



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2658

Introduced 2/6/2025, by Rep. Ann M. Williams

SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-118	from Ch. 95 1/2, par. 2-118
625 ILCS 5/6-205	
625 ILCS 5/6-206	
625 ILCS 5/6-208	from Ch. 95 1/2, par. 6-208

Amends the Illinois Vehicle Code. Allows a person to request an informal hearing regarding a suspension, revocation, or denial of the issuance of a license, permit, registration, or certificate of title at a Secretary of State driver services facility. Provides that if a person is convicted of a specified offense and the use of alcohol or other drugs is stated as an element of the offense, the Secretary may issue to the person a restricted driving permit granting the privilege of driving a motor vehicle 6 days per week, 12 hours per day within a 200-mile radius of the person's residence for any legal purpose. In provisions regarding the mandatory revocation of a license or permit, the discretionary authority to suspend or revoke a license or permit, and the period of suspension, provides that some convictions may be based on a similar out-of-state offense or similar offense committed on a military installation. Allows the Secretary to grant an employment exception to the prohibition against driving a vehicle that is not equipped with an ignition interlock device if the person is operating an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. Makes other and conforming changes.

LRB104 08651 LNS 18705 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 2-118, 6-205, 6-206, and 6-208 as follows:

6 (625 ILCS 5/2-118) (from Ch. 95 1/2, par. 2-118)
7 Sec. 2-118. Hearings.

8 (a) Upon the suspension, revocation or denial of the
9 issuance of a license, permit, registration or certificate of
10 title under this Code of any person the Secretary of State
11 shall immediately notify such person in writing and upon his
12 written request shall, within 20 days after receipt thereof,
13 set a date for a formal hearing to commence within 90 calendar
14 days from the date of the written request for all requests
15 related to a suspension, revocation, or the denial of the
16 issuance of a license, permit, registration, or certificate of
17 title occurring after July 1, 2002, in the County of Sangamon,
18 the County of Jefferson, or the County of Cook, as such person
19 may specify, unless both parties agree that such hearing may
20 be held in some other county. If permitted by administrative
21 rule, a person may request an informal hearing at a Secretary
22 of State driver services facility subject to availability of
23 an informal hearing officer. The Secretary shall adopt

1 administrative rules regarding the conduct of informal
2 hearings. The Secretary may require the payment of a fee of not
3 more than \$50 for the filing of any petition, motion, or
4 request for hearing conducted pursuant to this Section. These
5 fees must be deposited into the Secretary of State DUI
6 Administration Fund, a special fund created in the State
7 treasury, and, subject to appropriation and as directed by the
8 Secretary of State, shall be used for operation of the
9 Department of Administrative Hearings of the Office of the
10 Secretary of State and for no other purpose. The Secretary
11 shall establish by rule the amount and the procedures, terms,
12 and conditions relating to these fees.

13 (b) At any time after the suspension, revocation or denial
14 of a license, permit, registration or certificate of title of
15 any person as hereinbefore referred to, the Secretary of
16 State, in his or her discretion and without the necessity of a
17 request by such person, may hold such a hearing, upon not less
18 than 10 days' notice in writing, in the Counties of Sangamon,
19 Jefferson, or Cook or in any other county agreed to by the
20 parties.

21 (c) Upon any such hearing, the Secretary of State, or his
22 authorized agent may administer oaths and issue subpoenas for
23 the attendance of witnesses and the production of relevant
24 books and records and may require an examination of such
25 person. Upon any such hearing, the Secretary of State shall
26 either rescind or, good cause appearing therefor, continue,

1 change or extend the Order of Revocation or Suspension, or
2 upon petition therefore and subject to the provisions of this
3 Code, issue a restricted driving permit or reinstate the
4 license or permit of such person.

5 (d) All hearings and hearing procedures shall comply with
6 requirements of the Constitution, so that no person is
7 deprived of due process of law nor denied equal protection of
8 the laws. All hearings shall be held before the Secretary of
9 State or before such persons as may be designated by the
10 Secretary of State and appropriate records of such hearings
11 shall be kept. Where a transcript of the hearing is taken, the
12 person requesting the hearing shall have the opportunity to
13 order a copy thereof at his own expense. The Secretary of State
14 shall enter an order upon any hearing conducted under this
15 Section, related to a suspension, revocation, or the denial of
16 the issuance of a license, permit, registration, or
17 certificate of title occurring after July 1, 2002, within 90
18 days of its conclusion and shall immediately notify the person
19 in writing of his or her action.

20 (d-5) Any hearing over which the Secretary of State has
21 jurisdiction because of a person's implied consent to testing
22 of the person's blood, breath, other bodily substance, or
23 urine for the presence of alcohol, drugs, or intoxicating
24 compounds may be conducted upon a review of the official
25 police reports. Either party, however, may subpoena the
26 arresting officer and any other law enforcement officer who

1 was involved in the petitioner's arrest or processing after
2 arrest, as well as any other person whose testimony may be
3 probative to the issues at the hearing. The failure of a law
4 enforcement officer to answer the subpoena shall be considered
5 grounds for a continuance if, in the hearing officer's
6 discretion, the continuance is appropriate. The failure of the
7 arresting officer to answer a subpoena shall not, in and of
8 itself, be considered grounds for the rescission of an implied
9 consent suspension. Rather, the hearing shall proceed on the
10 basis of the other evidence available, and the hearing officer
11 shall assign this evidence whatever probative value is deemed
12 appropriate. The decision whether to rescind shall be based
13 upon the totality of the evidence.

14 (e) The action of the Secretary of State in suspending,
15 revoking or denying any license, permit, registration, or
16 certificate of title shall be subject to judicial review in
17 the Circuit Court of Sangamon County, in the Circuit Court of
18 Jefferson County, or in the Circuit Court of Cook County, and
19 the provisions of the Administrative Review Law, and all
20 amendments and modifications thereto, and the rules adopted
21 pursuant thereto, are hereby adopted and shall apply to and
22 govern every action for the judicial review of final acts or
23 decisions of the Secretary of State hereunder.

24 (Source: P.A. 99-697, eff. 7-29-16.)

1 Sec. 6-205. Mandatory revocation of license or permit;
2 hardship cases.

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

7 1. Reckless homicide resulting from the operation of a
8 motor vehicle;

9 2. Violation of Section 11-501 of this Code or a
10 similar provision of a local ordinance relating to the
11 offense of operating or being in physical control of a
12 vehicle while under the influence of alcohol, other drug
13 or drugs, intoxicating compound or compounds, or any
14 combination thereof;

15 3. Any felony under the laws of any State or the
16 federal government in the commission of which a motor
17 vehicle was used;

18 4. Violation of Section 11-401 of this Code relating
19 to the offense of leaving the scene of a traffic crash
20 involving death or personal injury;

21 5. Perjury or the making of a false affidavit or
22 statement under oath to the Secretary of State under this
23 Code or under any other law relating to the ownership or
24 operation of motor vehicles;

25 6. Conviction upon 3 charges of violation of Section
26 11-503 of this Code relating to the offense of reckless

1 driving committed within a period of 12 months;

2 7. Conviction of any offense defined in Section 4-102
3 of this Code if the person exercised actual physical
4 control over the vehicle during the commission of the
5 offense;

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

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

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

12 11. Violation of Section 11-204.1 of this Code
13 relating to aggravated fleeing or attempting to elude a
14 peace officer;

15 12. Violation of paragraph (1) of subsection (b) of
16 Section 6-507, or a similar law of any other state,
17 relating to the unlawful operation of a commercial motor
18 vehicle;

19 13. Violation of paragraph (a) of Section 11-502 of
20 this Code or a similar provision of a local ordinance if
21 the driver has been previously convicted of a violation of
22 that Section or a similar provision of a local ordinance
23 and the driver was less than 21 years of age at the time of
24 the offense;

25 14. Violation of paragraph (a) of Section 11-506 of
26 this Code or a similar provision of a local ordinance

1 relating to the offense of street racing;

2 15. A second or subsequent conviction of driving while
3 the person's driver's license, permit or privileges was
4 revoked for reckless homicide or a similar out-of-state
5 offense;

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

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

17 18. A second or subsequent conviction of illegal
18 possession, while operating or in actual physical control,
19 as a driver, of a motor vehicle, of any controlled
20 substance prohibited under the Illinois Controlled
21 Substances Act, any cannabis prohibited under the Cannabis
22 Control Act, or any methamphetamine prohibited under the
23 Methamphetamine Control and Community Protection Act. A
24 defendant found guilty of this offense while operating a
25 motor vehicle shall have an entry made in the court record
26 by the presiding judge that this offense did occur while

1 the defendant was operating a motor vehicle and order the
2 clerk of the court to report the violation to the
3 Secretary of State;

4 19. Violation of subsection (a) of Section 11-1414 of
5 this Code, or a similar provision of a local ordinance,
6 relating to the offense of overtaking or passing of a
7 school bus when the driver, in committing the violation,
8 is involved in a motor vehicle crash that results in death
9 to another and the violation is a proximate cause of the
10 death.

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.

4 (c)(1) Whenever a person is convicted of any of the
5 offenses enumerated in this Section, ~~the court may recommend~~
6 and the use of alcohol or other drugs is not stated as an
7 element of the offense, the Secretary of State in his
8 discretion, ~~without regard to whether the recommendation is~~
9 ~~made by the court may,~~ upon application, issue to the person a
10 restricted driving permit granting the privilege of driving a
11 motor vehicle between the petitioner's residence and
12 petitioner's place of employment or within the scope of the
13 petitioner's employment related duties, or to allow the
14 petitioner to transport himself or herself or a family member
15 of the petitioner's household to a medical facility for the
16 receipt of necessary medical care or to allow the petitioner
17 to transport himself or herself to and from alcohol or drug
18 remedial or rehabilitative activity recommended by a licensed
19 service provider, or to allow the petitioner to transport
20 himself or herself or a family member of the petitioner's
21 household to classes, as a student, at an accredited
22 educational institution, or to allow the petitioner to
23 transport children, elderly persons, or persons with
24 disabilities who do not hold driving privileges and are living
25 in the petitioner's household to and from daycare; if the
26 petitioner is able to demonstrate that no alternative means of

1 transportation is reasonably available and that the petitioner
2 will not endanger the public safety or welfare; provided that
3 the Secretary's discretion shall be limited to cases where
4 undue hardship, as defined by the rules of the Secretary of
5 State, would result from a failure to issue the restricted
6 driving permit. If a person is convicted of any of the offenses
7 enumerated in this Section and the use of alcohol or other
8 drugs is stated as an element of the offense, the Secretary may
9 in the Secretary's discretion, upon application, issue to the
10 person a restricted driving permit granting the privilege of
11 driving a motor vehicle 6 days per week, 12 hours per day
12 within a 200-mile radius of the person's residence for any
13 legal purpose. An additional day, hours, and radius may be
14 granted for employment purposes upon verified affidavit of the
15 petitioner and employer. The Secretary may adopt
16 administrative rules for the issuance of other types of
17 restricted driving permits that may be issued prior to and
18 after eligibility date for reinstatement in order to protect
19 and further the public safety and welfare.

20 (1.5) A person subject to the provisions of paragraph 4 of
21 subsection (b) of Section 6-208 of this Code may make
22 application for a restricted driving permit at a hearing
23 conducted under Section 2-118 of this Code after the
24 expiration of 5 years from the effective date of the most
25 recent revocation, or after 5 years from the date of release
26 from a period of imprisonment resulting from a conviction of

1 the most recent offense, whichever is later, provided the
2 person, in addition to all other requirements of the
3 Secretary, shows by clear and convincing evidence:

4 (A) a minimum of 3 years of uninterrupted abstinence
5 from alcohol and the unlawful use or consumption of
6 cannabis under the Cannabis Control Act, a controlled
7 substance under the Illinois Controlled Substances Act, an
8 intoxicating compound under the Use of Intoxicating
9 Compounds Act, or methamphetamine under the
10 Methamphetamine Control and Community Protection Act; and

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

17 In determining whether an applicant is eligible for a
18 restricted driving permit under this paragraph (1.5), the
19 Secretary may consider any relevant evidence, including, but
20 not limited to, testimony, affidavits, records, and the
21 results of regular alcohol or drug tests. Persons subject to
22 the provisions of paragraph 4 of subsection (b) of Section
23 6-208 of this Code and who have been convicted of more than one
24 violation of paragraph (3), paragraph (4), or paragraph (5) of
25 subsection (a) of Section 11-501 of this Code shall not be
26 eligible to apply for a restricted driving permit.

1 A restricted driving permit issued under this paragraph
2 (1.5) shall provide that the holder may only operate motor
3 vehicles equipped with an ignition interlock device as
4 required under paragraph (2) of subsection (c) of this Section
5 and subparagraph (A) of paragraph 3 of subsection (c) of
6 Section 6-206 of this Code. The Secretary may revoke a
7 restricted driving permit or amend the conditions of a
8 restricted driving permit issued under this paragraph (1.5) if
9 the holder operates a vehicle that is not equipped with an
10 ignition interlock device, or for any other reason authorized
11 under this Code.

12 A restricted driving permit issued under this paragraph
13 (1.5) shall be revoked, and the holder barred from applying
14 for or being issued a restricted driving permit in the future,
15 if the holder is subsequently convicted of a violation of
16 Section 11-501 of this Code, a similar provision of a local
17 ordinance, ~~or~~ a similar offense in another state, or a similar
18 offense committed on a military installation.

19 (2) If a person's license or permit is revoked or
20 suspended due to one ~~2~~ or more convictions of violating
21 Section 11-501 of this Code or a similar provision of a local
22 ordinance, ~~or~~ a similar out-of-state offense, or a similar
23 offense committed on a military installation, or Section 9-3
24 of the Criminal Code of 1961 or the Criminal Code of 2012,
25 where the use of alcohol or other drugs is stated ~~recited~~ as an
26 element of the offense, or a similar out-of-state offense, ~~or~~

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

6 (3) If:

7 (A) a person's license or permit is revoked or
8 suspended 2 or more times due to any combination of:

9 (i) a single conviction of violating Section
10 11-501 of this Code or a similar provision of a local
11 ordinance or a similar out-of-state offense, or a
12 similar offense committed on a military installation,
13 or Section 9-3 of the Criminal Code of 1961 or the
14 Criminal Code of 2012, where the use of alcohol or
15 other drugs is stated ~~recited~~ as an element of the
16 offense, or a similar out-of-state offense or a
17 similar offense committed on a military installation;
18 or

19 (ii) a statutory summary suspension or revocation
20 under Section 11-501.1, a suspension under subsection
21 (6) of paragraph (a) of Section 6-206 where alcohol or
22 other drugs is stated as an element of the offense or a
23 suspension under subsection (31) of paragraph (a) of
24 Section 6-206; or

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

26 (iv) a single disposition of court supervision of

1 violating Section 11-501 or a similar provision of a
2 local ordinance or a similar out-of-state offense; or
3 (v) a single conviction of violating Section
4 11-503, a similar provision of a local ordinance or a
5 similar out-of-state offense if the original charge
6 was a violation of Section 11-501, or a similar
7 provision of a local ordinance or a similar
8 out-of-state offense;

9 arising out of separate occurrences; or

10 (B) a person has been convicted of one violation of
11 subparagraph (C) or (F) of paragraph (1) of subsection (d)
12 of Section 11-501 of this Code, Section 9-3 of the
13 Criminal Code of 1961 or the Criminal Code of 2012,
14 relating to the offense of reckless homicide where the use
15 of alcohol or other drugs was stated ~~recited~~ as an element
16 of the offense, or a similar provision of a law of another
17 state or military installation;

18 that person, if issued a restricted driving permit, may not
19 operate a vehicle unless it has been equipped with an ignition
20 interlock device as defined in Section 1-129.1.

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

26 (5) The Secretary may grant an employment exception to ~~ff~~

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

17 (6) In each case the Secretary of State may issue a
18 restricted driving permit for a period he deems appropriate,
19 except that the permit shall expire no later than 2 years from
20 the date of issuance. A restricted driving permit issued under
21 this Section shall be subject to cancellation, revocation, and
22 suspension by the Secretary of State in like manner and for
23 like cause as a driver's license issued under this Code may be
24 cancelled, revoked, or suspended; except that a conviction
25 upon one or more offenses against laws or ordinances
26 regulating the movement of traffic shall be deemed sufficient

1 cause for the revocation, suspension, or cancellation of a
2 restricted driving permit. The Secretary of State may, as a
3 condition to the issuance of a restricted driving permit,
4 require the petitioner to participate in a designated driver
5 remedial or rehabilitative program. The Secretary of State is
6 authorized to cancel a restricted driving permit if the permit
7 holder does not successfully complete the program. However, if
8 an individual's driving privileges have been revoked in
9 accordance with paragraph 13 of subsection (a) of this
10 Section, no restricted driving permit shall be issued until
11 the individual has served 6 months of the revocation period.

12 (c-5) (Blank).

13 (c-6) If a person is convicted of a second violation of
14 operating a motor vehicle while the person's driver's license,
15 permit or privilege was revoked, where the revocation was for
16 a violation of Section 9-3 of the Criminal Code of 1961 or the
17 Criminal Code of 2012 relating to the offense of reckless
18 homicide or a similar out-of-state offense or a similar
19 offense committed on a military installation, the person's
20 driving privileges shall be revoked pursuant to subdivision
21 (a)(15) of this Section. The person may not make application
22 for a license or permit until the expiration of five years from
23 the effective date of the revocation or the expiration of five
24 years from the date of release from a term of imprisonment,
25 whichever is later.

26 (c-7) If a person is convicted of a third or subsequent

1 violation of operating a motor vehicle while the person's
2 driver's license, permit or privilege was revoked, where the
3 revocation was for a violation of Section 9-3 of the Criminal
4 Code of 1961 or the Criminal Code of 2012 relating to the
5 offense of reckless homicide or a similar out-of-state offense
6 or a similar offense committed on a military installation, the
7 person may never apply for a license or permit.

8 (d) (1) Whenever a person under the age of 21 is convicted
9 under Section 11-501 of this Code or a similar provision of a
10 local ordinance or a similar out-of-state offense or a similar
11 offense committed on a military installation, the Secretary of
12 State shall revoke the driving privileges of that person. One
13 year after the date of revocation, and upon application, the
14 Secretary of State may, if satisfied that the person applying
15 will not endanger the public safety or welfare, issue a
16 restricted driving permit granting the privilege of driving a
17 motor vehicle only 6 days per week, 12 hours per day, within a
18 200-mile radius of the person's residence for any legal
19 purpose ~~between the hours of 5 a.m. and 9 p.m. or as otherwise~~
20 ~~provided by this Section~~ for a period of one year. After this
21 one-year period, and upon reapplication for a license as
22 provided in Section 6-106, upon payment of the appropriate
23 reinstatement fee provided under paragraph (b) of Section
24 6-118, the Secretary of State, in his discretion, may
25 reinstate the petitioner's driver's license and driving
26 privileges, or extend the restricted driving permit as many

1 times as the Secretary of State deems appropriate, by
2 additional periods of not more than 24 months each.

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

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

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

1 installation; or

2 (B) a statutory summary suspension or revocation under
3 Section 11-501.1, a suspension under paragraph (6) of
4 subsection (a) of Section 6-206 where alcohol or other
5 drugs is stated as an element of the offense, or a
6 suspension under paragraph (31) of subsection (a) of
7 Section 6-206; ~~or~~

8 (C) a suspension pursuant to Section 6-203.1;

9 (D) a single disposition of court supervision of
10 violating Section 11-501 or a similar provision of a local
11 ordinance or a similar out-of-state offense; or

12 (E) a single conviction of violating Section 11-503, a
13 similar provision of a local ordinance, or a similar
14 out-of-state offense if the original charge was a
15 violation of Section 11-501 or a similar provision of a
16 local ordinance or a similar out-of-state offense;

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

21 (3.5) If a person's license or permit is revoked or
22 suspended due to a conviction for a violation of subparagraph
23 (C) or (F) of paragraph (1) of subsection (d) of Section 11-501
24 of this Code, or a similar provision of a local ordinance or
25 similar out-of-state offense, that person, if issued a
26 restricted driving permit, may not operate a vehicle unless it

1 has been equipped with an ignition interlock device as defined
2 in Section 1-129.1.

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

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

25 (6) A restricted driving permit issued under this Section
26 shall be subject to cancellation, revocation, and suspension

1 by the Secretary of State in like manner and for like cause as
2 a driver's license issued under this Code may be cancelled,
3 revoked, or suspended; except that a conviction upon one or
4 more offenses against laws or ordinances regulating the
5 movement of traffic shall be deemed sufficient cause for the
6 revocation, suspension, or cancellation of a restricted
7 driving permit.

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

17 (e) This Section is subject to the provisions of the
18 Driver License Compact.

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

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

1 (h) The Secretary of State shall require the use of
2 ignition interlock devices for a period not less than 5 years
3 on all vehicles owned by a person who has been convicted of a
4 second or subsequent offense under Section 11-501 of this Code
5 or a similar provision of a local ordinance or a similar
6 out-of-state offense or a similar offense committed on a
7 military installation. The person must pay to the Secretary of
8 State DUI Administration Fund an amount not to exceed \$30 for
9 each month that he or she uses the device. The Secretary shall
10 establish by rule and regulation the procedures for
11 certification and use of the interlock system, the amount of
12 the fee, and the procedures, terms, and conditions relating to
13 these fees. During the time period in which a person is
14 required to install an ignition interlock device under this
15 subsection (h), that person shall only operate vehicles in
16 which ignition interlock devices have been installed, except
17 as allowed by subdivision (c) (5) or (d) (5) of this Section.
18 Regardless of whether an exemption under subdivision (c) (5)
19 or (d) (5) applies, every person subject to this subsection
20 shall not be eligible for reinstatement until the person
21 installs an ignition interlock device and maintains the
22 ignition interlock device for 5 years.

23 (i) (Blank).

24 (j) In accordance with 49 C.F.R. 384, the Secretary of
25 State may not issue a restricted driving permit for the
26 operation of a commercial motor vehicle to a person holding a

1 CDL whose driving privileges have been revoked, suspended,
2 cancelled, or disqualified under any provisions of this Code.

3 (k) The Secretary of State shall notify by mail any person
4 whose driving privileges have been revoked under paragraph 16
5 of subsection (a) of this Section that his or her driving
6 privileges and driver's license will be revoked 90 days from
7 the date of the mailing of the notice.

8 (Source: P.A. 101-623, eff. 7-1-20; 102-299, eff. 8-6-21;
9 102-982, eff. 7-1-23.)

10 (625 ILCS 5/6-206)

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

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

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

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

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

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

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

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

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

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

1 examination;

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

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

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

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

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

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

1 6-110;

2 14. Has committed a violation of Section 6-301,
3 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
4 14B of the Illinois Identification Card Act or a similar
5 offense in another state if, at the time of the offense,
6 the person held an Illinois driver's license or
7 identification card;

8 15. Has been convicted of violating Section 21-2 of
9 the Criminal Code of 1961 or the Criminal Code of 2012
10 relating to criminal trespass to vehicles if the person
11 exercised actual physical control over the vehicle during
12 the commission of the offense, in which case the
13 suspension shall be for one year;

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

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

20 18. (Blank);

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

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

26 21. Has been convicted of violating Section 11-402 of

1 this Code relating to leaving the scene of a crash
2 resulting in damage to a vehicle in excess of \$1,000, in
3 which case the suspension shall be for one year;

4 22. Has used a motor vehicle in violating paragraph
5 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
6 the Criminal Code of 1961 or the Criminal Code of 2012
7 relating to unlawful possession of weapons, in which case
8 the suspension shall be for one year;

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

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

19 25. Has permitted any form of identification to be
20 used by another in the application process in order to
21 obtain or attempt to obtain a license, identification
22 card, or permit;

23 26. Has altered or attempted to alter a license or has
24 possessed an altered license, identification card, or
25 permit;

26 27. (Blank);

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

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

1 driver's driving privileges shall be suspended for one
2 year;

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

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

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

26 33. Has as a driver, who was less than 21 years of age

1 on the date of the offense, been convicted a first time of
2 a violation of paragraph (a) of Section 11-502 of this
3 Code or a similar provision of a local ordinance;

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

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

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

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

17 38. Has been convicted of a violation of Section 6-20
18 of the Liquor Control Act of 1934 or a similar provision of
19 a local ordinance and the person was an occupant of a motor
20 vehicle at the time of the violation;

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

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

25 41. Has committed a second or subsequent violation of
26 Section 11-605.1 of this Code, a similar provision of a

1 local ordinance, or a similar violation in any other state
2 within 2 years of the date of the previous violation, in
3 which case the suspension shall be for 90 days;

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

7 43. Has received a disposition of court supervision
8 for a violation of subsection (a), (d), or (e) of Section
9 6-20 of the Liquor Control Act of 1934 or a similar
10 provision of a local ordinance and the person was an
11 occupant of a motor vehicle at the time of the violation,
12 in which case the suspension shall be for a period of 3
13 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;

3 47. Has committed a violation of subsection (a) of
4 Section 11-502.1 of this Code;

5 48. Has submitted a falsified or altered medical
6 examiner's certificate to the Secretary of State or
7 provided false information to obtain a medical examiner's
8 certificate;

9 49. Has been convicted of a violation of Section
10 11-1002 or 11-1002.5 that resulted in a Type A injury to
11 another, in which case the driving privileges of the
12 person shall be suspended for 12 months;

13 50. Has committed a violation of subsection (b-5) of
14 Section 12-610.2 that resulted in great bodily harm,
15 permanent disability, or disfigurement, in which case the
16 driving privileges of the person shall be suspended for 12
17 months;

18 51. Has committed a violation of Section 10-15 Of the
19 Cannabis Regulation and Tax Act or a similar provision of
20 a local ordinance while in a motor vehicle; or

21 52. Has committed a violation of subsection (b) of
22 Section 10-20 of the Cannabis Regulation and Tax Act or a
23 similar provision of a local ordinance.

24 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
25 and 27 of this subsection, license means any driver's license,
26 any traffic ticket issued when the person's driver's license

1 is deposited in lieu of bail, a suspension notice issued by the
2 Secretary of State, a duplicate or corrected driver's license,
3 a probationary driver's license, or a temporary driver's
4 license.

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

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

20 2. If the Secretary of State suspends the driver's license
21 of a person under subsection 2 of paragraph (a) of this
22 Section, a person's privilege to operate a vehicle as an
23 occupation shall not be suspended, provided an affidavit is
24 properly completed, the appropriate fee received, and a permit
25 issued prior to the effective date of the suspension, unless 5
26 offenses were committed, at least 2 of which occurred while

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

20 The provisions of this subparagraph shall not apply to any
21 driver required to possess a CDL for the purpose of operating a
22 commercial motor vehicle.

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

1 3. At the conclusion of a hearing under Section 2-118 of
2 this Code, the Secretary of State shall either rescind or
3 continue an order of revocation or shall substitute an order
4 of suspension; or, good cause appearing therefor, rescind,
5 continue, change, or extend the order of suspension. If the
6 Secretary of State does not rescind the order and the use of
7 alcohol or other drugs is not stated as an element of the
8 offense, the Secretary may upon application, to relieve undue
9 hardship (as defined by the rules of the Secretary of State),
10 issue a restricted driving permit granting the privilege of
11 driving a motor vehicle between the petitioner's residence and
12 petitioner's place of employment or within the scope of the
13 petitioner's employment-related duties, or to allow the
14 petitioner to transport himself or herself, or a family member
15 of the petitioner's household to a medical facility, to
16 receive necessary medical care, to allow the petitioner to
17 transport himself or herself to and from alcohol or drug
18 remedial or rehabilitative activity recommended by a licensed
19 service provider, or to allow the petitioner to transport
20 himself or herself or a family member of the petitioner's
21 household to classes, as a student, at an accredited
22 educational institution, or to allow the petitioner to
23 transport children, elderly persons, or persons with
24 disabilities who do not hold driving privileges and are living
25 in the petitioner's household to and from daycare. The
26 petitioner must demonstrate that no alternative means of

1 transportation is reasonably available and that the petitioner
2 will not endanger the public safety or welfare. If a person is
3 convicted of any offenses enumerated in this Section and the
4 use of alcohol or other drugs is stated as an element of the
5 offense, the Secretary may in the Secretary's discretion, upon
6 application, issue to the person a restricted driving permit
7 granting the privilege of driving a motor vehicle 6 days per
8 week, 12 hours per day, within a 200-mile radius of the
9 person's residence for any legal purpose. An additional day,
10 hours, and radius may be granted for employment purposes upon
11 verified affidavit of the petitioner and employer. The
12 Secretary may adopt administrative rules for the issuance of
13 other types of restricted driving permits that may be issued
14 prior to and after eligibility date for reinstatement in order
15 to protect and further the public safety and welfare.

16 (A) If a person's license or permit is revoked or
17 suspended due to one ~~2~~ or more convictions of violating
18 Section 11-501 of this Code or a similar provision of a
19 local ordinance or a similar out-of-state offense or a
20 similar offense committed on a military installation, or
21 Section 9-3 of the Criminal Code of 1961 or the Criminal
22 Code of 2012, where the use of alcohol or other drugs is
23 stated ~~recited~~ as an element of the offense, or a similar
24 out-of-state offense, or a similar offense committed on a
25 military installation, ~~or a combination of these offenses,~~
26 ~~arising out of separate occurrences,~~ that person, if

1 issued a restricted driving permit, may not operate a
2 vehicle unless it has been equipped with an ignition
3 interlock device as defined in Section 1-129.1.

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

6 (i) a single conviction of violating Section
7 11-501 of this Code or a similar provision of a local
8 ordinance or a similar out-of-state offense or a
9 similar offense committed on a military installation
10 or Section 9-3 of the Criminal Code of 1961 or the
11 Criminal Code of 2012, where the use of alcohol or
12 other drugs is stated ~~recited~~ as an element of the
13 offense, or a similar out-of-state offense or a
14 similar offense committed on a military installation;
15 or

16 (ii) a statutory summary suspension or revocation
17 under Section 11-501.1 or a suspension under paragraph
18 (6) of subsection (a) of Section 6-206 where alcohol
19 or other drugs is stated as an element of the offense
20 or a suspension under paragraph (31) of subsection (a)
21 of Section 6-206; ~~or~~

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

23 (iv) a single disposition of court supervision of
24 violating Section 11-501 or a similar provision of a
25 local ordinance or a similar out-of-state offense; or

26 (v) a single conviction of violating Section

1 11-503, a similar provision of a local ordinance or a
2 similar out-of-state offense if the original charge
3 was a violation of Section 11-501 or a similar
4 provision of a local ordinance or a similar
5 out-of-state offense;

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

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

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

25 (D) The Secretary may grant an employment exception to
26 ~~If the restricted driving permit is issued for employment~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
23 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
24 7-1-23; 103-154, eff. 6-30-23; 103-822, eff. 1-1-25.)

25 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

1 Sec. 6-208. Period of suspension - application after
2 revocation.

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

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

15 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,
16 4, and 5, the person may make application for a license (A)
17 after the expiration of one year from the effective date
18 of the revocation, (B) in the case of a violation of
19 paragraph (b) of Section 11-401 of this Code or a similar
20 provision of a local ordinance, after the expiration of 3
21 years from the effective date of the revocation, or (C) in
22 the case of a violation of Section 9-3 of the Criminal Code
23 of 1961 or the Criminal Code of 2012 or a similar provision
24 of a law of another state or a similar offense committed on
25 a military installation relating to the offense of
26 reckless homicide or a violation of subparagraph (F) of

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

12 1.3. If the person is convicted of a second or
13 subsequent violation of Section 11-501 of this Code or a
14 similar provision of a local ordinance or a similar
15 out-of-state offense, or a similar offense committed on a
16 military installation, or Section 9-3 of the Criminal Code
17 of 1961 or the Criminal Code of 2012, in which the use of
18 alcohol or other drugs is stated ~~recited~~ as an element of
19 the offense, or a similar out-of-state offense, or a
20 similar offense committed on a military installation, ~~or a~~
21 ~~combination of these offenses, arising out of separate~~
22 ~~occurrences,~~ that person may not make application for a
23 driver's license until:

24 (A) the person has first been issued a restricted
25 driving permit by the Secretary of State; and

26 (B) the expiration of a continuous period of not

1 less than 5 years following the issuance of the
2 restricted driving permit during which the person's
3 restricted driving permit is not suspended, cancelled,
4 or revoked for a violation of any provision of law, or
5 any rule or regulation of the Secretary of State
6 relating to the required use of an ignition interlock
7 device.

8 1.5. If the person is convicted of a violation of
9 Section 6-303 of this Code committed while his or her
10 driver's license, permit, or privilege was revoked because
11 of a violation of Section 9-3 of the Criminal Code of 1961
12 or the Criminal Code of 2012, relating to the offense of
13 reckless homicide, or a similar provision of a law of
14 another state, or a similar offense committed on a
15 military installation, the person may not make application
16 for a license or permit until the expiration of 3 years
17 from the date of the conviction.

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

20 (A) Section 11-501 of this Code, ~~or~~ a similar
21 provision of a local ordinance, a similar provision of
22 a law of another state, or a similar offense committed
23 on a military installation;

24 (B) Paragraph (b) of Section 11-401 of this Code, ~~or~~
25 a similar provision of a local ordinance, a similar
26 provision of a law of another state, or a similar

1 offense committed on a military installation;

2 (C) Section 9-3 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, relating to the offense of
4 reckless homicide, a similar provision of a law of
5 another state, or a similar offense committed on a
6 military installation; or

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

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

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

26 3. However, except as provided in subparagraph 4, if

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

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

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

1 this State, the revocation shall be reinstated and the
2 person shall be subject to the provisions of subparagraph
3 4.

4 5. The person may not make application for a license
5 or permit if the person is convicted of a third or
6 subsequent violation of Section 6-303 of this Code
7 committed while his or her driver's license, permit, or
8 privilege was revoked because of a violation of Section
9 9-3 of the Criminal Code of 1961 or the Criminal Code of
10 2012, relating to the offense of reckless homicide, ~~or~~ a
11 similar provision of a law of another state, or a similar
12 offense committed on a military installation,.

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

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

24 (c) (Blank).

25 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16;
26 99-642, eff. 7-28-16.)