

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Identification Card Act is amended
by changing Sections 4 and 14D as follows:

(15 ILCS 335/4)

(Text of Section before amendment by P.A. 104-457)

Sec. 4. Identification card.

(a) In accordance with the requirements of this Section, the Secretary of State shall issue a standard Illinois Identification Card, as well as a mobile Illinois Identification Card, to any natural person who is a resident of the State of Illinois who applies for such a card, or renewal thereof. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being

photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act, a public official as defined in Section 10 of the Public Official Safety and Privacy Act, or a peace officer, the applicant may elect to have his or her office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision. For the purposes of this subsection (a-10), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public

order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(a-15) The Secretary of State may provide for an expedited process for the issuance of an Illinois Identification Card. The Secretary shall charge an additional fee for the expedited issuance of an Illinois Identification Card, to be set by rule, not to exceed \$75. All fees collected by the Secretary for expedited Illinois Identification Card service shall be deposited into the Secretary of State Special Services Fund. The Secretary may adopt rules regarding the eligibility, process, and fee for an expedited Illinois Identification Card. If the Secretary of State determines that the volume of expedited identification card requests received on a given day exceeds the ability of the Secretary to process those requests in an expedited manner, the Secretary may decline to provide expedited services, and the additional fee for the expedited service shall be refunded to the applicant.

(a-20) The Secretary of State shall issue a standard Illinois Identification Card to a person committed to the Department of Corrections, the Department of Juvenile Justice, a Federal Bureau of Prisons facility located in Illinois, or a county jail or county department of corrections as follows:

(1) A committed person who has previously held an Illinois Identification Card or an Illinois driver's license shall submit an Identification Card verification

form to the Secretary of State, including a photograph taken by the correctional facility, proof of residency upon discharge, and a social security number, if the committed person has a social security number. If the committed person does not have a social security number and is eligible for a social security number, the Secretary of State shall not issue a standard Illinois Identification Card until the committed person obtains a social security number. If the committed person's photograph and demographic information matches an existing Illinois Identification Card or Illinois driver's license and the Secretary of State verifies the applicant's social security number with the Social Security Administration, the Secretary of State shall issue the committed person a standard Illinois Identification Card. If the photograph or demographic information matches an existing Illinois Identification Card or Illinois driver's license in another person's name or identity, a standard Illinois Identification Card shall not be issued until the committed person submits a certified birth certificate and social security card to the Secretary of State and the Secretary of State verifies the identity of the committed person. If the Secretary of State cannot find a match to an existing Illinois Identification Card or Illinois driver's license, the committed person may apply for a standard Illinois Identification card as described in paragraph

(2).

(2) A committed person who has not previously held an Illinois Identification Card or Illinois driver's license or for whom a match cannot be found as described in paragraph (1) shall submit an Illinois Identification Card verification form, including a photograph taken by the correctional facility, a certified birth certificate, proof of residency upon discharge, and a social security number, if the committed person has a social security number. If the committed person does not have a social security number and is eligible for a social security number, the Secretary of State shall not issue a standard Illinois Identification Card until the committed person obtains a social security number. If the Secretary of State verifies the applicant's social security number with the Social Security Administration, the Secretary of State shall issue the committed person a standard Illinois Identification Card.

The Illinois Identification Card verification form described in this subsection shall be prescribed by the Secretary of State. The Secretary of State and correctional facilities in this State shall establish a secure method to transfer the form.

(a-25) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a committed person upon release on parole, mandatory supervised release,

aftercare release, final discharge, or pardon from the Department of Corrections, the Department of Juvenile Justice, a Federal Bureau of Prisons facility located in Illinois, or a county jail or county department of corrections, if the released person does not obtain a standard Illinois Identification Card as described in subsection (a-20) prior to release but does present a Secretary of State prescribed Identification Card verification form completed by the correctional facility, verifying the released person's date of birth, social security number, if the person has a social security number, and his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois Identification Card.

Prior to the expiration of the 90-day period of the limited-term Illinois Identification Card, if the released person submits to the Secretary of State a certified copy of his or her birth certificate and his or her social security card, if the person has a social security number, or other documents authorized by the Secretary, a standard Illinois Identification Card shall be issued. A limited-term Illinois Identification Card may not be renewed.

This subsection shall not apply to a released person who was unable to obtain a standard Illinois Identification Card because his or her photograph or demographic information matched an existing Illinois Identification Card or Illinois

driver's license in another person's name or identity or to a released person who does not have a social security number and is eligible for a social security number.

(a-30) The Secretary of State shall issue a standard Illinois Identification Card to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person presents a certified copy of his or her birth certificate, social security card, if the person has a social security number, or other documents authorized by the Secretary, and a document proving his or her Illinois residence address. The Secretary of State shall issue a standard Illinois Identification Card to a person prior to his or her conditional release or absolute discharge if personnel from the Department of Human Services bring the person to a Secretary of State location with the required documents. Documents proving residence address may include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(a-35) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person is unable to present a certified copy of his or her birth certificate and social security card, if the person has a

social security number, or other documents authorized by the Secretary, but does present a Secretary of State prescribed verification form completed by the Department of Human Services, verifying the person's date of birth and social security number, if the person has a social security number, and a document proving his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois Identification Card. The Secretary of State shall issue a limited-term Illinois Identification Card to a person no sooner than 14 days prior to his or her conditional release or absolute discharge if personnel from the Department of Human Services bring the person to a Secretary of State location with the required documents. Documents proving residence address shall include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued

to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of 2 witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant, a determination of disability from an advanced practice registered nurse, or any other documentation of disability whenever any State law requires that a person with a disability provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a person with a disability or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois

Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Person with a

Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.

(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may

designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification Card or Illinois Person with a Disability Identification Card.

(f)(1) The Secretary of State may issue a mobile identification card to an individual who is otherwise eligible to hold a physical credential in addition to, and not instead of, an identification card if the Secretary of State has issued an identification card to the person. The data elements that are used to build an electronic credential must match the individual's current Department record.

(2) The Secretary may enter into agreements or contract with an agency of the State, another state, the United States, or a third party to facilitate the issuance, use, and verification of a mobile identification card issued by the Secretary or another state.

(3) Any mobile identification card issued by the Secretary shall be in accordance with the most recent AAMVA standards.

(4) The Secretary shall design the mobile identification card in a manner that allows the credential holder to maintain physical possession of the device on which the mobile identification card is accessed during verification.

(g) The verification process shall be implemented to

require:

(1) the relying parties to authenticate electronic credentials in accordance with applicable AAMVA standards prior to acceptance of the electronic credential;

(2) the Secretary to ensure that electronic credential data is subject to all jurisdictional data security and privacy protection laws and regulations; and

(3) the relying parties to request only electronic credential data elements that are necessary to complete the transaction for which data is being requested.

(h) Privacy and tracking of data shall be restricted by implementing the following requirements:

(1) the relying parties shall retain only electronic credential data elements for which the relying party explicitly obtained consent from the electronic credential holder and shall inform the electronic credential holder of the use and retention period of the electronic data elements;

(2) the Secretary shall use an electronic credential system that is designed to maximize the privacy of the credential holder in accordance with State and federal law and shall not track or compile information without the credential holder's consent; and

(3) the Department shall only compile and disclose information regarding the use of the credential as required by State or federal law.

(i)(1) The electronic credential holder shall be required to have the holder's physical credential on the holder's person for all purposes for which an identification card is required. No person, public entity, private entity, or agency shall establish a policy that requires an electronic credential instead of a physical credential.

(2) Electronic credential systems shall be designed so that there is no requirement for the electronic credential holder to display or relinquish possession of the credential holder's mobile device to relying parties for the acceptance of an electronic credential.

(3) When required by law and upon request by law enforcement, a credential holder must provide the credential holder's physical credential.

(4) Any law or regulation that requires an individual to surrender the individual's physical credential to law enforcement does not apply to the device on which an electronic credential has been provisioned.

(j) A person may be required to produce when so requested a physical identification card to a law enforcement officer, a representative of a State or federal department or agency, or a private entity and is subject to all applicable laws and consequences for failure to produce such an identification card.

(k) The Secretary of State shall adopt such rules as are necessary to implement a mobile identification card.

(l) The display of a mobile identification card shall not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any other data or application on the mobile device. If a person presents the person's mobile device to a law enforcement officer for purposes of displaying a mobile identification card, the law enforcement officer shall promptly return the mobile device to the person once the officer has had an opportunity to verify the identity of the person. Except for willful and wanton misconduct, any law enforcement officer, court, or officer of the court presented with the device shall be immune from any liability resulting from damage to the mobile device.

(m) The fee to install the application to display a mobile identification card as defined in this subsection shall not exceed \$6.

(n) As used in this Section:

"AAMVA" means the American Association of Motor Vehicle Administrators.

"Credential" means a driver's license, learner's permit, or identification card.

"Credential holder" means the individual to whom a mobile driver's license or a mobile identification card is issued.

"Data element" means a distinct component of a customer's information that is found on the Department's customer record.

"Department" means the Secretary of State Department of

Driver Services.

"Electronic credential" means an electronic extension of the departmental issued physical credential that conveys identity and complies with AAMVA's mobile driver license Implementation guidelines and the ISO/IEC 18013-5 standard.

"Electronic credential system" means a digital process that includes a method for provisioning electronic credentials, requesting and transmitting electronic credential data elements, and performing tasks to maintain the system.

"Full profile" means all the information provided on an identification card.

"ISO" means the International Organization for Standardization, which creates uniform processes and procedures.

"Limited profile" means a portion of the information provided on an Identification Card.

"Mobile identification card" means a data file that is available on any mobile device that has connectivity to the Internet through an application that allows the mobile device to download the data file from the Secretary of State, that contains all the data elements visible on the face and back of an identification card, and that displays the current status of the identification card. "Mobile identification card" does not include a copy, photograph, or image of an Illinois Identification Card that is not downloaded through the application on a mobile device.

"Physical credential" means a Department-issued document that conveys identity in accordance with the Illinois Identification Card Act.

"Provision" means the initial loading of an electronic credential onto a device.

"Relying party" means the entity to which the credential holder presents the electronic credential.

"Verification process" means a method of authenticating the electronic credential through the use of secured encryption communication.

(o) Upon providing the required documentation, at the request of the applicant, the identification card may reflect Gold Star Family designation. The Secretary shall designate a space on each original or renewal of an identification card for such designation. This designation shall be available to a person eligible for Gold Star license plates under subsection (f) of Section 6-106 of the Illinois Vehicle Code.

(Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24; 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff. 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443, eff. 1-1-26; revised 1-7-26.)

(Text of Section after amendment by P.A. 104-457)

Sec. 4. Identification card.

(a) In accordance with the requirements of this Section, the Secretary of State shall issue a standard Illinois

Identification Card, as well as a mobile Illinois Identification Card, to any natural person who is a resident of the State of Illinois who applies for such a card, or renewal thereof. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the

identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-10) If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act, a public official as defined in Section 10 of the Public Official Safety and Privacy Act, or a peace officer, the applicant may elect to have his or her office or work address listed on the card instead of the applicant's residence or mailing address. The Secretary may promulgate rules to implement this provision. For the purposes of this subsection (a-10), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(a-15) The Secretary of State may provide for an expedited process for the issuance of an Illinois Identification Card. The Secretary shall charge an additional fee for the expedited issuance of an Illinois Identification Card, to be set by rule, not to exceed \$75. All fees collected by the Secretary for expedited Illinois Identification Card service shall be deposited into the Secretary of State Special Services Fund. The Secretary may adopt rules regarding the eligibility, process, and fee for an expedited Illinois Identification Card. If the Secretary of State determines that the volume of

expedited identification card requests received on a given day exceeds the ability of the Secretary to process those requests in an expedited manner, the Secretary may decline to provide expedited services, and the additional fee for the expedited service shall be refunded to the applicant.

(a-20) The Secretary of State shall issue a standard Illinois Identification Card to a person committed to the Department of Corrections, the Department of Juvenile Justice, a Federal Bureau of Prisons facility located in Illinois, or a county jail or county department of corrections as follows:

(1) A committed person who has previously held an Illinois Identification Card or an Illinois driver's license shall submit an Identification Card verification form to the Secretary of State, including a photograph taken by the correctional facility, proof of residency upon discharge, and a social security number, if the committed person has a social security number. If the committed person does not have a social security number and is eligible for a social security number, the Secretary of State shall not issue a standard Illinois Identification Card until the committed person obtains a social security number. If the committed person's photograph and demographic information matches an existing Illinois Identification Card or Illinois driver's license and the Secretary of State verifies the applicant's social security number with the Social Security Administration,

the Secretary of State shall issue the committed person a standard Illinois Identification Card. If the photograph or demographic information matches an existing Illinois Identification Card or Illinois driver's license in another person's name or identity, a standard Illinois Identification Card shall not be issued until the committed person submits a certified birth certificate and social security card to the Secretary of State and the Secretary of State verifies the identity of the committed person. If the Secretary of State cannot find a match to an existing Illinois Identification Card or Illinois driver's license, the committed person may apply for a standard Illinois Identification card as described in paragraph (2).

(2) A committed person who has not previously held an Illinois Identification Card or Illinois driver's license or for whom a match cannot be found as described in paragraph (1) shall submit an Illinois Identification Card verification form, including a photograph taken by the correctional facility, a certified birth certificate, proof of residency upon discharge, and a social security number, if the committed has a social security number. If the committed person does not have a social security number and is eligible for a social security number, the Secretary of State shall not issue a standard Illinois Identification Card until the committed person obtains a

social security number. If the Secretary of State verifies the applicant's social security number with the Social Security Administration, the Secretary of State shall issue the committed person a standard Illinois Identification Card.

The Illinois Identification Card verification form described in this subsection shall be prescribed by the Secretary of State. The Secretary of State and correctional facilities in this State shall establish a secure method to transfer the form.

(a-25) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a committed person upon release on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections, the Department of Juvenile Justice, a Federal Bureau of Prisons facility located in Illinois, or a county jail or county department of corrections, if the released person does not obtain a standard Illinois Identification Card as described in subsection (a-20) prior to release but does present a Secretary of State prescribed Identification Card verification form completed by the correctional facility, verifying the released person's date of birth, social security number, if the person has a social security number, and his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois

Identification Card.

Prior to the expiration of the 90-day period of the limited-term Illinois Identification Card, if the released person submits to the Secretary of State a certified copy of his or her birth certificate and his or her social security card, if the person has a social security number, or other documents authorized by the Secretary, a standard Illinois Identification Card shall be issued. A limited-term Illinois Identification Card may not be renewed.

This subsection shall not apply to a released person who was unable to obtain a standard Illinois Identification Card because his or her photograph or demographic information matched an existing Illinois Identification Card or Illinois driver's license in another person's name or identity or to a released person who does not have a social security number and is eligible for a social security number.

(a-30) The Secretary of State shall issue a standard Illinois Identification Card to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person presents a certified copy of his or her birth certificate, social security card, if the person has a social security number, or other documents authorized by the Secretary, and a document proving his or her Illinois residence address. The Secretary of State shall issue a standard Illinois Identification Card to a person prior to his or her conditional release or absolute

discharge if personnel from the Department of Human Services bring the person to a Secretary of State location with the required documents. Documents proving residence address may include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(a-35) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person is unable to present a certified copy of his or her birth certificate and social security card, if the person has a social security number, or other documents authorized by the Secretary, but does present a Secretary of State prescribed verification form completed by the Department of Human Services, verifying the person's date of birth and social security number, if the person has a social security number, and a document proving his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois Identification Card. The Secretary of State shall issue a limited-term Illinois Identification Card to a person no sooner than 14 days prior to his or her conditional release or absolute discharge if personnel from the Department of Human Services bring the person to a Secretary of State location

with the required documents. Documents proving residence address shall include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Person with a Disability

Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of 2 witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant, a determination of disability from an advanced practice registered nurse, or any other documentation of disability whenever any State law requires that a person with a disability provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or

evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a person with a disability or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

An optometrist's determination of a visual disability under Section 4A of this Act is acceptable as documentation for the purpose of issuing an Illinois Person with a Disability Identification Card.

When medical information is contained on an Illinois Person with a Disability Identification Card, the Office of the Secretary of State shall not be liable for any actions taken based upon that medical information.

The Secretary of State shall add a marker or box to the Illinois Person with a Disability Identification Card that can be used to record and demonstrate that the holder of the card has presented documentation of certification of eligibility to receive complementary paratransit services under 49 CFR Part 37, Subpart F by an entity that is required to provide those services in the State.

(c) The Secretary of State shall provide that each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a

person under the age of 21 shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

(c-1) Each original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall display the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is

unrelated to the purpose of the identification card.

(c-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal identification card where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (b) of Section 5 of this Act who was discharged or separated under honorable conditions.

(d) The Secretary of State may issue a Senior Citizen discount card, to any natural person who is a resident of the State of Illinois who is 60 years of age or older and who applies for such a card or renewal thereof. The Secretary of State shall charge no fee to issue such card. The card shall be issued in every county and applications shall be made available at, but not limited to, nutrition sites, senior citizen centers and Area Agencies on Aging. The applicant, upon receipt of such card and prior to its use for any purpose, shall have affixed thereon in the space provided therefor his signature or mark.

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification

Card or Illinois Person with a Disability Identification Card.

(f)(1) The Secretary of State may issue a mobile identification card to an individual who holds a valid and unexpired ~~is otherwise eligible to hold a physical identification card issued by the Secretary of State credential in addition to, and not instead of, an identification card if the Secretary of State has issued an identification card to the person.~~ The data elements of a mobile identification card ~~that are used to build an electronic credential~~ must match the individual's current identification card Department record.

(2) The Secretary may enter into agreements or contract with an agency of the State, another state, the United States, or a third party to facilitate the issuance, use, and verification of a mobile identification card issued by the Secretary or another state.

(3) Any mobile identification card issued by the Secretary shall be in accordance with the AAMVA's Mobile Driver's License (mDL) Implementation Guidelines Version 1.5 (May 2025), as may be amended or updated from time to time ~~most recent AAMVA standards.~~

(4) The Secretary shall design the mobile identification card in a manner that allows the mobile identification card ~~credential~~ holder to maintain physical possession of the device on which the mobile identification card is provisioned ~~accessed~~ during verification by a relying party.

(g) The verification process shall be implemented to require:

(1) a ~~the~~ relying party ~~parties~~ to authenticate a mobile identification card ~~electronic credentials~~ in accordance with applicable AAMVA standards prior to acceptance of the mobile identification card ~~electronic credential~~;

(2) the Secretary to ensure that mobile identification card ~~electronic credential~~ data is subject to all jurisdictional data security and privacy protection laws and regulations; and

(3) a ~~the~~ relying party ~~parties~~ to request only mobile identification card ~~electronic credential~~ data elements that are necessary to complete the transaction for which data is being requested.

(h) Privacy and tracking of data shall be restricted by implementing the following requirements:

(1) a ~~the~~ relying party ~~parties~~ shall retain only mobile identification card ~~electronic credential~~ data elements for which the relying party explicitly obtained consent from the mobile identification card ~~electronic credential~~ holder and shall inform the mobile identification card ~~electronic credential~~ holder of the use and retention period of the electronic data elements;

(2) the Secretary shall use a mobile identification card ~~an electronic credential~~ system that is designed to

maximize the privacy of the mobile identification card ~~credential~~ holder in accordance with State and federal law and shall not track or compile information without the mobile identification card ~~credential~~ holder's consent; and

(3) the Department shall only compile and disclose information regarding the use of a mobile identification card ~~the credential~~ as required by State or federal law.

(i)(1) A mobile identification card ~~The electronic credential~~ holder shall be required to have the holder's physical identification card ~~credential~~ on the holder's person for all purposes for which an identification card is required. No person, public entity, private entity, or agency shall establish a policy that requires a mobile identification card ~~an electronic credential~~ instead of a physical identification card ~~credential~~.

(2) A mobile identification card ~~Electronic credential systems~~ shall be designed so that there is no requirement for the mobile identification card ~~electronic credential~~ holder to display or relinquish possession of the mobile identification card ~~credential~~ holder's mobile device to a relying party ~~parties~~ for the acceptance of a mobile identification card. No relying party, including law enforcement, may take physical possession of a mobile identification card holder's mobile device for purposes of verifying the mobile identification card holder's identity ~~an electronic credential~~.

(3) When required by law and upon request by law enforcement, a representative of a State or federal department or agency, or a private entity, a mobile identification card ~~credential~~ holder must provide the holder's physical identification card and is subject to all applicable laws and consequences for failure to produce such an identification card ~~the credential holder's physical credential~~.

(4) Any law or regulation that requires an individual to surrender the individual's physical identification card ~~credential~~ to law enforcement does not apply to the device on which a mobile identification card ~~an electronic credential~~ has been provisioned.

(j) (Blank). ~~A person may be required to produce when so requested a physical identification card to a law enforcement officer, a representative of a State or federal department or agency, or a private entity and is subject to all applicable laws and consequences for failure to produce such an identification card.~~

(k) The Secretary of State shall adopt such rules as are necessary to implement a mobile identification card.

(l) The use ~~display~~ of a mobile identification card shall not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any other data or application on the mobile device. ~~If a person presents the person's mobile device to a law enforcement officer for purposes of displaying a mobile identification~~

~~heard, the law enforcement officer shall promptly return the mobile device to the person once the officer has had an opportunity to verify the identity of the person. Except for willful and wanton misconduct, any law enforcement officer, court, or officer of the court presented with the device shall be immune from any liability resulting from damage to the mobile device.~~

(m) (Blank). ~~The fee to install the application to display a mobile identification card as defined in this subsection shall not exceed \$6.~~

(n) As used in this Section:

"AAMVA" means the American Association of Motor Vehicle Administrators.

~~"Credential" means a driver's license, learner's permit, or identification card.~~

~~"Credential holder" means the individual to whom a mobile driver's license or a mobile identification card is issued.~~

"Data element" means a distinct component of a customer's information that is found on the Department's customer record.

"Department" means the Secretary of State Department of Driver Services.

~~"Electronic credential" means an electronic extension of the departmental issued physical credential that conveys identity and complies with AAMVA's mobile driver license Implementation guidelines and the ISO/IEC 18013-5 standard.~~

~~"Electronic credential system" means a digital process~~

~~that includes a method for provisioning electronic credentials, requesting and transmitting electronic credential data elements, and performing tasks to maintain the system.~~

~~"Full profile" means all the information provided on an identification card.~~

~~"ISO" means the International Organization for Standardization, which creates uniform processes and procedures.~~

~~"Limited profile" means a portion of the information provided on an Identification Card.~~

"Mobile credential system" means a digital process that includes a method for provisioning a mobile identification card, requesting and transmitting mobile identification data elements, and performing tasks to maintain the system.

"Mobile identification card" means an identification card that resides on a mobile device or requires a mobile device as part of the process to gain access to the related information ~~a data file that is available on any mobile device that has connectivity to the Internet through an application that allows the mobile device to download the data file from the Secretary of State, that contains all the data elements visible on the face and back of an identification card, and that displays the current status of the identification card.~~

"Mobile identification card" does not include a copy, photograph, or image of an Illinois Identification Card that is not provisioned ~~downloaded~~ through a participating wallet

~~provider the application on a mobile device.~~

~~"Physical credential" means a Department issued document that conveys identity in accordance with the Illinois Identification Card Act.~~

"Provision" means the initial loading of a mobile identification card ~~an electronic credential~~ onto a device.

"Relying party" means the entity to which the identification card ~~credential~~ holder presents the holder's mobile identification card ~~the electronic credential~~.

"Verification process" means a method of authenticating the mobile identification card ~~electronic credential~~ through the use of secured encryption communication.

(o) Upon providing the required documentation, at the request of the applicant, the identification card may reflect Gold Star Family designation. The Secretary shall designate a space on each original or renewal of an identification card for such designation. This designation shall be available to a person eligible for Gold Star license plates under subsection (f) of Section 6-106 of the Illinois Vehicle Code.

(Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24; 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff. 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443, eff. 1-1-26; 104-457, eff. 6-1-26; revised 1-7-26.)

(15 ILCS 335/14D)

Sec. 14D. Limitations on use of identification card

information.

(a) When information is obtained from an identification card issued by the Secretary of State to identify or prove the age of the holder of the card, or in the course of a commercial transaction, that information may be used only for purposes of identification of the individual or for completing the commercial transaction in which the information was obtained, including all subsequent payment, processing, collection, and other related actions and may not be maintained or stored for longer than what is strictly necessary for the purpose for which the information was provided. Information obtained from an identification card issued by the Secretary of State may not be used for purposes unrelated to the transaction in which it was obtained, including, but not limited to, commercial solicitations. Information obtained from an identification card issued by the Secretary of State to identify or prove the age of the holder of the card, or in the course of a commercial transaction, may not be sold, leased or otherwise provided to any third party.

(b) As used in this Section: 7

"Identification card" includes a mobile identification card as that term is defined in subsection (n) of Section 4.

"Information" ~~"information"~~ on an identification card issued by the Secretary of State includes readable text on the face of the card and information encoded or encrypted into a bar code, magnetic strip, or other electronically readable

device on or in the card.

(c) Any individual whose identification card information has been used in violation of this Section has a cause of action against the person who violated this Section. Upon a finding that a violation did occur, the individual whose information was used in violation of this Section is entitled to recover actual damages, but not less than liquidated damages in the amount of \$250 for each violation, plus attorney's fees and the costs of bringing the action.

(d) Use of information contained on an identification card issued by the Secretary of State is not a violation of this Section if the individual whose information has been used gave express permission for that use, or if the information relating to the individual was obtained from a source other than the individual's identification card issued by the Secretary of State.

(e) This Section does not apply to any agency of the United States or to the State of Illinois or any of its political subdivisions.

(f) This Section does not apply to the transfer of information to a third party if (i) a federal or State law, rule, or regulation requires that the information be transferred to a third party after being recorded in specified transactions or (ii) the information is transferred to a third party for purposes of the detection or possible prosecution of criminal offenses or fraud. If information is transferred to a

third party under this subsection (f), it may be used only for the purposes authorized by this subsection (f).

(g) This Section does not apply to the use of information obtained from an identification card which has been provided by the holder of the card in the course of a potential or completed employment, commercial, business or professional transaction for the purpose of completing written documents including, but not limited to, contracts, agreements, purchase orders, retail installment contracts, buyer's orders, purchase contracts, repair orders, applications, disclosure forms or waiver forms.

(Source: P.A. 94-892, eff. 1-1-07.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 6-101 and 6-117.1 as follows:

(625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

Sec. 6-101. Drivers must have licenses or permits.

(a) No person, except those expressly exempted by Section 6-102, shall drive any motor vehicle upon a highway in this State unless such person has a valid license or permit, an Illinois mobile driver's license, or a restricted driving permit, issued under the provisions of this Act.

(b) No person shall drive a motor vehicle unless the person holds a valid license or permit, an Illinois mobile driver's license, or a restricted driving permit issued under

this Act. Any person to whom a license is issued under the provisions of this Act must surrender to the Secretary of State all valid licenses or permits, except that an applicant for a non-domiciled commercial learner's permit or commercial driver's license shall not be required to surrender a license or permit issued by the applicant's state or country of domicile. No driver's license or instruction permit shall be issued to any person who holds a valid Foreign State license, identification card, or permit unless such person first surrenders to the Secretary of State any such valid Foreign State license, identification card, or permit.

(b-5) Any person who commits a violation of subsection (a) or (b) of this Section is guilty of a Class A misdemeanor, if at the time of the violation the person's driver's license or permit was cancelled under clause (a)9 of Section 6-201 of this Code.

(c) Any person licensed as a driver hereunder shall not be required by any city, village, incorporated town or other municipal corporation to obtain any other license to exercise the privilege thereby granted.

(d) In addition to other penalties imposed under this Section, any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed

driver upon a showing of proof of insurance for the motor vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(e) In addition to other penalties imposed under this Section, the vehicle of any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements and who, in violating this Section, has caused death or personal injury to another person is subject to forfeiture under Sections 36-1 and 36-2 of the Criminal Code of 2012. For the purposes of this Section, a personal injury shall include any type A injury as indicated on the traffic crash report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(f)(1) The Secretary of State may issue a mobile driver's license to an individual who holds a valid and unexpired physical driver's license. The data elements of a mobile driver's license card must match the individual's current driver's license Department record ~~in addition to, and not instead of, a license or an identification card if the Secretary of State has issued a driver's license to the person.~~

(2) The Secretary may enter into agreements with an agency

of the State, another state, or the United States to facilitate the issuance, use, and verification of a mobile driver's license issued by the Secretary or another state.

(3) Any mobile driver's license issued by the Secretary shall be in accordance with American Association of Motor Vehicle Administrator's Mobile Driver's License (mDL) Implementation Guidelines, Version 1.5 (May 2025), as may be amended or updated from time to time ~~1.1~~.

(4) The Secretary shall design the mobile driver's license in a manner that allows the mobile driver's license ~~credential~~ holder to maintain physical possession of the device on which the mobile driver's license ~~electronic credential~~ is provisioned ~~accessed~~ during verification by a relying party.

(g) (Blank). ~~As used in this Section:~~

~~"Mobile driver's license" means an electronic extension of the Secretary of State issued physical driver's license that conveys identity and driving privilege information and is in compliance with the American Association of Motor Vehicle Administrator's Mobile Driver's License Implementation Guidelines and the ISO/IEC 18013-5 standard. "Mobile driver's license" does not include a digital copy, photograph, or image of a driver's license that is not downloaded through the Secretary of State's application on a mobile device.~~

(h) (Blank). ~~A person may be required to produce when so requested a physical driver's license to a law enforcement officer, a representative of a State or federal department or~~

~~agency, or a private entity and is subject to all applicable laws and consequences for failure to produce such a license.~~

(i) The Secretary of State shall adopt such rules as are necessary to implement a mobile driver's license.

(i-5) The verification process shall be implemented to require:

(1) a relying party to authenticate a mobile driver's license in accordance with applicable AAMVA standards prior to acceptance of the mobile driver's license;

(2) the Secretary to ensure that mobile driver's license data is subject to all jurisdictional data security and privacy protection laws and regulations; and

(3) a relying party to request only mobile driver's license data elements that are necessary to complete the transaction for which data is being requested.

(i-10) Privacy and tracking of data shall be restricted by implementing the following requirements:

(1) a relying party shall retain only mobile driver's license data elements for which the relying party explicitly obtained consent from the mobile driver's license holder and shall inform the mobile driver's license holder of the use and retention period of the electronic data elements;

(2) the Secretary shall use a mobile driver's license system that is designed to maximize the privacy of the mobile driver's license holder in accordance with State

and federal law and shall not track or compile information without the mobile driver's license holder's consent; and

(3) the Department shall only compile and disclose information regarding the use of a mobile driver's license as required by State or federal law.

(i-15)(1) A mobile driver's license holder shall be required to have the holder's physical driver's license on the holder's person for all purposes for which a driver's license is required. No person, public entity, private entity, or agency shall establish a policy that requires a mobile driver's license instead of a physical driver's license.

(2) A mobile driver's license system shall be designed so that there is no requirement for the mobile driver's license holder to display or relinquish possession of the mobile driver's license holder's mobile device to a relying party for the acceptance of a mobile driver's license. No relying party, including law enforcement, may take physical possession of a mobile driver's license holder's mobile device for purposes of verifying the mobile driver's license holder's identity.

(3) When required by law and upon request by law enforcement, a representative of a State or federal department or agency, or a private entity a mobile driver's license holder must provide the holder's physical driver's license and is subject to all applicable laws and consequences for failure to produce such a driver's license.

(4) Any law or regulation that requires an individual to

surrender the individual's physical driver's license to law enforcement does not apply to the device on which a mobile driver's license been provisioned.

(j) The use ~~display~~ of a mobile driver's license shall not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any other data or application on the mobile device. ~~If a person presents his or her mobile device to a law enforcement officer for purposes of displaying a mobile driver's license, the law enforcement officer shall promptly return the mobile device to the person once the officer has had an opportunity to verify the identity and license status of the person. Except for willful and wanton misconduct, any law enforcement officer, court, or officer of the court presented with the device shall be immune from any liability resulting from damage to the mobile device.~~

(k) (Blank). ~~The fee to install the application to display a mobile driver's license as defined in this subsection shall not exceed \$6.~~

(l) As used in this Section:

"AAMVA" means the American Association of Motor Vehicle Administrators.

"Data element" means a distinct component of a customer's information that is found on the Department's customer record.

"Department" means the Secretary of State Department of Driver Services.

Mobile driver's license" means a driver's license that resides on a mobile device or requires a mobile device as part of the process to gain access to the related information. Mobile driver's license" does not include a digital copy, photograph, or image of a driver's license that is not provisioned through a participating digital wallet provider.

"Mobile driver's license system" means a digital process that includes a method for provisioning a mobile driver's license, requesting and transmitting driver's license data elements, and performing tasks to maintain the system.

"Provision" means the initial loading of a driver's license onto a device.

"Relying party" means the entity to which the driver's license holder presents the holder's driver's license.

"Verification process" means a method of authenticating the mobile driver's license through the use of secured encryption communication.

(o) The Secretary of State shall adopt rules as are necessary to implement a mobile driver's license.

(Source: P.A. 102-982, eff. 7-1-23; 103-824, eff. 1-1-25.)

(625 ILCS 5/6-117.1)

Sec. 6-117.1. Prohibited use of driver's license information.

(a) When information is obtained from a driver's license to identify or prove the age of the holder of the license, or

in the course of a commercial transaction, that information may be used only for purposes of identification of the individual or for completing the commercial transaction in which the information was obtained, including all subsequent payment, processing, collection, and other related actions and may not be maintained or stored for longer than what is strictly necessary for the purpose for which the information was provided. Information obtained from a driver's license may not be used for purposes unrelated to the transaction in which it was obtained, including, but not limited to, commercial solicitations. Information obtained from a driver's license to identify the holder of the license, or in the course of a commercial transaction, may not be sold, leased, or otherwise provided to any third party.

(b) Any individual whose driver's license information has been used in violation of this Section has a cause of action against the person who violated this Section. Upon a finding that a violation did occur, the individual whose information was used in violation of this Section is entitled to recover actual damages, but not less than liquidated damages in the amount of \$250 for each violation, plus attorney's fees and the costs of bringing the action.

(c) Use of information contained on a driver's license is not a violation of this Section if (i) the individual whose information has been used gave express permission for that use or (ii) the information relating to the individual was

obtained from a source other than the individual's driver's license.

(d) This Section does not apply to any agency of the United States, the State of Illinois, or any other state or political subdivision thereof.

(e) This Section does not apply to the transfer of information to a third party if (i) a federal or State law, rule, or regulation requires that the information be transferred to a third party after being recorded in specified transactions or (ii) the information is transferred to a third party for purposes of the detection or possible prosecution of criminal offenses or fraud. If information is transferred to a third party under this subsection (e), it may be used only for the purposes authorized by this subsection (e).

(f) This Section does not apply to the use of information obtained from a driver's license which has been provided by the holder of the license in the course of a potential or completed employment, commercial, business or professional transaction for the purpose of completing written documents including, but not limited to, contracts, agreements, purchase orders, retail installment contracts, buyer's orders, purchase contracts, repair orders, applications, disclosure forms or waiver forms.

(g) As used in this Section, "driver's license" includes a mobile driver's license as that term is defined in subsection (1) of Section 6-101.

Public Act 104-0821

SB3449 Enrolled

LRB104 20542 SPS 34019 b

(Source: P.A. 94-892, eff. 1-1-07.)

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

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