21 another state, the person may not make application for a
22 license or permit until the expiration of 5 years from the
23 date of release from a term of imprisonment.

24 3. However, except as provided in subparagraph 4, if
25 such person is convicted of committing a third ~~or~~
26 ~~subsequent~~ violation or any combination of the above

1 offenses, including similar out-of-state offenses and
2 similar offenses committed on a military installation,
3 contained in subparagraph 2, then such person may not make
4 application for a license until after the expiration of 10
5 years from the effective date of the most recent
6 revocation.

7 4. Except as provided in paragraph (1.5) of subsection
8 (c) of Section 6-205 and subparagraph (F) of paragraph (3)
9 of subsection (c) of Section 6-206 of this Code, the ~~The~~
10 person may not make application for a license if the person
11 is convicted of committing a fourth or subsequent violation
12 of Section 11-501 of this Code or a similar provision of a
13 local ordinance, Section 11-401 of this Code, Section 9-3
14 of the Criminal Code of 1961 or the Criminal Code of 2012,
15 or a combination of these offenses, similar provisions of
16 local ordinances, similar out-of-state offenses, or
17 similar offenses committed on a military installation.

18 4.5. A bona fide resident of a foreign jurisdiction who
19 is subject to the provisions of subparagraph 4 of this
20 subsection (b) may make application for termination of the
21 revocation after a period of 10 years from the effective
22 date of the most recent revocation. However, if a person
23 who has been granted a termination of revocation under this
24 subparagraph 4.5 subsequently becomes a resident of this
25 State, the revocation shall be reinstated and the person
26 shall be subject to the provisions of subparagraph 4.

1 5. The person may not make application for a license or
2 permit if the person is convicted of a third or subsequent
3 violation of Section 6-303 of this Code committed while his
4 or her driver's license, permit, or privilege was revoked
5 because of a violation of Section 9-3 of the Criminal Code
6 of 1961 or the Criminal Code of 2012, relating to the
7 offense of reckless homicide, or a similar provision of a
8 law of another state.

9 Notwithstanding any other provision of this Code, all
10 persons referred to in this paragraph (b) may not have their
11 privileges restored until the Secretary receives payment of the
12 required reinstatement fee pursuant to subsection (b) of
13 Section 6-118.

14 In no event shall the Secretary issue such license unless
15 and until such person has had a hearing pursuant to this Code
16 and the appropriate administrative rules and the Secretary is
17 satisfied, after a review or investigation of such person, that
18 to grant the privilege of driving a motor vehicle on the
19 highways will not endanger the public safety or welfare.

20 (c) (Blank).

21 (Source: P.A. 96-607, eff. 8-24-09; 97-1150, eff. 1-25-13.)

22 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

23 Sec. 6-303. Driving while driver's license, permit or
24 privilege to operate a motor vehicle is suspended or revoked.

25 (a) Except as otherwise provided in subsection (a-5), any

1 person who drives or is in actual physical control of a motor
2 vehicle on any highway of this State at a time when such
3 person's driver's license, permit or privilege to do so or the
4 privilege to obtain a driver's license or permit is revoked or
5 suspended as provided by this Code or the law of another state,
6 except as may be specifically allowed by a judicial driving
7 permit issued prior to January 1, 2009, monitoring device
8 driving permit, family financial responsibility driving
9 permit, probationary license to drive, or a restricted driving
10 permit issued pursuant to this Code or under the law of another
11 state, shall be guilty of a Class A misdemeanor.

12 (a-3) A second or subsequent violation of subsection (a) of
13 this Section is a Class 4 felony if committed by a person whose
14 driving or operation of a motor vehicle is the proximate cause
15 of a motor vehicle accident that causes personal injury or
16 death to another. For purposes of this subsection, a personal
17 injury includes any Type A injury as indicated on the traffic
18 accident report completed by a law enforcement officer that
19 requires immediate professional attention in either a doctor's
20 office or a medical facility. A Type A injury includes severe
21 bleeding wounds, distorted extremities, and injuries that
22 require the injured party to be carried from the scene.

23 (a-5) Any person who violates this Section as provided in
24 subsection (a) while his or her driver's license, permit or
25 privilege is revoked because of a violation of Section 9-3 of
26 the Criminal Code of 1961 or the Criminal Code of 2012,

1 relating to the offense of reckless homicide or a similar
2 provision of a law of another state, is guilty of a Class 4
3 felony. The person shall be required to undergo a professional
4 evaluation, as provided in Section 11-501 of this Code, to
5 determine if an alcohol, drug, or intoxicating compound problem
6 exists and the extent of the problem, and to undergo the
7 imposition of treatment as appropriate.

8 (a-10) A person's driver's license, permit, or privilege to
9 obtain a driver's license or permit may be subject to multiple
10 revocations, multiple suspensions, or any combination of both
11 simultaneously. No revocation or suspension shall serve to
12 negate, invalidate, cancel, postpone, or in any way lessen the
13 effect of any other revocation or suspension entered prior or
14 subsequent to any other revocation or suspension.

15 (b) (Blank).

16 (b-1) Upon receiving a report of the conviction of any
17 violation indicating a person was operating a motor vehicle
18 during the time when the person's driver's license, permit or
19 privilege was suspended by the Secretary of State or the
20 driver's licensing administrator of another state, except as
21 specifically allowed by a probationary license, judicial
22 driving permit, restricted driving permit or monitoring device
23 driving permit the Secretary shall extend the suspension for
24 the same period of time as the originally imposed suspension
25 unless the suspension has already expired, in which case the
26 Secretary shall be authorized to suspend the person's driving

1 privileges for the same period of time as the originally
2 imposed suspension.

3 (b-2) Except as provided in subsection (b-6), upon
4 receiving a report of the conviction of any violation
5 indicating a person was operating a motor vehicle when the
6 person's driver's license, permit or privilege was revoked by
7 the Secretary of State or the driver's license administrator of
8 any other state, except as specifically allowed by a restricted
9 driving permit issued pursuant to this Code or the law of
10 another state, the Secretary shall not issue a driver's license
11 for an additional period of one year from the date of such
12 conviction indicating such person was operating a vehicle
13 during such period of revocation.

14 (b-3) (Blank).

15 (b-4) When the Secretary of State receives a report of a
16 conviction of any violation indicating a person was operating a
17 motor vehicle that was not equipped with an ignition interlock
18 device during a time when the person was prohibited from
19 operating a motor vehicle not equipped with such a device, the
20 Secretary shall not issue a driver's license to that person for
21 an additional period of one year from the date of the
22 conviction.

23 (b-5) Any person convicted of violating this Section shall
24 serve a minimum term of imprisonment of 30 consecutive days or
25 300 hours of community service when the person's driving
26 privilege was revoked or suspended as a result of a violation

1 of Section 9-3 of the Criminal Code of 1961 or the Criminal
2 Code of 2012, relating to the offense of reckless homicide, or
3 a similar provision of a law of another state.

4 (b-6) Upon receiving a report of a first conviction 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 Secretary shall
10 not issue a driver's license for an additional period of three
11 years from the date of such conviction.

12 (c) Except as provided in subsections (c-3) and (c-4), any
13 person convicted of violating this Section shall serve a
14 minimum term of imprisonment of 10 consecutive days or 30 days
15 of community service when the person's driving privilege was
16 revoked or suspended as a result of:

17 (1) a violation of Section 11-501 of this Code or a
18 similar provision of a local ordinance relating to the
19 offense of operating or being in physical control of a
20 vehicle while under the influence of alcohol, any other
21 drug or any combination thereof; or

22 (2) a violation of paragraph (b) of Section 11-401 of
23 this Code or a similar provision of a local ordinance
24 relating to the offense of leaving the scene of a motor
25 vehicle accident involving personal injury or death; or

26 (3) a statutory summary suspension or revocation under

1 Section 11-501.1 of this Code.

2 Such sentence of imprisonment or community service shall
3 not be subject to suspension in order to reduce such sentence.

4 (c-1) Except as provided in subsections (c-5) and (d), any
5 person convicted of a second violation of this Section shall be
6 ordered by the court to serve a minimum of 100 hours of
7 community service.

8 (c-2) In addition to other penalties imposed under this
9 Section, the court may impose on any person convicted a fourth
10 time of violating this Section any of the following:

11 (1) Seizure of the license plates of the person's
12 vehicle.

13 (2) Immobilization of the person's vehicle for a period
14 of time to be determined by the court.

15 (c-3) Any person convicted of a violation of this Section
16 during a period of summary suspension imposed pursuant to
17 Section 11-501.1 when the person was eligible for a MDDP shall
18 be guilty of a Class 4 felony and shall serve a minimum term of
19 imprisonment of 30 days.

20 (c-4) Any person who has been issued a MDDP or a restricted
21 driving permit which requires the person to operate only motor
22 vehicles equipped with an ignition interlock device and who is
23 convicted of a violation of this Section as a result of
24 operating or being in actual physical control of a motor
25 vehicle not equipped with an ignition interlock device at the
26 time of the offense shall be guilty of a Class 4 felony and

1 shall serve a minimum term of imprisonment of 30 days.

2 (c-5) Any person convicted of a second violation of this
3 Section is guilty of a Class 2 felony, is not eligible for
4 probation or conditional discharge, and shall serve a mandatory
5 term of imprisonment, if:

6 (1) the current violation occurred when the person's
7 driver's license was suspended or revoked for a violation
8 of Section 9-3 of the Criminal Code of 1961 or the Criminal
9 Code of 2012, relating to the offense of reckless homicide,
10 or a similar out-of-state offense; and

11 (2) the prior conviction under this Section occurred
12 while the person's driver's license was suspended or
13 revoked for a violation of Section 9-3 of the Criminal Code
14 of 1961 or the Criminal Code of 2012 relating to the
15 offense of reckless homicide, or a similar out-of-state
16 offense, or was suspended or revoked for a violation of
17 Section 11-401 or 11-501 of this Code, a similar
18 out-of-state offense, a similar provision of a local
19 ordinance, or a statutory summary suspension or revocation
20 under Section 11-501.1 of this Code.

21 (d) Any person convicted of a second violation of this
22 Section shall be guilty of a Class 4 felony and shall serve a
23 minimum term of imprisonment of 30 days or 300 hours of
24 community service, as determined by the court, if:

25 (1) the current violation occurred when the person's
26 driver's license was suspended or revoked for a violation

1 of Section 11-401 or 11-501 of this Code, a similar
2 out-of-state offense, a similar provision of a local
3 ordinance, or a statutory summary suspension or revocation
4 under Section 11-501.1 of this Code; and

5 (2) the prior conviction under this Section occurred
6 while the person's driver's license was suspended or
7 revoked for a violation of Section 11-401 or 11-501 of this
8 Code, a similar out-of-state offense, a similar provision
9 of a local ordinance, or a statutory summary suspension or
10 revocation under Section 11-501.1 of this Code, or for a
11 violation of Section 9-3 of the Criminal Code of 1961 or
12 the Criminal Code of 2012, relating to the offense of
13 reckless homicide, or a similar out-of-state offense.

14 (d-1) Except as provided in subsections (d-2), (d-2.5), and
15 (d-3), any person convicted of a third or subsequent violation
16 of this Section shall serve a minimum term of imprisonment of
17 30 days or 300 hours of community service, as determined by the
18 court.

19 (d-2) Any person convicted of a third violation of this
20 Section is guilty of a Class 4 felony and must serve a minimum
21 term of imprisonment of 30 days, if:

22 (1) the current violation occurred when the person's
23 driver's license was suspended or revoked for a violation
24 of Section 11-401 or 11-501 of this Code, or a similar
25 out-of-state offense, or a similar provision of a local
26 ordinance, or a statutory summary suspension or revocation

1 under Section 11-501.1 of this Code; and

2 (2) the prior convictions under this Section occurred
3 while the person's driver's license was suspended or
4 revoked for a violation of Section 11-401 or 11-501 of this
5 Code, a similar out-of-state offense, a similar provision
6 of a local ordinance, or a statutory summary suspension or
7 revocation under Section 11-501.1 of this Code, or for a
8 violation of Section 9-3 of the Criminal Code of 1961 or
9 the Criminal Code of 2012, relating to the offense of
10 reckless homicide, or a similar out-of-state offense.

11 (d-2.5) Any person convicted of a third violation of this
12 Section is guilty of a Class 1 felony, is not eligible for
13 probation or conditional discharge, and must serve a mandatory
14 term of imprisonment, if:

15 (1) the current violation occurred while the person's
16 driver's license was suspended or revoked for a violation
17 of Section 9-3 of the Criminal Code of 1961 or the Criminal
18 Code of 2012, relating to the offense of reckless homicide,
19 or a similar out-of-state offense. The person's driving
20 privileges shall be revoked for the remainder of the
21 person's life; and

22 (2) the prior convictions under this Section occurred
23 while the person's driver's license was suspended or
24 revoked for a violation of Section 9-3 of the Criminal Code
25 of 1961 or the Criminal Code of 2012, relating to the
26 offense of reckless homicide, or a similar out-of-state

1 offense, or was suspended or revoked for a violation of
2 Section 11-401 or 11-501 of this Code, a similar
3 out-of-state offense, a similar provision of a local
4 ordinance, or a statutory summary suspension or revocation
5 under Section 11-501.1 of this Code.

6 (d-3) Any person convicted of a fourth, fifth, sixth,
7 seventh, eighth, or ninth violation of this Section is guilty
8 of a Class 4 felony and must serve a minimum term of
9 imprisonment of 180 days, if:

10 (1) the current violation occurred when the person's
11 driver's license was suspended or revoked for a violation
12 of Section 11-401 or 11-501 of this Code, a similar
13 out-of-state offense, a similar provision of a local
14 ordinance, or a statutory summary suspension or revocation
15 under Section 11-501.1 of this Code; and

16 (2) the prior convictions under this Section occurred
17 while the person's driver's license was suspended or
18 revoked for a violation of Section 11-401 or 11-501 of this
19 Code, a similar out-of-state offense, a similar provision
20 of a local ordinance, or a statutory summary suspension or
21 revocation under Section 11-501.1 of this Code, or for a
22 violation of Section 9-3 of the Criminal Code of 1961 or
23 the Criminal Code of 2012, relating to the offense of
24 reckless homicide, or a similar out-of-state offense.

25 (d-3.5) Any person convicted of a fourth or subsequent
26 violation of this Section is guilty of a Class 1 felony, is not

1 eligible for probation or conditional discharge, and must serve
2 a mandatory term of imprisonment, and is eligible for an
3 extended term, if:

4 (1) the current violation occurred when the person's
5 driver's license was suspended or revoked for a violation
6 of Section 9-3 of the Criminal Code of 1961 or the Criminal
7 Code of 2012, relating to the offense of reckless homicide,
8 or a similar out-of-state offense; and

9 (2) the prior convictions under this Section occurred
10 while the person's driver's license was suspended or
11 revoked for a violation of Section 9-3 of the Criminal Code
12 of 1961 or the Criminal Code of 2012, relating to the
13 offense of reckless homicide, or a similar out-of-state
14 offense, or was suspended or revoked for a violation of
15 Section 11-401 or 11-501 of this Code, a similar
16 out-of-state offense, a similar provision of a local
17 ordinance, or a statutory summary suspension or revocation
18 under Section 11-501.1 of this Code.

19 (d-4) Any person convicted of a tenth, eleventh, twelfth,
20 thirteenth, or fourteenth violation of this Section is guilty
21 of a Class 3 felony, and is not eligible for probation or
22 conditional discharge, if:

23 (1) the current violation occurred when the person's
24 driver's license was suspended or revoked for a violation
25 of Section 11-401 or 11-501 of this Code, or a similar
26 out-of-state offense, or a similar provision of a local

1 ordinance, or a statutory summary suspension or revocation
2 under Section 11-501.1 of this Code; and

3 (2) the prior convictions under this Section occurred
4 while the person's driver's license was suspended or
5 revoked for a violation of Section 11-401 or 11-501 of this
6 Code, a similar out-of-state offense, a similar provision
7 of a local ordinance, or a statutory suspension or
8 revocation under Section 11-501.1 of this Code, or for a
9 violation of Section 9-3 of the Criminal Code of 1961 or
10 the Criminal Code of 2012, relating to the offense of
11 reckless homicide, or a similar out-of-state offense.

12 (d-5) Any person convicted of a fifteenth or subsequent
13 violation of this Section is guilty of a Class 2 felony, and is
14 not eligible for probation or conditional discharge, if:

15 (1) the current violation occurred when the person's
16 driver's license was suspended or revoked for a violation
17 of Section 11-401 or 11-501 of this Code, or a similar
18 out-of-state offense, or a similar provision of a local
19 ordinance, or a statutory summary suspension or revocation
20 under Section 11-501.1 of this Code; and

21 (2) the prior convictions under this Section occurred
22 while the person's driver's license was suspended or
23 revoked for a violation of Section 11-401 or 11-501 of this
24 Code, a similar out-of-state offense, a similar provision
25 of a local ordinance, or a statutory summary suspension or
26 revocation under Section 11-501.1 of this Code, or for a

1 violation of Section 9-3 of the Criminal Code of 1961 or
2 the Criminal Code of 2012, relating to the offense of
3 reckless homicide, or a similar out-of-state offense.

4 (e) Any person in violation of this Section who is also in
5 violation of Section 7-601 of this Code relating to mandatory
6 insurance requirements, in addition to other penalties imposed
7 under this Section, shall have his or her motor vehicle
8 immediately impounded by the arresting law enforcement
9 officer. The motor vehicle may be released to any licensed
10 driver upon a showing of proof of insurance for the vehicle
11 that was impounded and the notarized written consent for the
12 release by the vehicle owner.

13 (f) For any prosecution under this Section, a certified
14 copy of the driving abstract of the defendant shall be admitted
15 as proof of any prior conviction.

16 (g) The motor vehicle used in a violation of this Section
17 is subject to seizure and forfeiture as provided in Sections
18 36-1 and 36-2 of the Criminal Code of 2012 if the person's
19 driving privilege was revoked or suspended as a result of:

20 (1) a violation of Section 11-501 of this Code, a
21 similar provision of a local ordinance, or a similar
22 provision of a law of another state;

23 (2) a violation of paragraph (b) of Section 11-401 of
24 this Code, a similar provision of a local ordinance, or a
25 similar provision of a law of another state;

26 (3) a statutory summary suspension or revocation under

1 Section 11-501.1 of this Code or a similar provision of a
2 law of another state; or

3 (4) a violation of Section 9-3 of the Criminal Code of
4 1961 or the Criminal Code of 2012 relating to the offense
5 of reckless homicide, or a similar provision of a law of
6 another state.

7 (Source: P.A. 97-984, eff. 1-1-13; 97-1150, eff. 1-25-13;
8 98-285, eff. 1-1-14; 98-418, eff. 8-16-13; 98-573, eff.
9 8-27-13; revised 9-19-13.)